

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

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

Vol. LXXI (Nos. 1 to 12)

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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.

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

II.—Central Subjects.

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Control of petroleum and explosives. 2. Central police organization. | <ol style="list-style-type: none"> 3. Arms and ammunition. 4. Emigration and immigration. 5. Pilgrimage to the Hedjaz. |
|--|---|

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

I.—Provincial Subjects.

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

I.—Provincial Subjects—cont.

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

II.—Central Subjects.

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

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

I.—Provincial Subjects.

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

II.—Central Subjects.

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

4. The Hon. 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 cum Tinnevelly, Muhammadan Rural.
3 Alagannan Chettiyar, Rao Sahib A. S.	Madura, N.-M. Rural.
4 Alamelumangathayaramma, Mrs. K.	NOMINATED.
5 Annamalai Chettiyar, S. A. A.	Nattukottai Nagarathars' Association.
6 Appadurai Pillai, Diwan Bahadur A.	Central Districts—Indian Christian.
7 Arasu, V. T.	NOMINATED.
8 Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
9 Basheer Ahmed Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
10 Basu Dev, C.	NOMINATED.
11 Bayappa Reddi, P.	Anantapur, N.-M. Rural.
12 Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
13 Bhanoji Rao, A. V.	NOMINATED.
14 Birley, Frank	Madras Chamber of Commerce.
15 Campbell, K.O.I.E., C.S.I., C.B.E., v.d., I.C.S., The Hon. Sir Archibald.	EX OFFICIO.
16 Davis, O.B.E., J. A.	Anglo-Indian.
17 Devadasan, M.	NOMINATED.
18 Dharmalingam Pillai, Rao Sahib V.	NOMINATED.
19 Duraiswami Reddiyar, K. M.	South Arcot, N.-M. Rural.
20 Ellappa Chettiyar, Diwan Bahadur S.	Salem, N.-M. Rural.
21 Foulkes, R.	NOMINATED.
22 Gopalaswami Ayyangur, 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 Indrayya, C.	Godavari West, N.-M. Rural.
27 Jagannadha Raju, Rao Bahadur G. (Deputy President).	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 cum Srirangam, Muhammadan Urban.
32 Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural.
33 Koti Reddi, K.	Cuddapah, N.-M. Rural.
34 Krishnamurti, Rao 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 Krishnappa 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. (Minister).	Tinnevelly, N.-M. Rural.
41 Kuppuswami Choudari, J.	Guntur, N.-M. Rural.
42 Ladden, W. W.	Madras Trades Association.
43 Lakshmana Reddi, G.	Anantapur, N.-M. Rural.
44 Langley, W. K. M.	Madras Planters.
45 Madanagopal Nayudu, R.	Madras City, N.-M. Urban.
46 Madhusoodhanan Thangal, P.	NOMINATED.
47 Maharaja of Venkatagiri (Sri Raja Velugoti Sir Govinda Krishna Yachendrula Bahadur Varu, K.O.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 cum 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 cum Madura, Christian.
71 Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
72 Patnaik Mahasayo, Sriman M. G.	Ganjam, N.-M. Rural.
73 Patro, Kt., Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
74 Pattabhiramayya, K.	Kistna, N.-M. Rural.
75 Pattagar of Palayakottai (Rai Bahadur Nallathambi Sarkarai Manradiyar).	Coimbatore, N.-M. Rural.
76 Peddi Raju, P.	Godavari West, N.-M. Rural.
77 Pocker Sahib Bahadur, B. . .	Malabar, Muhammadan Rural.
78 Premayya, G. R.	NOMINATED.
79 Rajagopala Pillai, P. V. . . .	NOMINATED.
80 Raja of Bobbili, The Hon. (Sri Ravu Swetachallapathi Ramakrishna Ranga Rao) (Minister).	Vizagapatam, N.-M. Rural.
81 Raja of Kallikote (Raja Sri Ramachandra Marda Raja Deo Garu).	Northern Landholders, I.
82 Raja of Parlakimedi (Sri Sri Sri Krishna Chandra Gajapathi Narayana Deo Garu).	Ganjam, N.-M. Rural.
83 Rajan, The Hon. Mr. P. T. (Minister).	Madura, N.-M. Rural.
84 Ramachandra Padayachi, P. K.	South Arcot, N.-M. Rural.
85 Ramachandra Reddi, The Hon. Mr. B. (President).	Nellore, N.-M. Rural.
86 Ramakrishna Reddi, A.	Kurnool, N.-M. Rural.
87 Ramalingam Chettiyar, Rao Bahadur T. A.	Coimbatore, N.-M. Rural.

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

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

OFFICIAL REPORT.

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

Saturday, the 10th 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.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Krishnan Nayar, Kt., 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.	Narasa Reddi, Mr. T.
Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun.	Narasimhaswami, Rao Sahib D. V.
Raja of Bobbili, The Hon. the Rajan, The Hon. Mr. P. T.	Narayanan Nambiyar, Mr. V. P.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Natesa Mudaliyar, Rao Bahadur C. Palat, Mr. R. M.
Abdul Hameed Khan, Mr.	Pannirselvam, Rao Bahadur A. T.
Ahmed Meeran Sahib Bahadur.	Parthasarathi Ayyangar, Mr. C. R.
Alamelumangathayaramma, Mrs. K.	Patro, Kt., Rao Bahadur Sir A. P.
Annamalai Chettiyar, Mr. S. A. A.	Pattabhiramayya, Mr. K.
Appadurai Pillai, Diwan Bahadur A.	Pattagar of Palayakottai.
Arasu, Mr. V. T.	Peddi Raju, Mr. P.
Ari Gowder, Mr. H. B.	Pocker Sahib Bahadur, B.
Basheer Ahmed Sayeed, Mr.	Premayya, Mr. G. R.
Basu Dev, Mr. C.	Rajagopala Pillai, Mr. P. V.
Bayappa Reddi, Mr. P.	Raja of Parlakimedi.
Birley, Mr. F.	Ramachandra Padayachi, Mr. P. K.
Devadasan, Mr. M.	Ramakrishna Reddi, Mr. A.
Dharmalingam Pillai, Rao Sahib V.	Ramalingam Chettiyar, Rao Bahadur T. A.
Duraiaswami Reddiyar, Mr. K. M.	Ramamurti, Rao Sahib Pandit Ganala.
Ellappa Chettiyar, Diwan Bahadur S.	Raman Menon, Mr. K. P.
Foulkes, Mr. R.	Ramaswami Ayyar, Mr. T. S.
Harischandrudu Nayudu, Mr. A.	Ramaswami Mudaliyar, Mr. V. M.
Hood, I.C.S., Mr. H. M.	Ranganatha Mudaliyar, Mr. A.
Jagannatham, Mr. H. M.	Ranganatha Mudaliyar, Mr. G.
Jayaram Nayudu, Rao Sahib C.	Rangaswami Reddi, Mr. M. B.
Gopalanwami Ayyangar, Diwan Bahadur N.	Sami Venkatachalam Chetti, Mr. Shetty, Mr. A. B.
Konavaramamurti Nayudu, Mr. K.	Siva Raj, Rao Sahib N.
Kolanda Reddi, Rai Sahib C.	Sivasubrahmanya Ayyar, Mr. K. S.
Koti Reddi, Mr. K.	Smith, C.I.E., I.C.S., E. Conran.
Krishnayya Choudari, Mr. P. V.	Soundara Pandian, Mr. W. P. A.
Krishnamurti, Rao Sahib D.	Sreshta, Mr. M. S.
Krishnan, Mr. C.	Srinivasan, Rao Bahadur R.
Ladden, Mr. W. W.	Sriramulu, Mr. G.
Lakshmana Reddi, Mr. G.	Subbarayan, Dr. P.
Madanagopal Nayudu, Mr. R.	Subrahmanyam Chetti, Rao Sahib P.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	Subrahmanya Bhatt, Mr. U. C.
Metherell, Mr. J. K.	Sundara Rao Nayudu, Mr. T.
Moses, Mr. P. C.	Syed Tajuddin Sahib Bahadur, Khan Sahib.
Muniswami Nayudu, Diwan Bahadur B.	Thorne, C.I.E., I.C.S., Mr. J. A.
Muniswami Pillai, Rao Sahib V. I.	Vasudeva Pillai, Mr. V. G.
Muthiah Chettiyar, Mr. M. A.	Venkatarama Ayyar, Mr. K. R.
Nachiyappa Gounder, Mr. K. A.	Venugopal Nayudu, Rao Bahadur R. K.
	Viswanatha Rao, Diwan Bahadur V. N.
	Yakub Hasan Sahib Bahadur.
	Zamindar of Kirlampudi.

[10th March 1934]

1.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Arms and Ammunitions

Issue of gun licences in South Kanara.

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

(a) the number of gun licences issued during each of the last three years in South Kanara;

(b) the number of gun licence applications rejected during each of the last three years; and

(c) whether representations have been made to the Government for adopting a policy of liberal issue of licences for the protection of crops?

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

(c) Yes; from the Joint Secretary, Karkala Taluk Landholders' Association, Karkala.

Mr. A. B. SHETTY:—“ May I know whether the Government have considered the representation made by the Karkala Taluk Landholders' Association asking the Government to adopt a policy of liberal issue of gun licences for the protection of crops? ”

The Hon. Sir MAHOMED USMAN:—“ No Sir. According to rules, resolutions are not considered; if representation is made by a petition or a letter, it receives consideration.”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I ask whether the Hon. the Home Member will be pleased to suggest to the Collector not to cancel licences merely on the ground of non-purchase of ammunition in a particular year, because the licensee might have used the ammunition he had purchased the previous year or he might have borrowed ammunition from his friends? ”

The Hon. Sir MAHOMED USMAN:—“ I shall consider the suggestion of the hon. Member.”

Forests

Scale of fees charged in Salem and Coimbatore for certain forest concessions.

* 760 Q.—Mr. K. A. NACHAYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(a) what the rates are of fees for grazing, for collecting green manure and firewood in the reserved and panchayat forests in Salem and in Coimbatore districts;

(b) when the rates have been fixed;

(c) whether the rates have been cut down recently on account of the all-round depression; and

(d) if so, from how much to how much?

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

(c) No.

(d) Does not arise.

Mr. A. RANGANATHA MUDALIYAR:—“ May I ask why the grazing fee is six annas only in some cases and eight annas in others? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ The fees are fixed according to the local conditions.”

Mr. A. RANGANATHA MUDALIYAR:—“ May I ask whether in panchayat areas the panchayats have any discretion in the matter of levying the fees, or whether the Government fix the fees which the panchayats should levy? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ That question should be addressed to my hon. Colleague the Revenue Member.”

Irrigation

Disposal of the temporary staff at Cauvery-Mettur on completion of the Project.

* 761 Q.—Mr. K. A. NACHAYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(a) what the strength is of the temporary staff employed at Cauvery-Mettur now;

(b) what the Government propose to do with them as soon as the project work is completed;

(c) whether there is any chance of taking them into the Public Works Department or other departments; and

(d) if they are to be ousted, whether any compensation or gratuity will be paid to them?

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

(b) & (c) The staff employed in the project consists of officers and subordinates of the Public Works Department and of other departments such as Revenue, Public Health and Medical. Permanent officers and subordinates of these departments will on the termination of their employment in the project revert to their respective departments. Men employed in the project who hold a superior lien on temporary or acting appointments in these departments will also revert to their departments. Clerks, typists, draughtsmen and tracers who have been recruited to the project direct have already been distributed over the different circles in the Public Works Department and this will enable their service in the Cauvery-Mettur Project being taken into account for purposes of retention in service and confirmation when, on their ceasing to be employed in the project, they revert to their circles.

^a Printed as Appendix I on pages 81-84 infra.

^b Printed as Appendix II on pages 84-85 infra.

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- (d) The question of granting gratuity to the permanent staff of other departments employed in the project does not arise as they will revert to their original departments. Temporary employees are not eligible for any gratuity under the Civil Service Regulation.

Local Self-Government

Panchayats in the Province.

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

(a) the number of panchayats now existing in each of the districts of this Province; and

(b) the number of panchayats started last year in each district and the number of panchayats abolished last year?

A.—Statements giving the particulars are appended.

Mr. A. B. SHETTY:—"The statement shows that 386 panchayats were constituted and 212 were abolished last year. May I ask whether an equally large number of panchayats are abolished every year and, if so, for what reasons?"

The Hon. the RAJA OF BOBBILI:—"The power of abolishing non-union panchayats has been delegated to the Inspector and I do not think I will be able to give the reasons why they have been abolished in each case. Every year some panchayats are abolished because they are found to be working unsatisfactorily."

Mr. A. RANGANATHA MUDALIYAR:—"May I take it that all the existing panchayats are active ones?"

The Hon. the RAJA OF BOBBILI:—"They are not dormant."

Agriculture

Measures for improving the rice trade in the Province.

* 763 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state what measures are under the consideration of the Government for helping rice trade in this Province?

A.—The measures taken or under consideration have already been explained to the Council by the Hon. the Revenue Member in his speech on the debate on the resolution for land revenue remission on 31st January 1934. They are repeated below:—

- (i) The Local Government have urged on the Government of India the necessity for either the total prohibition of import of, or the imposition of prohibitive duties on, foreign rice in the interests of the rice-producing Provinces;

[10th March 1934]

- (ii) at the instance of this Government, the Government of India have thrown open the Tranquebar Port for ocean traffic with a view to facilitating the export of rice;
- (iii) the Government of India have been addressed for taking steps to give preference in Ceylon market for Indian rice;
- (iv) at the instance of this Government the South Indian Railway Company has reduced by approximately 16 per cent with effect from 10th April 1933 the freight rates for rice from certain railway stations in the districts of Tanjore and South Arcot in order to encourage the despatch of rice from those places to Colombo and the company has also quoted certain reduced railway rates for distances over 176 and up to 400 miles from 1st June 1933 to stimulate the movement of Tanjore rice and paddy to inland stations;
- (v) the Government have addressed the Residency at 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*;
- (vi) the question of addressing the Government of India regarding the removal or reduction of import duty on rice in Malaya is being considered;
- (vii) a Special Officer has been appointed to examine the conditions of the marketing of rice and making recommendations in the matter; and
- (viii) a proposal is under consideration to appoint a Provincial Marketing Officer and Marketing Board to help the agriculturist to get a full and adequate return for his produce.

Mr. A. B. SHETTY:—"May I know what action has been taken by the Government of India on the representation made by the Local Government?"

The Hon. Mr. P. T. RAJAN:—"This Government made representation to the Government of India, but what action they have taken on it, I am not in a position to say."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Government have made any representations to the Madras and Southern Mahratta Railway with regard to railway concessions?"

The Hon. Mr. P. T. RAJAN:—"I do not think that any reference has been made to Madras and Southern Mahratta Railway by this Government."

Mr. A. RANGANATHA MUDALIYAR:—"Apart from making representations and keeping the question under consideration, may I ask the Hon. Minister to state categorically whether anything has been definitely achieved?"

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The Hon. Mr. P. T. RAJAN:—"I should like to know in what directions?"

Mr. A. RANGANATHA MUDALIYAR:—"In all the directions."

The Hon. Mr. P. T. RAJAN:—"The answer to the question clearly says what the Government have done and what they propose to do."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the port of Tranquebar is being actually used for the export of rice?"

The Hon. Mr. P. T. RAJAN:—"The port has been open for traffic but whether advantage has been taken of the facilities offered, I am not now in a position to say."

Mr. G. LAKSHMANA REDDI:—"May I ask whether the Local Government have received any reply to the representations they made to the Government of India?"

The Hon. Mr. P. T. RAJAN:—"With reference to what point?"

Mr. G. LAKSHMANA REDDI:—"With reference to all the points on which they have addressed the Government of India, such as the total prohibition of the import of rice or the imposition of prohibitive duties and so on?"

The Hon. Mr. P. T. RAJAN:—"With reference to the prohibition of the import of rice or the imposition of duties, the Local Government have not heard anything from the Government of India."

Mr. M. A. MUTHIAH CHETTIYAR:—"Are the Government aware that there has been a further fall in price recently after the arrival of a large shipment of Siam rice?"

The Hon. Mr. P. T. RAJAN:—"I have this information only from the hon. Member. I was not aware of it before."

Mr. M. A. MUTHIAH CHETTIYAR:—"Will the Government be pleased to get the necessary information from the districts and find out whether the price has not really gone down and, if so, to what extent?"

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

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether and, if so, when the Government expect to receive a reply from the Nizam's Government? We have not had any reply although it is four months since our representation was made. May I ask whether any reminder has been sent to the Nizam's Government?"

The Hon. Mr. P. T. RAJAN:—"I am willing to consider the suggestion of the hon. Member."

Mr. A. B. SHETTY:—"May I know whether the Government are aware that yesterday's papers say that a large shipment of Siam rice has arrived in Madras?"

The Hon. Mr. P. T. RAJAN:—"I am sorry, Sir, I have not looked into yesterday's papers."

[10th March 1934]

Mr. A. RANGANATHA MUDALIYAR:—"May I ask when the Local Government addressed the Government of India with regard to the total prohibition of the import of foreign rice?"

The Hon. Mr. P. T. RAJAN:—"I am afraid I cannot give the exact date."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Madras Government have addressed the Government of India to consider the advisability of revising this old treaty of 1800 or so with the Nizam's Government?"

The Hon. Mr. P. T. RAJAN:—"After the reply is received from the Nizam's Government, the matter will be referred to the Government of India."

Mr. C. BASU DEV:—"May I ask whether the Government have considered the advisability of sending an officer of their own to the Nizam's Government to expedite their favourable reply?"

The Hon. Mr. P. T. RAJAN:—"I am afraid, it is not possible."

Rao Bahadur C. NATESA MUDALIYAR:—"Is it a fact that if an import duty is placed on Siam rice, it will adversely affect the commercial relations between Siam and India?"

The Hon. Mr. P. T. RAJAN:—"Possibly it might. It is a matter for the Government of India to consider."

Mr. A. RANGANATHA MUDALIYAR:—"May I ask when this marketing officer is likely to be appointed and when the Provincial Marketing Board is likely to be constituted?"

The Hon. Mr. P. T. RAJAN:—"I have said that it will be done at the beginning of the next financial year."

Mr. P. V. KRISHNAYYA CHOUDARI:—"What are the functions of this Marketing Board; have any rules been framed for the purpose?"

The Hon. Mr. P. T. RAJAN:—"No rules can be framed till the Board is appointed."

Measures for the prevention of the importation of foreign rice.

* 764 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state what action has been taken by the Madras Government to prevent import of foreign rice into this Province?

A.—The necessity for early action to prevent foreign imports effectively has been brought to the notice of the Government of India, and, as stated in answer to Question 278 given in November last, that Government is considering the question. The Local Government are not in a position to take any further steps in the matter.

Mr. A. B. SHETTY:—"May I ask whether this Government will make further representations to the Government of India and press on them the necessity for taking immediate steps to prevent the import of foreign rice?"

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The Hon. Mr. P. T. RAJAN:—"As I have said, this Government will go on making representations to the Government of India."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government of India have replied to any of the representations made by this Government?"

The Hon. Mr. P. T. RAJAN:—"I have already replied to a similar question put by Mr. Lakshmana Reddi, the hon. Member from Anantapur."

The Hon. the PRESIDENT:—"The hon. Member was not then in his place."

* Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—"When was the last representation made to the Government of India? Was it during the course of last month?"

The Hon. Mr. P. T. RAJAN:—"I should think so. As I said before, I cannot say definitely when it was made."

Co-operation

Liquidation of co-operative credit societies in Malabar in 1932-33.

* 765 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Minister for Public Works be pleased to state—

(a) how many co-operative credit societies in Malabar have been liquidated in 1932-33;

(b) what the amount actually realized is in each of the cases by liquidation;

(c) what the Government establishment is that is engaged in the liquidation of these societies;

(d) for how long they have been on such work;

(e) whether the Government have ever investigated the real causes of the accumulation of these overdues and the necessity that has recently arisen for the liquidation of these societies;

(f) whether the Government have investigated whether the Malabar District Bank auditing staff have been conducting proper and regular audit of these societies; and

(g) what the number of societies is that were functioning at the end of the official year 1932-33?

A.—(a) Twenty-six.

(b) A statement^a showing the collections made up to December 1933 in each of the societies liquidated is appended.

(c) Four Government Inspectors are engaged in the liquidation work of 77 societies including the 26 societies liquidated in 1932-33.

(d) One Inspector from 4th January 1928 to 7th April 1931; two Inspectors from 8th April 1931 to 30th April 1933; and four Inspectors from 1st May 1933 onwards.

^a Printed as Appendix IV on page 87 infra.

[10th March 1934]

(e) Enquiries were held under section 38 of the Madras Co-operative Societies Act, 1932, into the working, constitution and financial condition of these societies. When the reports of enquiry showed that the societies were really bad and beyond revival or rectification, their registration was cancelled. Generally the factors that necessitated the liquidation of these societies were mismanagement by office-bearers, the existence of benami loans, heavy overdues and bad or time-barred debts, the prevalence of factions and the absence of the minimum number of ten members required by section 45 of the Act. The case of each society was dealt with on its merits in the light of the reports of enquiry.

(f) The Malabar District Bank has no auditing staff.

(g) Six hundred and twenty-eight societies were functioning in the Malabar district on 30th June 1933.

Education

Representations, if any, for Government management of the three Muslim middle schools in Nandyal, Nellore and Cuddapah.

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

(a) whether any representations have been made to the Government either by the public or by municipalities requesting the Government to take over charge of the three Muslim middle schools at Nandyal (Kurnool), Nellore and Cuddapah;

(b) whether it is a fact that they are net cost schools and the respective municipalities are saving money contributed by Government and using the same for different other purposes; and

(c) whether the Government have any report from the district educational authorities of the above schools, complaining of this fact and stating that the efficiency of the schools is going down?

A.—(a) No such representations have been received by Government in recent years.

(b) The 'net cost' of these schools is not met by Government; the municipal councils receive lump sum subsidies towards the cost of maintenance of the schools.

So far as the school at Nellore is concerned, the answer to the latter part of the question is in the negative. Separate figures of receipts and charges of the other two schools are not available.

(c) No.

[10th March 1934]

Compulsion in the enlistment of members to the Andhra Saraswat Sangham, Ceded Districts College, Anantapur.

* 767 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that a sangham called the Andhra Saraswat Sangham has been started in the Ceded Districts College, Anantapur, and that every student of the College is compelled to be a subscribed member of the same whether he is an Andhra or a Kannada student; and

(b) what action the Government propose to take in the matter?

A.—(a) The Andhra Saraswat Sangham with a branch named the Kannada Sahitya Sangham has been in existence for some time past. An annual subscription of eight annas is being collected from each student of the College since 1928-29.

(b) The Government do not feel called upon to take any action as the funds of the sangham are used for the encouragement of the study not only of Telugu but of all the other second languages taught in the College.

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether the Government are going to take any action and if so what, in order to prevent the College authorities from insisting on the Kannada students joining this Association? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Kannarese students are willingly joining this Association, because there is a Kanarese branch also.”

UNSTARRED QUESTIONS

Irrigation.

Publication of letter No. 137/E-1, dated the 29th March 1927, from the Superintending Engineer to the Chief Engineer and later orders and reports.

768 Q.—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Member for Revenue be pleased to lay on the table of the House the copy of a letter, No. 137/E-1, dated 29th March 1927, from the Superintending Engineer to the Chief Engineer and copy of the Proceedings of the Chief Engineer, No. 749 of 1927, dated 26th May 1928, as also the copy of the report of the Tahsildar, dated 23rd October 1930, to the Subdivisional Officer?

A.—The Government do not consider it necessary to place on the table the papers mentioned.

[10th March 1934]

Education.

Admission of candidates into the Training College at Rajahmundry on communal basis.

769 Q.—Mr. C. INDRAIYA: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) the total number of applications received for the B.Ed. course in the Training College at Rajahmundry for the years 1932-33 and 1933-34;

(b) the number of candidates selected;

(c) the proportion of Hindu non-Brahmans selected, to Brahmans; and

(d) what the percentage fixed by the Government is with regard to admission of candidates on communal basis?

A.—(a) The number of applications received was 476 in 1932-33 and 428 in 1933-34.

(b) & (c) The hon. Member is referred to the answers given to clauses (a) and (f) of question No. 262 at the meeting of the Legislative Council held on the 1st November 1933.

(d) No percentage has been fixed by the Government.

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

II.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

* The Hon. the PRESIDENT:—“ The House will now proceed with the discussion of Demands for Grants.”

DEMAND I—LAND REVENUE—RESERVED.

* The Hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—
‘ that the Government be granted a sum not exceeding Rs. 18,24,800 under Demand I—Land Revenue—Reserved.’ ”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“ Mr. President, Sir, during the general discussion of the Budget, in response to the reiterated demands of non-official Members, the Hon. the Revenue Member was pleased to say that so far as resettlement operations were concerned the Government had come to the conclusion that the complicated process which had been adopted so far would be given up. But up to now we have not been enlightened as to the exact procedure which the Government want to adopt in regard to the resettlement operations that are going to take place hereafter. Resettlement operations have been a matter of considerable discussion in this House and many representations have been made to the Government both on the floor of this House and outside in the districts to the effect that the complicated process of resettlement now in vogue should be given up as it is unnecessary at least so far as the districts already settled once are concerned.”

[Mr. T. A. Ramalingam Chettiyar] [10th March 1934]

11-15 a.m. "Resettlement does not require reclassification and so many other complex processes that are being now adopted. We were glad when the Hon. the Revenue Member told us at the last meeting of this Council that the Government have come to the conclusion that a simplified procedure will be adopted, that the settlement parties will be either much smaller or they will not be separate parties. I do not know what exactly the Government propose to do in the matter. So we should like that some light is thrown on the matter and that the Government should say definitely what is the procedure they are going to adopt with regard to future resettlements.

"Another matter about which the non-officials have been equally insistent is the question of holding jamabandis. Jamabandis had their use in days gone by when the villagers were brought together, they were actually heard and orders passed by the jamabandi officers. Those matters which used to be dealt with during the time of the jamabandi are now being dealt with in the course of the year and orders are passed either by the tahsildar or the revenue divisional officer. What is left now to be done at the time of the jamabandi is very little of passing orders; no doubt it serves one useful purpose, namely, it serves the purpose of having the accounts written up-to-date and inspected at the time of the jamabandi. This does not require the elaborate jamabandi system which is followed at the present moment. It is a relic of the old days. The Government should of course have some sort of check over the accounts and see that they are written up and brought up-to-date; that can be done by the karnams and manigars divisional officer and show the accounts instead of having the present elaborate process and the incurring of so much expenditure both by the officials and non-officials. The official expenditure on account of these jamabandis are given in the Budget but the actual amount spent is very much more than those amounts. Collections are made by the village officers; sometimes the money is spent in all sorts of extravagant ways; and sometimes money is pocketed by those who collect it. The poor ryots have to pay in any case for all these things. I would ask the Government to consider this question and see whether it is not possible to give up the jamabandi system altogether and devise some method of checking the accounts either in the taluk office or in the revenue divisional office sometime in the course of the year.

"Then, Sir, the question which overshadows everything else at the present moment is the question of land revenue remission. We have discussed this matter at very great length at several meetings of this Council. A motion about land revenue remission was discussed by this House in January; then there was general discussion on the Budget when many Members expressed their views on this matter. In spite of all that, the Government have not chosen to reconsider their position and they continue to maintain the attitude they took up in the order they passed giving a sort of flea-bite—if I may use that expression—by way of remission to the ryots. One argument which the Hon. the Finance Member advanced in the course of the Budget discussion was

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that it was the middle class ryots and the richer ryots that would be benefited by the remission, and that any remission that is given will only help them. I do not wish to repeat the argument made when this question was before the House last time, but I would only add this. We will all be very glad if the Government pass orders that ryots who pay kist up to Rs. 20 will be excused all they have to pay and that the richer ryots will not get any remission at all. If such a proposal is made by the Government, then their position would be justified. Instead of doing that, they want to use the poorer ryots only as a sort of argument for the purpose of denying justice to everybody. If that is the position taken by the Government, I do not think that it will be accepted by anybody. As I said at the time of the general discussion of the Budget, here is a matter in which the whole House—practically the whole of the elected Members of the Council—is feeling in a particular way, but the Government are not prepared to accept their view of things, in spite of the fact that the Government can admittedly give effect to this proposal without any breakdown either with regard to the system of taxation or administration. It is not on the ground that the money cannot be found or it is not on the ground that several services will have to be starved altogether that the Government refuse to give effect to the practically unanimous resolution of this Council. It is based only on the supposed expediency of the matter in the views of the Government; that expediency relates to the effect such remission will have and not to anything else. It seems to me that the Government have really no justification whatsoever for the attitude they have taken up either from the point of view of finance or from the point of view—to use an expression which should not be misunderstood—of the political condition, because as I said practically unanimously the elected Members of this Council have passed this resolution. So, I beg to submit that this is a matter in which the country as a whole feels and feels very strongly. I would appeal to the Government once again to reconsider the matter especially when the arguments they have advanced do not appear to be sound or valid. It is up to them to reconsider the matter again and do justice, even from the political standpoint—to meet the wishes of the people. I put it on both grounds. If the Government would not accept it, the result will be the people will be more and more helpless. They will feel that they cannot get justice in any constitutional way. I am sure it is not the intention of the Members of that front Bench to drive the people to that frame of mind. So far as we in the Council are concerned, we can only repeat this request to the Government and in case they are not prepared to accede to our request, we can only show the power we have got in our hands by rejecting such of the items in this demand as we can. That is the only course that is open to us in this Council under the rules under which we are working. In the first instance I move this motion for the reduction of Rs. 100 from the demand. In replying to this motion if the Government are not prepared to say that they will reconsider the matter, I think it will be the duty of this House to reject the demand for Land Revenue Department as a whole. That is

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the only possible course for us to adopt in this Council. I can say that at least on behalf of many Members of the House on this side; that is the course that we will have to adopt. With these words I move the motion standing in my name, viz.:—

'To reduce the allotment of Rs. 39,000 for Taluk Establishments—Pay of Establishments by Rs. 100.'

Mr. ABDUL HAMEED KHAN:—“Sir, I have given notice of a similar cut motion and I do not think it is necessary to move it since my hon. Friend Mr. Ramalingam Chettiyar, has moved one already, and it is before the House. I second the motion moved by my hon. Friend to discuss the policy of the Government with regard to land revenue. We, in this Council, have been asking the Government for a long time to bring forward legislation for regularizing the land revenue system in this Province. It has been a cry in the wilderness as it were, without any response from the responsible section of this House—I mean the Cabinet of the Madras Government. Evidently they have some difficulties but if they make up their mind, I am sure they can overcome those difficulties and the land revenue system of this Province could be regularized. Although a certain maximum percentage has been fixed by the Government some time back, yet they are not able to meet the situation whenever it arises in the country and to regulate taxation to suit the situation. We have seen for the last two years that the Government are not able to come forward and meet the situation that has been created on account of the unexampled and unprecedented economic depression and fall in prices not only in our Province but in the rest of the country. From the Report for the year 1932-33 which has been handed over to us only very recently we find that for the fasli 1341 there has been a decrease of Rs. 15,838 whereas in addition of Rs. 3,88,724. The person who is responsible for drafting the report says that there has been increase in the number of attachments and sale-notices; there is also considerable rise in the number of defaulters whose properties were sold away due to economic depression and fall in prices of foodstuffs. The Government had to take stringent steps against the defaulters, though the Government were aware of the fact that there was fall in prices and there had been economic depression. The Government do not seem to think that the situation is so serious as is represented by representatives of the people in the House. Even though the Government themselves admit that there is unprecedented economic depression in the country, they have taken such severe action as coercive processes which have increased so far as distraint and sale-notices are concerned. For the fasli 1340 the number was only 84,873 whereas in fasli 1341 the number has increased to 89,745. With regard to sale notices also the same is the case; the number has increased from 57,036 to 66,889; the number of defaulters has increased from 6,795 to 10,062.

“This shows, Sir, that the Government, although they admit that a serious situation has arisen, think at the same time that the ryots are

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able to pay, that the situation is not so serious after all and that they can take coercive measures for the collection of land revenue. The number of cases where coercive processes were adopted has increased considerably. Of course the Government issue orders to the Collectors that they should collect a certain percentage, whatever might be the consequences to the people concerned. Those orders are simply obeyed by the District Collectors who are no better than collectors of land revenue or rent; they are simply given the high-sounding name of ‘Collectors.’ I have found, from my own experience, that their main work consists of the collection of a certain percentage. In most of the districts the percentage has been 98.04; that is the figure mentioned in the administration report. When we find that only about 1 per cent has been left uncollected, we can easily understand what kind of steps the Government should have taken to collect such a high percentage. If any Collector is not able to show a good collection in his district, not only his subordinates but sometimes even he is subjected to some serious action. If one Collector does not collect as much as the Collector of a neighbouring district, then the former is taken to task for the smallness of the collection. Naturally, when that is the attitude adopted by the Government, the Collectors, in order to save their own skin, have to force the people even if they are unable to pay, to pay somehow or other, either by sale of jewels or their all or otherwise and they become bankrupts. That sort of thing is going on, and the Government believe that, although the depression still continues, the people can pay. Such anomalous statements are found in the report.

“With regard to settlement, Sir, I think the Government will be well-advised in revising their method of settlement. I cannot understand why the Government should insist upon mixing up the water-cess with the land revenue. They must separate the water-cess from the land revenue. There is no question of assessing wet lands differently from dry lands. Why not assess all lands alike and then charge water-cess separately? If that is done, we would be in a position to know what exactly has been collected in the way of water-cess. Then, Sir, the Government are also charging water-cess in just the same manner as a Shylockian merchant, who invests a certain capital in his business and also allots a certain percentage as profit from out of the business. A similar kind of business is now carried on by Government. The expenditure incurred on irrigation works is made up in a few years by the collection of taxes and then profits are made. The Government are there to help the agriculturist, and I do not know why they should charge a certain percentage of profit on the amount they have spent on the irrigation works. They sometimes charge twice, thrice and even four times the amount spent on particular irrigation works. After a few years, what is collected by the Government is profit and nothing less. I hope, Sir, the Government will consider the advisability of separating water-cess from land revenue.

“Sir, my hon. Friend, Mr. Ramalingam Chettiyar, has already brought to the notice of the Government once again the public opinion

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in the Province with regard to land revenue remission. That opinion has been reflected in this very House more than once, practically unanimously all the elected Members and even some of the nominated Members voting in favour of the 25 per cent land revenue remission. Some hon. Members on all sides of the House even went to the extent of asking the Government at least to accept the recommendations of the Finance Committee, so that they might go some way in mitigating the difficulties of the agricultural classes. The Hon. the Finance Member stated in the course of his Budget speech that, if the Government agreed to any land revenue remission, it won't help the ten-rupee pattadar, but that it would only help the rich landlord or mirasidar and that therefore there was no purpose in giving the 25 per cent remission. Well, Sir, we ask the Government now to stand by their word. Why don't you give that remission to the poor people, if you are really serious in what you say? Or was it only an argument that was advanced in support of their point of view? If they are really serious about what they say, why not give the remission to the poor people alone? I hope, Sir, the Government will reconsider this question and agree to give at least 18½ per cent remission, which has been recommended by the Finance Committee."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, the other day in the course of his reply to the general discussion of the Budget, the Hon. the Finance Member was pleased to refer to my speech and said that myself and people who shared my view-point would be perfectly satisfied with a remission of only 18½ per cent which was recommended by the Finance Committee. I may reiterate that statement, Sir, and say that personally speaking, I should be perfectly satisfied with it, though I might add that the satisfaction which I should derive by the acceptance of the Finance Committee's recommendations would be the same as the satisfaction which a starving man on the road side feels when a passer-by throws to him a morsel or a mouthful of food. It might be that the morsel thrown would not go to any considerable extent in appeasing the hunger which the man is suffering from; perhaps it might even go to merely whetting his appetite; but nevertheless he would have the satisfaction that the passer-by had some sympathy towards him and made a generous gesture; he would have the satisfaction, if not of material substantial benefit, at least of having had brotherly sympathy. It is at least that satisfaction, Sir, that I say the Government should have afforded to us by accepting the Finance Committee's recommendations. But now, Sir, the present attitude of the Government reminds me of that rich man who would refuse even the droppings off his table to poor Lazarus. That seems to be the attitude that the Government are adopting in this matter.

"There is just one other aspect which I should like to place before the House. As I said, we would be satisfied with the 18½ per cent. When I say 'we', I mean not merely hon. Members sitting on this side of the House, but all people within the House and people in the country who have placed their faith in the *bona fides* and the good-will

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of the Government, in their sense of sympathy for the poor and the depressed, in their interests being identified with the interests of the agriculturist, the tax-payer. Persons like myself have believed in it in the course of our public life; we have not merely believed in it ourselves, we have made it a part of our propaganda with the other people—that in matters concerning the Government, we should adopt a constructive and constitutional policy, that in any grievances that have to be remedied, we have to adopt the constitutional course of appealing to the Government and that we should always believe in their sense of fair-play and justice. On the other hand, Sir, there is another group which says: 'We have lost all faith in the Government; it is no good going to them; if we want to get anything from them at all, we must adopt the methods of non-co-operation, by shaking our fists at them, whether in earnestness or in bluff.' There are these two groups, and may I ask if, by the policy which the Government have been adopting, the Government have not thrown us overboard, us who thought ourselves to be the friends of the Government, us who thought ourselves to be the supporters of the Government? Have they not placed us in a false position in the eyes of the public? And when I say I would be satisfied with 18½ per cent, I say I would be satisfied to this extent at least of strengthening the hands of the Finance Committee—a respectable body constituted of officials and non-officials from within this House which went into the details of the administration and found out, with the best sympathy possible towards the ryot, that this was the maximum relief that could, with safety to public administration, be afforded. I therefore thought that by accepting this recommendation, the Government would not in any way suffer, while by affording greater relief than that it might be the case that the efficiency and proper administration of their departments would suffer. That satisfaction we have been denied, Sir. I may say that the attitude which the Government have been adopting has sometimes led even myself to think whether it would not be worth while following the policy which Mr. Ramalingam Chettiyar has suggested. I might just say, Sir, for the information of the House, the way my mind worked in this matter. We have begged, prayed and pleaded times without number. They have all had no effect. We have believed in the Government, but they make us believe that we were mistaken in putting our trust in them. Such being the case, why not exercise our power to the fullest extent, knowing as we do that even the fullest extent of it is not likely to be effective? Perhaps if our vote is going to have any substantial effect on the amount that would be allotted for the departments, that might make us hesitate. We have only to cut down the grants; the Government are not going to stop there; it will be open to the Governor to certify them and he will, in the natural course of events, be compelled to certify them and the administration will still go on as smoothly and as nicely as possible. But nevertheless, we should have the satisfaction of having shown to the Government our full strength. That was a point of view, Sir, which at one time I thought would be a proper one to adopt under the circumstances.

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a.m.

"But after all, Sir, it is only showing our impotent rage, if I may use that expression. While I perfectly sympathize with my hon. Friend from Coimbatore, I should certainly not be able to go further than the hundred rupee cut; I feel that there is a different aspect to be considered with reference to the full demand being thrown out. It was only last year that His Excellency the Governor in his speech referred with legitimate pride to the fact that during the tenure of his office, he had never had to certify a demand. With a Governor who takes a legitimate pride in that fact and who has never missed an occasion to make it public how very anxious and desirous he was to set this Province on the wheels of Provincial Autonomy, would it be proper on our part to force him almost at the end of his tenure to adopt a course which obviously is unpalatable to him? From that point of view, I could not persuade myself into exercising that impotent power that statutorily is vested in us. But, Sir, I hope that the Government would not take it that by not voting for the rejection of the full demand, we are in any degree content with 12½ per cent remission and when we say that we should be satisfied with 18½ per cent, let not the Government understand that that is going to afford us all the relief that we need or all that would satisfy us. Far from it, Sir, we realize your limitations, we realize that funds have to be found for running your departments and retrenchment cannot be effected all at one moment. The amount of relief proposed to be given is to cost only about 12 or 13 lakhs and to this the Hon. the Finance Member himself referred in a manner which led us to believe that it was a negligible figure. To use his own expression, 'This is a meaningless haggle between the two sides.' The following are the words he has used:—

'Are we 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.' If it were not unreasonable and nothing is going to be affected one way or the other, why not we be given what we ask? If this is a haggle on our side it is as much a haggle on your side also. Sir, we feel that by accepting the recommendations of the Finance Committee you will be showing a generous gesture. I hope that the Government would at least at this stage extend their sympathy to the poor distressed people of whose condition the Government are perfectly aware.

"Before I conclude, Sir, I should just say a word to the Hon. the Revenue Member. This is perhaps the last Budget session during which he will honour us with his presence in this House. In spite of the fact that the Hon. the Revenue Member who is responsible for the Revenue Demand has not been able to give us that amount of relief which we would have liked, I dare say I represent the feeling of the House when I say that he would have liked in his own heart of hearts to have given this relief. I should like to take this opportunity of expressing to him our gratitude for the kindness and sympathy which he has always evinced, whether it be to hon. Members of this House or mirasidars and other landholders who waited on him in deputation

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during his innumerable tours in the various districts. I may also express a word of thanks to his worthy Secretary, Mr. Thorne, who, I believe, is also leaving us at almost the same time. It is with a personal touch that I have to say how as the Collector of the district in which I live he was always anxious to safeguard its interests. He has been always kind hearted and in this question also, I feel sure that we would have much sympathy from him.

"In conclusion, I appeal to the Government to give us the remission of 18½ per cent."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, I join in this debate for the purpose of discussing the need for reducing the cost of collecting land revenue and for recovering tax on income from land by a simpler procedure than at present. Sir, the Hon. the Finance Member has said that however willing he might be to lighten the burden on the ryot, he has not found any simpler alternative for collecting the amount of revenue necessary for carrying on the Government. We all appreciate his difficulty and it is with the object of informing him of one way of getting out of the difficulty that I am offering my remarks to-day. The cost of collecting any tax is an important factor in considering whether a tax is legitimate or not. The cost of collecting land revenue is, I am told, about 20 to 30 per cent. I was told that originally the cost of collecting was considered to be about 30 per cent and after some controversy, it was decided that the cost must be put down at 20 per cent. Whether the cost is 20 or 30 per cent, it is certainly a very high proportion of the tax. As regards income-tax, we understand that the cost of collection is only 2 per cent. Is it not possible to collect the necessary revenue at a cost of 2 to 3 per cent? Hon. Members are aware that this is not a new question. It has been considered on several occasions. In the report of the Economic Enquiry Committee, the question of the method of collecting land-tax was considered and it was pointed out that the present system was extremely elaborate and involved various steps and various items of procedure which increased the cost of collection. It appears that the Settlement Officer has first of all to divide the soil into main classes according to mechanical composition and chemical properties of the land dealt with. Each class of soil is then subdivided into sorts with reference to its fertility as ascertained by the examination of the constituents of the soil and subsoil. As has been pointed out by Mr. Srinivasaraghava Ayyangar in his Memorandum:—

'The Madras Settlement operations, though conducted under elaborate rules, resolve themselves in the final result into the simple method adopted in Bombay, firstly because the minute and extended enquiries which they involve are in most cases impossible to carry out and have frequently been dispensed with.'

"Apparently the methods of settlement even now are extremely elaborate, otherwise the cost of collection will not be so high as 20 to 30 per cent. This question has been gone into by the Taxation Enquiry Committee and they have pointed out that if the object of all these steps were only to find out how much had to be paid, the cost would

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be much less. But the steps taken, the survey operations and so on, serve the subsidiary purpose of providing a record of rights which is very useful to people and for this purpose the Taxation Enquiry Committee recommended that this system might be continued. Sir, all these statements and recommendations were made in prosperous days, but now we have come on lean days when it is necessary very carefully to scrutinize all expenditure. Is the House still satisfied that these measures which have been considered meticulous by the Committee and not necessary for the purpose of taxation should still be continued? There is a silver lining in the cloud. The Hon. the Revenue Member told us the other day that he had considered the question of reducing expenditure on survey operations. The question was raised by my hon. Friend, Mr. K. P. Raman Menon, that the whole Survey department be abolished as a means of reducing expenditure. This is the reply given by the Hon. the Finance Member:—

‘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 would confine its attention to such matters as are necessary for the periodical revision of assessment and would no longer be required to clear up arrears which have accumulated in the Revenue Department and bring 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.’

“The Revenue Member has further added ‘we shall, however, have to strengthen the Land Records staff for the maintenance of the revenue records up to date.’ This shows that consideration has been given by the Government to the question of reducing the cost of collection. Is it necessary to keep up a very extensive Land Records department to maintain the record of rights. As a matter of fact, I have personal experience that these survey operations are not very useful even for private parties. I had a bitter experience, as a result of recent survey operation, when a portion of my land was given away to my neighbour. I had to spend a lot of money and ultimately got back the portion. (Mr. A. Ranganatha Mudaliyar: ‘All placed in that position may not be M.L.Cs. to get back possession of the land made over by the Survey department.’) As Mr. Ranganatha Mudaliyar says, there may be others who are not M.L.Cs. and may not be able to get back their portions from their neighbours. I want to know whether it will serve any purpose to keep up this extraordinary system for the purpose of settling private disputes when as I just now pointed out a private dispute was started by the settlement operation and not settled by it. There must be many other cases of this kind and in fact, I had another. When I returned to my place after attending the Council, one fine morning I found that my portion of land was again given away to my neighbour by the town surveyor. Here too, I had to take action and I got back the portion. I want to know how many such incidents have happened. I am therefore very doubtful whether this record of rights will be very useful for private parties and even if it will to some extent be useful, I think the surveys which have been made already and the records which already

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exist are sufficient as a basis. That is what is happening in France, where the survey records are very old dating back to 1850 or so and in Sweden also it is the same thing. As a matter of fact, our system is very obsolete and it is a legacy from our old Indian rulers. I am also told it is not an impost of the British Government, but it is a legacy which they have derived from older Governments. But, whatever it may be, I think we cannot go on with these obsolete methods and it is desirable that some drastic action should be taken to deal with the matter. If Rs. 100 are to be collected and Rs. 25 go for the cost of collection, the remainder is Rs. 75, and if we add to it Rs. 2 or 3, towards the cost of collecting as for income-tax, we get, says, Rs. 78. Therefore, the better method of collecting the tax would be to collect only Rs. 78 by a cheaper method as against Rs. 100 by the present method; all at once we get a remission about Rs. 22 or Rs. 23. I make this suggestion to the Government, and as my hon. Friend from behind suggests, I make a present of my suggestion to the Government. It might be thought that on the eve of the new Constitution, we should not take up such big questions. Unfortunately, economic questions do not wait. They might have waited till the new Constitution arrived, but the great economic depression and the troubles from which we are all suffering have come to us without any regard to the new Constitution. Therefore, it is necessary that at the present moment the Government also should tackle the question boldly and I am sure, that if they tackle the question boldly, they will be in a position to leave a better legacy to the new Constitution than they think they are doing now by this balanced budget.

“Then, Sir, I have a great many other points on which I might dilate, but I wish only to say that this system of collecting land revenue, as carried out in this country, is more or less peculiar. It is not to be found in Australia where taxation is on the income derived. But here, as pointed out by the Hon. the Revenue Member the other day, even improvements are coming in for a share of the Government revenue whereas in many countries the tax is on the unimproved value of the land, that is to say, on the value of the land only without including improvements. I think it is a great hardship and this will mean an indirect inducement to the people not to improve their lands. There are a large number of lands which are capable of improvement and they are not improved because the more you improve, the more you have got to pay—no doubt you get a share of the thing for yourself—but still there ought to be a better system than the present one.

“Then, coming to my own district of South Kanara, I must say a few words. There, our grievance is that our improvements cost a great deal more than in other districts. To convert a dry land into a wet land is a very big process. No doubt, we get a lot of rainfall during three months of the year, but most of the rain-water goes into the sea and practically very little is left on the soil; and the soil is very poor. The result is that wet cultivation is not such a simple procedure in South Kanara as it is perhaps thought to be. People are very industrious in that district and they try to convert as much of the dry land into

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wet land as possible every year. Further, digging there is a more complex procedure than in the East Coast, because the nature of the soil is very rocky and so the process costs a lot. I therefore think that at least in the case of South Kanara an exception might be made, as also in certain parts of Malabar where improvements cost more, and the question might also be considered whether assessment should be levied on the improvements of the kind I have mentioned.

"I wish to end with just a few words. I think a complete overhauling of the system of collecting revenue is justifiable and I trust that even if it is not done at once, steps will be taken to make a start. The remission of 25 per cent immediately will no doubt affect the revenues considerably, but if simultaneous steps are taken to reduce the cost of collection, it will be possible from next year onwards or from two years onwards, to collect more revenue. It is no use having such a costly system of administration for collection purposes and then saying we must have a very heavy land-tax. The land-tax in this country tells very heavily on the ryot. It is very crushing and I do not think that any of us are exaggerating when we say that if there is no remission there may even be political trouble. We do not want any political trouble. This is only an economic trouble, but let us not play into the hands of those people who will take advantage of this economic trouble."

MR. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I take it that this motion is intended to tell the Government that they should show more concession to the ryots than they have hitherto done. It is on that basis that I want to speak on this question and I presume it is going to be on that alone that a vote of the House will be taken. Sir, if I try to argue with the Hon. the Finance Member that the commutation prices which they have fixed at the last resettlement are too high or excessive, perhaps he may retort by saying that this is not the occasion to urge all such arguments. Therefore, I content myself for the moment in dealing with the economic aspect of the case and nothing else."

"Sir, the Government seem to think that the remission of 25 per cent recommended by this Council is unreasonable and cannot be conceded by the Government. I want to know what is it that they are prepared to concede at all? What is the history about this matter of concession? At one time, Government called for reports of district officers and after a due consideration of all the reports received by them, they came to certain conclusions. One of them was that they must give a 12½ per cent remission in regard to dry lands also in certain areas. Then, Sir, they placed all their proposals before the Finance Committee and with the Finance Committee, the Government came to a compromise. Have they upheld even the compromise arrived at with the Finance Committee? They adopted some parts of their proposals which seemed to be convenient to them and ignored the other suggestions. And, have they carried out in toto their own proposals? Not that either. Because I find that in regard to some matters they have adopted a policy, more convenient, so far as they were concerned, that is to say,

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restricted their concession only to 6½ per cent in all dry areas. The point is, are the ryots in a position to pay even the assessment as reduced last by the Government? In regard to that I hope, Sir, you will permit me to go into the history of one district, because, if I speak in general terms, the Government may question me 'Where are your facts and figures?' Therefore, Sir, I will take the case of only one district and try to trace its history, not for 5 or 10 years, but for 40 years. Here is the account of the district in question:—

Fasli 1301—Season very unfavourable.
 Fasli 1302—More favourable than the previous year.
 Fasli 1303—Season on the whole favourable.
 Fasli 1304—Season not as favourable as the previous year.
 Fasli 1305—Season on the whole favourable.
 Fasli 1306—Season very unfavourable.
 Fasli 1307—Season on the whole generally favourable.
 Fasli 1308—Fairly favourable on the whole.
 Fasli 1309—On the whole not favourable.
 Fasli 1310—On the whole favourable except in three taluks.
 Fasli 1311—Season normal except in two taluks.
 Fasli 1312—Season a good one.
 Fasli 1313 and 1314—Could not get at the records.
 Fasli 1315—Rainfall not in defect but badly and unevenly distributed.
 Fasli 1316—Better than 1315 for Mungari crop.
 Fasli 1317—The effect of the unfavourable season can be seen in the outturn of the crops.
 Fasli 1318—Season on the whole not favourable.
 Fasli 1319—Yield of several of the late crops below normal.
 Fasli 1320—Yield of the late crops was very fair and better than in the previous year, though below normal.
 Fasli 1321—Insufficient rainfall.
 Fasli 1324—Rainfall on the whole reasonable for early crops while inadequate for the late crops.
 Fasli 1325—Good.
 Fasli 1326—8 to 11 annas outturn.
 Fasli 1327—Outturn of crops, especially cholam, poor.
 Fasli 1328—Rainfall in June and July scanty and quite insufficient. August rains below the average.
 Fasli 1329 and 1330—Bad years due to poverty of soil.
 Fasli 1331—Large relinquishments due to poverty of soil and successive bad season."

MR. P. V. KRISHNAYYA CHOUDARI:—"May I know to what district the hon. Member is referring?"

MR. A. RANGANATHA MUDALIYAR:—"My hon. Friend is asking for what district these figures relate. I would reply to him by saying that if he will only take the trouble of referring to the figures of his own district, I am sure he will find a parallel to this case. I want to

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give facts and figures in regard to the district with which I am associated. I repeat once again, if only hon. Members would take the trouble of finding out similar information for their own districts, I have not the slightest doubt that they would be able to make even a much better case than they can do if they are unaided by statistics.

"Then, Sir, it may be said that these are the opinions of one department but if you take the Agricultural department, you will find that the statements I have made are substantiated by the report of the Agricultural department also:

Fasli 1316—Insect pest. Jonna suffered by stem-borer—Unfavourable weather.

Fasli 1317—One of failure owing to the failure of rain.

Fasli 1318—Season up to a certain extent favourable though it closed with a very trying period of drought which severely affected the yield of Jonna. Korra excellent but cotton was correspondingly poor.

Fasli 1319—Season was on the whole fairly favourable; the close of the season was as usual marked by a long period of drought.

Fasli 1320—Season somewhat unfavourable for black cotton soil crops. The rainfall being in excess of requirements adversely affected the growth of both early and late crops.

Fasli 1321—Season very poor one. Season unfavourable more particularly for food crops.

"Sir, I do not want to tire you or the House by reading out more figures, but you will find that these are from the official reports of the departments concerned.

"Now, Sir, as regards the last 10 or 12 years, I do not think that the House needs any information from me, as to the plight of the ryot. The large number of takavi loans issued, the difficulty of collecting revenue, the suspension and periodical remission, all these would conclusively show, how bad is the economic condition of the ryot. Government may turn round and say: very well, we have given them some relief by way of remission and so on. But, I submit, Sir, that any relief Government may give by way of remission or suspension, can never be adequate for the loss that the poor ryot has put himself to. What does cultivation cost? It is a very laborious process. Beginning from the time of cultivation, he has to plough the field, then sow, do intercultivation, watch the growing crop and do many other things, which all cost a lot of money and labour. If in the end the produce he gets is negligible, the relief of a few rupees that the Government may give by way of remission is not really any adequate relief for the loss that the ryot has undergone. The Government may say, 'Very well, then why do you ask for any remission at all, if the relief thereby is so small?' My reply to it is, Sir, that from the point of view of the Government the two or three rupees may appear to be very small, but I submit that, from the point of view of the ryot, it is something very appreciable. Because it means 30 or 40 measures of cholam for the ryot, which means food for two months for him. I therefore request

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the Government to take a right view of the matter. If the Government insist on collecting the revenue in this manner, it would only impoverish the ryot beyond all hope and I venture to say that it will prove disastrous to the Government, in the long run.

"So, Sir, even now I hope the Government will give their best consideration to the whole matter and take a statesmanlike view of it and give, not necessarily all the relief that the ryot is justly in need of, but at any rate as much as they can give and certainly much more than what they have already given."

* Mr. P. C. MOSES:—"Mr. President, Sir, the purpose of my speech is to bring to the notice of the Hon. the Revenue Member the policy of Government with regard to the lease of lanka lands in the Godavari and Guntur districts and the changes it had suffered at the hands of the Board of Revenue. Sir, the Government have given the power to the Board of Revenue to sanction the leases under favourable terms to the depressed class societies, considering their general economic condition. A large extent of land was thus reserved for the depressed classes so that each member of the depressed class got what he desired and the rental was fixed not only with reference to the productivity of the soil but also with regard to the economic condition of the ryots. But now that policy has undergone serious changes at their hands. The first is with regard to the extent of land given to the depressed classes and the second relates to the rental that should be demanded from the depressed classes. Sir, the Board of Revenue ordered that the lands shall be divided between the depressed classes societies and caste ryots on the basis of population. Well, as a result of that a member of the depressed class who was hitherto getting an acre is now able to get only 30 or 40 cents which is too meagre an extent for anybody to live upon. Further only the poorer sort of land was reserved for the depressed classes. Another change which has come over at the hands of the Board of Revenue is with regard to the renewal of the lease. The rent was formerly low, but the Board of Revenue issued an order that a fair rent shall be demanded from the depressed classes. This came into effect last year and the result of the order is that the societies were asked to pay from 2 to 7 times the rent they were formerly paying. When they pleaded inability the land was taken away and the lease was sold in auction. The good intentions of the Government have thus been defeated by the orders of the Board of Revenue. So I appeal to the sympathy of the Hon. the Revenue Member to go into this question. I know he is always generous and I hope that he will be pleased to grant that the concessions he was pleased to grant until recently. The condition of the members of the societies is miserable. If the orders of the Board of Revenue were to be given effect to, in the next two years, I am sure, there will be no land left to the depressed classes. In that part of the country no labour can be found and no land also for cultivation. Thus it is difficult for them to eke out their livelihood. I therefore appeal to the Hon. the Revenue Member to see that the original intentions of the Government are carried out."

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* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Mr. President, Sir, in speaking about the land revenue policy of the Government I wish to say a few words about the method adopted by Government in assessing the land. The other day, Sir, I asked a question whether the ryots' improvements are assessed by Government in the West Coast districts, and the reply was 'Yes.' But that reply was modified by the statement that the nature of the cultivation of a particular land is not in itself an improvement of the kind protected by this principle. I sent another question to know what are the kinds of improvements protected by that principle. But that question, Sir, was disallowed. Several times I sent the question but it was not admitted; I find there is some mysterious way of admitting questions."

* The Hon. the PRESIDENT:—"There is a wise and plain way of admitting questions and there is no mystery in admitting questions at all."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"I am glad to have that assurance from you. I hope hereafter it will be so; because I know similar questions were admitted in the Assembly. But they are not admitted here. If you ask whether the Government will be pleased to do a certain thing it is ruled out as suggesting action."

* The Hon. the PRESIDENT:—"The hon. Member must be aware that there are certain rules under which questions are admitted. He can now confine his remarks to the demand, and not to admission of questions."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"The other day the Hon. the Revenue Member was pleased to say that the digging of tanks and wells were among the improvements protected by the principle. That is to say if any dry land is converted into first class or second class paddy land by digging tanks or wells that kind of improvement is not taxed. That is to say the land will be charged a dry rate as the improvement is done by the ryot. So also if a hilly land is converted into a garden land with water obtained by the ryot by digging wells, etc., it will not be taxed as a garden land. But he further said that if a hill is cut and brought down to the extent of 100 or 200 feet by spending thousands of rupees it won't be considered as an improvement of the ryot. That is very hard, Sir, because thousands of rupees are spent in cutting and levelling the hill and bringing down the level of the hill to the level of the adjacent fields. If that is not taken into consideration it will be very hard. The West Coast is a hilly country and they have to cut down the slopes and level and lower them down to the level of paddy fields below and a lot of labour and expenditure will have to be incurred. I hope, Sir, the hon. Member will be pleased to tell us which are the kinds of improvements which are protected by the principle of not taxing the ryots' improvements. I thought it was the Government's idea to abolish the settlement parties and reduce them to the minimum possible. I find still there are three parties working. The idea was to see that the land records tahsildar with the help of two or three surveyors keeps the land records up to date; because the

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survey takes place once in thirty years. The survey parties visit the districts once in thirty years; what they do is this. The subordinate field surveyors register one man's land in another man's name. Because they are also given the power of registering the lands and they do it in the most reckless way. As pointed out by Mr. Sreshta they register the name of one man for another man. There are several such instances where things that are settled after thirty years of litigation are unsettled by these survey subordinates by registering carelessly. They do not expect much compensation for this change of registry. Even if a tender coconut is given they are satisfied. Perhaps by working in the hot sun they feel very thirsty. So this power of registry should not be given to the survey parties if they are to continue to work hereafter also. As regards remission, Sir, this important question was brought to the notice of the Government sufficiently well. Last year a resolution was passed unanimously for reducing the assessment by 12½ per cent. But nothing was done to that extent. During the budget discussion also last year the same point was raised and sufficiently discussed. This year again with the single exception of Sir A. P. Patro among the elected members, the Council almost unanimously voted for 25 per cent reduction; during this year's general budget discussion also the same thing was repeatedly urged but Government do not seem to be convinced or at least moved by the pitiable condition of the ryots and the appeals made by this Council. Sir, I want to say that if the Government has not been satisfied by all that has been said during the last two years I think the Government will drive the ryots to desperation. That will be a serious thing and I hope Government will take steps to avoid that."

* Mr. C. BASU DEV:—"Mr. President, I am rather nervous when I get up to speak on this question. I may be told, as I have often been told that I have no authority to speak on the question of land revenue as I do not myself possess land. Mr. V. M. Ramaswami Mudaliyar had said that because I did not hold an inch of land I was not competent to speak on questions pertaining to land revenue. Sir, he professes to be a labour leader. Are we to understand that, because he is not a worker himself, he is not competent to speak about questions relating to labour? I do not know how much land he possesses but surely, Sir, one need not possess land to know the difficulties of the ryots. Mr. Ramaswami Mudaliyar is not an owner of a race horse, but I know he is the cleverest punter at races and never misses a race if he can help. Well, so much for that."

"Sir, it is a matter of serious disappointment to the Members of this House and to others outside in this Presidency that there was no indication in the Indian Budget of any import duty on foreign rice. I think hon. Members of this House will agree with me that the most urgent need is the rise of the price of paddy and the first and obvious method is to levy a duty on imported rice. We are extremely glad that the Government of Madras are taking every step in their power to urge on the attention of the Government of India the need for such a duty."

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12-30 p.m. "But, I am afraid, Sir, unless immediate action is taken in this direction, there is going to be very serious trouble from the ryots and, through them, to the others as well. The almost daily news of consignments of foreign rice has created a consternation in the market and in consequence the price of the local paddy is going down daily. Sir, if this continued decline in prices should last for even a week longer, I am sure the difficulties of the ryots will be aggravated a hundred fold."

"From the Central Budget we find that the Government of India are going to levy an excise duty on sugar. Only recently we were congratulating ourselves on the move of the Government to encourage sugarcane cultivation. But now this proposal to levy a tax on the sugar produced, I am sure will throw a cold damper on the enthusiasm of the sugarcane cultivators."

"Sir, I referred in the general discussion of the Budget, to the agricultural indebtedness and said that unless the Government took measures to relieve some portion at least of the indebtedness of the ryots, it would be difficult for them to pull on for any length of time. The Land Mortgage Bank Bill which has been ushered in by my esteemed leader, the Hon. the Second Minister, I am afraid, Sir, is not going to improve matters very much."

* The Hon. the PRESIDENT:—"I am afraid the hon. Member is delivering another speech of the kind he made at the general discussion: he has covered Co-operation, Industries, Excise Duty and so on. I hope he will confine his remarks to the land revenue policy of the Government which is now under discussion."

* Mr. C. BASU DEV:—"I thought my reference to the sugarcane industry had direct bearing on sugarcane cultivation."

* The Hon. the PRESIDENT:—"That is agriculture."

* Mr. C. BASU DEV:—"I am sorry, Sir, if my remarks are not quite relevant and do not have a direct bearing on the question of land revenue. About the question of agricultural indebtedness I hope the Government will take necessary steps at least to investigate into its extent and the methods by which it can be reduced. The ryots do stand in urgent need of relief in this respect."

"On the question of land revenue remission, Sir, I join with my friends in appealing to the Government to accept the recommendations of the Finance Committee."

"Lastly, Sir, I am glad to associate myself with the appeal of my hon. Friend, Mr. Moses, in regard to the Depressed Classes in Lanka lands."

* Mr. A. B. SHETTY:—"Mr. President, Sir, several hon. Members have already spoken about the necessity for giving larger concessions in the matter of land revenue remission. I do not propose to traverse the same ground. I wish to ask the Government what their policy is in regard to resettlement. I take it, Sir, that the main purpose of resettlement is revision of assessment and revision of assessment almost always means enhancement of revenue. No increase in revenue is

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possible in the present circumstances. On the other hand, Government were compelled to give some concessions in the matter of land revenue last year, to extend the concessions this year and they have assumed for Budget purposes that this concession will have to be given in the coming year also. That being the case, I wish to ask what the justification is for carrying on resettlement operations in districts like South Kanara in spite of the repeated requests from the people to put off the same till the present depression passes off. Sir, in the Budget for the year 1934-35, out of the total revenue of 1,643 lakhs we find that land revenue alone contributes as much as Rs. 725 lakhs. About 44 per cent of the revenues of this Province comes from land. It is the biggest source of our revenue. Now, the Government seem to think that their duty merely consists in trying to collect the last pie from the ryots. What steps are they taking to see that the ryots are in a position to pay this revenue? Government are aware of the abnormal fall in the price of all agricultural products. The price of paddy and rice has gone down to the level of what it was thirty years ago and even below that. In several districts the price of rice is near the cost of production and in some places it is even below that. To add to this, we have lost our markets also. Japan which was buying our rice has now ceased to do so. Until a year ago we used to export rice to Siam also; but now our markets are flooded with rice from that country and Indo-China. The Secretary of the Rice and Grain Merchants' Association of Madras says that last month more than 20,000 tons of rice were imported into Madras and that huge shipments of rice are expected also in the next two or three months. Has necessary action in the matter of preventing the import of foreign rice been taken by the Government of India on the representations made by the Local Government? Government may also consider whether it is necessary to restrict the area of rice cultivation. They will do well to see that there is no over-production of rice. If it is not possible for us to export rice as we had been doing in previous years, it is very necessary to see that more than what is required for local consumption is not grown in this Province."

"Coconut is another important agricultural product the price of which has also very much gone down. In Malabar the price of coconuts has gone down by 300 per cent. From about Rs. 50 or 60 per thousand, it has gone down to Rs. 20. In the village parts it is lower still. The lowering of tariff value is said to be responsible for the competition from Ceylon and the fall in price of coconuts. When garden produce has thus diminished in value, the remission given in respect of garden lands is not at all adequate. As I said, Sir, it is the duty of the Government to see that in collecting land revenue a margin of subsistence is left to the ryots. The economic wellbeing of the ryots ought to be the paramount concern of the Government and they must make it possible for the ryots to pay this revenue in equal instalments of four instead of three. The Government should also show more consideration in taking coercive measures for the collection of land revenue."

* Mr. G. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I rise to support the cut motion now under discussion. If I do so, it is with

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a full sense of responsibility as one intimately connected with the agricultural conditions in my district which is one of the foremost paddy growing districts in the Presidency. It is very unfortunate that Government have not found their way to accept a practically unanimous vote of this House for a remission of at least 25 per cent in the kists for the current fasli. When this resolution was adopted by this House, I dare say, it was not the intention of any Member of this House to embarrass the Government in the administration of this Province. The first consideration that prevailed with the hon. Members of this House who voted for that resolution was, that the current prices of agricultural commodities, and particularly of paddy, are so low that it is practically impossible for the landowner to pay the kist demand out of the produce of the land.

"In making a few observations on this question, I do not want to be understood as putting forward any special plea on behalf of my district, if I lay special emphasis on the state of affairs in my district. I know conditions in the other districts of the Presidency are equally bad and therefore, relief is urgently required by every district in this Presidency.

"The Press Communiqué issued by the Government on the 10th January 1934, puts forth some facts regarding the land revenue settlement. Taking the broad question of settlement and its objects and methods, discussed in the Communiqué, I must state, that they are not strictly relevant to the question at issue. Extraordinary conditions require extraordinary remedies, and that the present position is one of extraordinary nature is undoubted. However even on the basis of the conditions of settlement laid down by the Court of Directors of the Honourable East India Company, the present rate of assessment is not at all justifiable. According to those principles, the assessment must leave a surplus to the occupier whether he lets the land to others or retains it in his own hands. I ask, Sir, whether Government are satisfied that according to the present rate of assessment and the prevailing prices any surplus is left in the hands of the occupier or owner of the land?

"I should further like to submit that the facts on which the officer in charge of the settlement of the Tanjore district has based his assessment rates, are wrong in many respects. The Settlement Officer has ignored the fact that Tanjore district, though largely irrigated by the Cauvery, is more dependent on the vagaries of the monsoons for its normal productivity. The monsoons, as we all know, are never steady. Secondly, as regards the soil classification, the Settlement Officer has departed from the standard classification and placed the lands in this district in a class far higher than what they really are in. Again, due attention was not bestowed upon the subsoil of this district and its nature, as is required by the Settlement Manual. Even in fixing the estimates of standard outturn, the Settlement Officer has based his calculations upon a limited number of experiments conducted in only some of the taluks of the district. To the conclusions arrived at, on

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the basis of such misleading experiments, the Settlement Officer has added 25 per cent on the ground that the year of his experiment was one of failure. Therefore, Sir, I think it is only fair to state that the settlement operations in the Tanjore district were perfunctory and unsatisfactory and so the settlement rates should not be taken as a basis for deciding the question under consideration.

"I shall next take up the commutation price of paddy. While in old settlements only the prices of ryots' selling months were taken into consideration for fixing the commutation rate, in the case of the Tanjore district, those of the whole year were taken into consideration. Again, the prices of abnormal years, like the war period, were also taken into consideration. Thus, the selling of price of paddy arrived at by the Settlement Officer does not represent the average price of paddy as required by the Settlement Manual. The allowances made for vicissitudes of the season, for cultivation expenses, for carting expenses, etc., were not at all adequate. Therefore, I submit, that the observation of the Government in the Press Communiqué that 'the benefit of the doubt was given to the ryots by the Settlement Officer,' does not appear to be supported by facts.

"The Communiqué states that Government, as a matter of fact, never took 50 per cent, but have left with the ryot by far the greater part of the profit due to general improvement in the economic conditions and to the rise in prices that took place during the currency of the settlement that had come up for revision. They state that the increase in assessment has not gone up by more than 14 per cent. Mr. President, in assessment has not gone up by more than 14 per cent. Mr. President, the old revenue ryotwari demand for the Tanjore district before 1892 was 41 lakhs. At the last settlement, it had gone up to 55 lakhs. At the resettlement in 1922 the revenue was increased to about 68 lakhs. Thus the total increase has been by about 66 per cent. In view of the above facts, the statement of Government that there has been a rise of only 14 per cent cannot be accepted, at any rate, as far as the Tanjore district is concerned.

"At every time of the settlement and resettlement, the ryots have protested. They urged that increased prices should not be taken as a ground for enhancement, that the rise in prices were due to temporary causes, and would not prevail for long. But their protests were ignored, and now that prices have fallen, the wrong basis of taxation stands exposed.

"The Communiqué states that Government received only a very small proportion of the profits made in the boom period, and the remaining portion was left in the pockets of the ryots. I submit, Sir, it is not the case. If high prices have benefited the ryots, the ryot in the village ought to be prosperous. But the reverse is the case. Indebtedness has admittedly been on the increase and the rate of mortality has been mounting up. It must, therefore, be clear that high prices, if they benefited any one at all, have benefited only the Government.

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"For in the absence of high prices large tracts of land would long ago have gone out of cultivation and Government would have been faced with a diminishing return in their land revenue.

"Sir, as has been more than once pointed out on the floor of this House, the current price of paddy is 50 per cent of the commutation rate. On that basis, a remission of 50 per cent ought to be given. But this Council with a deep sense of responsibility recommended only a remission of 25 per cent. Even this modest demand has been turned down by Government. I now make an earnest appeal to Government that they should at least accept the rates of remission recommended by the Finance Committee. The Hon. the Finance Member, in the course of his reply to the general discussion of the Budget, stated that Government did not accept the recommendation of the Finance Committee, because it was not acceptable to this House. I should like to remind the Hon. the Finance Member that, when the resolution was under discussion in this House, several Hon. Members have pointed out in unmistakable terms that at least the recommendations of the Finance Committee might be accepted. Therefore, it is not correct to say that the House as a whole refused to accept the Finance Committee's recommendation. No doubt, this House felt, and still feels, that the recommendation of the Finance Committee was too meagre and halting. But if Government have chosen to accept the recommendations of the Finance Committee, I venture to say that there will not be so much heartburning as there is in the Province to-day.

"I have only one other request to make to the Hon. the Revenue Member, and that is, that certain recent Government Orders referred to by me under item No. 60 in the list of cut motions, directing the levy of new and heavy water-rates, the imposition of a flat rate of Rs. 7-8-0 per acre for second crop and the reclassification of the irrigation sources in Tanjore district should be immediately cancelled. The reasons for such cancellation have been time and again very elaborately explained in the representations made to Government by several associations in the Tanjore district, and therefore, I do not want to repeat them on this occasion.

"I would only conclude by saying that, at this juncture, when the ryot is groaning under the present rate of taxation, any additional burden on him in the way of fresh taxation will only tend to ruin him completely."

* The Hon. Sir HOPETOUN STOKES:—"Mr. President, Sir, I do not propose to speak at any length. The point that most of the hon. Members stressed in their speeches is about the 25 per cent cut. We have already had that matter discussed threadbare, and I have nothing to add to what I have already said in my reply to the general discussion of the Budget. The definite position taken up by the Government is simply this: if the state of things now existing is so terrible, as hon. Members have described it, a remission of taxation by the Government on a scale commensurate to the needs of the case is not a practical

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proposition consistently with maintaining the solvency of Government. I do not think the Government see eye to eye with the Members in the picture they have painted. Government fully recognize, however, that the existing position is an extremely difficult one, and within their means they are anxious to do what they can to alleviate the situation. But, as I explained at some length in my reply to the general discussion of the Budget, the root remedies which appear likely to give relief are scarcely within the purview of this Government at present to undertake. There are some things which we can do ourselves, and there are some things which we can do more effectively only with the aid of or in co-operation with the Central Government. And I believe I shall not be revealing an official secret—for it has been announced by Sir George Schuster only the other day—when I say that we are sending representatives to an Inter-Provincial Economic Conference, summoned under the auspices of the Government of India themselves, which will surely go into these questions. The object of the Conference is to go into these various complicated questions, such as, the indebtedness of the ryots, the question of marketing, the applying of more effective measures for the protection of various Indian products, rice being one of them, and several other things, which cover a large field, and in which are included the general measures to which hon. Members have drawn our attention.

"As regards the 25 per cent cut, I have already at considerable pain shown to the House what it would mean to the finances of our Presidency; and I am sorry that those figures have been completely ignored by hon. Members who spoke on this question.

"In the course of his speech, Mr. Hameed Khan said that I made a statement that the poor pattadar would not gain anything by this remission, but only the rich pattadar would be gaining. I may correct him by saying that I did not say so. I only said that relatively the rich pattadar would be gaining more than the poor pattadar; and I have never said that the remission would not be of any use to the poor man. He asked why we should not give a remission of 18½ per cent, if we are not able to give a 25 per cent remission. I have already answered this point in my reply to the general discussion of the Budget. Government have considered this question very carefully and they have done what they believe to be necessary in this case. They do not see that the matter is likely to be materially affected by giving 13 lakhs more than what they think to be necessary and within their means.

"Sir, I was not able to follow Mr. Pannirselvam's argument. He seems to have been mainly concerned to try to escape from the difficulty in which he was placed when, in my reply, I showed that he and those who took his line were merely seeking to haggle for some more money. He finished by pleading for a generous gesture. He and other speakers used language which would have been justified only if Government had refused to do anything at all. Now, I do not think you can say 60 lakhs a year is nothing. Although you may think it

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would be nice to have more, it is after all a question of opinion. (Mr. Basheer Ahmed Sayeed: What about dry lands?) The Hon. Revenue Member will speak on it.

“Mr. Shetty stressed on the question of the necessity of restricting the production of rice and coconuts in order to avoid over-production. But may I ask him how is it going to be done? How are we to persuade 40 per cent of our ryots who are engaged in producing rice to give it up? Is it a practical proposition? It is a sort of question which might be examined in the Economic Conference, to which I have already alluded.

“I believe that is all that I have to say as regards the remarks which fell from hon. Members.”

* The Hon. Sir ARCHIBALD CAMPBELL:—“Mr. President, Sir, I propose to deal with the several points which the Hon. the Finance Member has not mentioned as far as I can in the time at my disposal. Mr. Moses referred to the lease of lanka lands to the Depressed Classes. About ten years ago Government issued certain orders for the guidance of the Collectors with regard to this matter. Under those instructions the Collector should submit information regarding the total area available for lease in the village, the total area proposed to be leased to the Depressed Classes and the number of persons belonging to the Depressed Classes and those belonging to the other classes in the village or villages concerned. Another of the instructions issued ten years ago is that the lease amount, as a rule, should not be less than the average of the rentals realized previously on the same lankas, provided that the bids at the sales of such leases represent a fair and not a fictitious value. The hon. Member is correct in thinking that the Government have delegated to the Board of Revenue the power of passing orders on such proposals, subject to certain conditions. If there is any conditions which affect the Depressed Classes adversely the matter should be brought to the notice of the Board of Revenue, who, I am sure, would be only too willing to give it their careful consideration.

“My Friend, Mr. Ranganatha Mudaliyar from Tanjore, referred to the orders of Government enhancing the rates of water-cess in the Tanjore delta and reclassifying certain existing sources of irrigation. He said that these orders should be cancelled. The Cauvery-Mettur Project has been carried out for the benefit of the ryots of the Tanjore district, and it is only right that the persons benefited by that project should pay for it, or rather should bear the interest and maintenance charges by means of the increased water-rate on their lands or of a water-cess on the lands brought under irrigation by the project. But in view of the present situation we have indeed given certain concessions of the rates which are fixed in these Government Orders as the normal rates under the Cauvery-Mettur Project. The reduced rates are also subject to the general suspension of 12½ per cent. We have already

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asked the Board of Revenue to report to us shortly whether any concessions are necessary in the next fasli and the following fasli. The work is being carried out at considerably less cost than was anticipated, and it is possible that in course of time the normal water-rate, I may call it, may be able to be reduced. But we cannot at present make any announcement on that point, because we have not got the final accounts and because the matter will be materially affected by the rate at which the project is developed. If the project is developed rapidly we may be able to reduce the water-rate; but if it is not developed rapidly the prospects of reduction will be minimized. The matter, however, is not being lost sight of. We shall pass orders now as to the rate of water-cess to be levied in the next year and in the following year; the whole question will be fully examined again before the full rates to be ultimately charged are finally settled. If hon. Members and the ryots want those rates reduced, their best course is to endeavour to get the project developed as rapidly as possible.

“My Friend, Mr. Hameed Khan, suggested that we should fix on 1 p.m. all wet lands the dry assessment and charge water-rate separately. I am not sure if he quite realized what the effect of that would be. The wet land has now a prior claim to any water that is made available and at the same time the ryot is charged wet rate even though he does not take water owing to his own fault. On the other hand if the land is classed as dry subject to water-rate, the ryot has the option of taking water or not as he likes, but he has ordinarily no claim to water in preference to anybody else. If we convert these wet lands into dry and charge water-cess, it would affect very considerably the rights of the ryots. It would also introduce uncertainty into the amount of money which the Government would receive from water-cess.

“My hon. Friend wanted to ascertain the amount which should actually go to the credit of irrigation. At the present time the Board of Revenue makes certain calculations every year in the case of occupied Government wet lands, the assessments of which are consolidated wet rates, in order to arrive at the share of the revenue which is due to irrigation. This calculation is made for each source of irrigation as a whole and not for each field. The Board of Revenue has fixed the several proportions in which the consolidated assessment of Government wet lands should be divided into (1) assessment on land and (2) water-rate in respect of each irrigation work belonging to class I (productive works), class II (unproductive works) and in respect of each district for works in class III (minor irrigation works for which capital and revenue accounts are not kept). I think, Sir, this probably meets the desire of my hon. Friend.

“My hon. Friend, Mr. Ramalingam Chettiyar, urged that jamabandi should be abolished entirely. We have in recent years very considerably reduced the work that is taking place at jamabandi and have issued orders to minimize any inconvenience to which the people and village officers may be put owing to the holding of jamabandi. I am afraid that jamabandi is still necessary for the examination of all

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the accounts of the village and the taluk offices. In the jamabandi all the accounts of the villages are scrutinized with the object of ascertaining whether all the items of land revenue have been properly determined and brought to account correctly and that the prescribed statistics have been correctly compiled. The opportunity is taken at the same time to see that all taluk authorities from Tahsildar downwards have done their work during the fasli particularly in respect of such subjects as the inspection of cultivation and poramboke lands and the disposal of encroachments, darkhasts and relinquishments and transfers of land, etc."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Why not they do it in the Revenue firka itself?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Sir, opinion in the House is divided as to whether the jamabandi should be held in the Revenue Divisional Officer's headquarters or in the firka itself; at the present time it is held at the taluk headquarters—a course midway between two extreme proposals I have mentioned. Sir, the jamabandi gives the ryot an excellent opportunity to get into touch with the higher authorities of the district. As hon. Members are aware the Collector of the district has to hold the jamabandi of every taluk once in five years, and this seems to be a very valuable opportunity for the ryots to meet the Collector.

"Mr. Ranganatha Mudaliyar from Tanjore criticized the resettlement operations in Tanjore. I am afraid that is rather ancient history. I do not mean to follow him into those details with regard to the settlement operations of the district. However there is one remark which I should like to correct. He stated, if I remember rightly, that revenue had increased by 66 per cent, whereas the Government stated it increased by only 14 per cent. My Friend's figure merely relates to the total revenue of the district as a whole whereas the figure given by the Government relates to the increase per acre. The two are very different. The former is due mainly to the increase in cultivation.

"I now come to the very interesting points raised by several hon. Members in connexion with the simplification of the resettlement procedure and the necessity for re-survey. My Friend, Mr. Sreshta, seems to be under the impression that the cost of collection which he refers to as 25 per cent of the whole amount of land revenue receipts is mainly covered by the cost of settlement and survey. Mr. Sreshta was no doubt referring to the statement in the report on the settlement of the land revenue for fasli 1342 according to which the district administration charges and the village service charges amounted to Rs. 221.91 lakhs or 25.82 per cent of the total land revenue and cesses collected. This, no doubt, gave him the impression that 25.82 per cent of the total land revenue is spent in collecting it. It has however to be remembered that the land revenue charges which come to about 2½ crores consist not only of the cost of collecting the land revenue but also of many other charges. The collection of land revenue is one of the many duties carried out by the district staff. The village

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establishment in particular is the servant of all departments of Government; they have to do work in connexion with the Estates Land Act and many other matters. A considerable portion of the time of the Collector and his subordinate officials is occupied with magisterial work. The actual cost of collecting the land revenue cannot be estimated with any degree of accuracy.

"Mr. Sreshta suggested that the record of rights was not useful. I may point out here that we have not yet got in this Presidency a record of rights. We have not yet reached the stage of formulating a scheme to maintain a record of rights. It was also urged by him and Mr. Schamnad Sahib that resurveys are unnecessary. We have as far as possible restricted the work of resurvey done by the Survey department. The question whether any resurvey is necessary is always carefully considered before every resettlement takes place. Usually there is no resurvey but in certain circumstances a resurvey may be necessary; for example in parts of the district of Malabar the survey records were lost during the Mappilla rebellion and a resurvey was necessary. We have under consideration the restriction of the resettlement operations and my Friend, Mr. Ramalingam Chettiyar, asked for some details.

"May I take it, Sir, that I have got sufficient time to go on?"

* The Hon. the PRESIDENT:—"Only two minutes."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Then I am afraid I must cut down my remarks. This matter was taken up in 1931 and the Board of Revenue was asked to make proposals for retrenchment and a scheme was put forward and placed before the Retrenchment Committee. I will give only a gist of the proposals; it was that we should confine resettlement work in future to its more legitimate sphere of its work, viz., of making an economic study of the tract concerned and then making proposals for alteration in the settlement rates and it should not include the duty of bringing the revenue records up to date. If that is to be done it will be necessary to increase the ordinary district staff."

Mr. BASHEER AHMED SAYEED:—"What about the remission of dry assessment?"

The Hon. Sir ARCHIBALD CAMPBELL:—"There is one point about the South Kanara resettlement to which exception was taken, namely, that the charge of wet assessment on dry lands converted to wet amounts to the taxation of improvements. No doubt work has to be done on the land if one wants to convert it from dry into wet, but this is true everywhere. The State is entitled to a share of the produce. In South Kanara the wet rates are generally lower than those on the East Coast. The Settlement Officer can take into consideration in fixing the rates on new wet land such factors as whether the land is situated on the top of the hill or on the lower slopes and any disadvantages of the situation of land.

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"As regards remissions, my Hon. Friend, the Finance Member, has dealt with the question of remission on account of fall in prices. In addition to that, we have given remissions where for special reasons we have been satisfied that remission is necessary. At present we have under consideration proposals for special relief to South Arcot, Tanjore and Nellore districts mainly on account of cyclones. We are also expecting some proposals with reference to one or two taluks in the Anantapur district. But so far, no proposal has been received from the Bellary district for any special remission. (An hon. Member: 'What about East Godavari and Kistna?') Probably remissions have been granted in those districts under the ordinary rules. (Mr. Basheer Ahmed: 'What about remission in dry assessment?')

"My hon. Friend referred to the Conference at Simla which was announced by Sir George Schuster and in that connexion I am sure that Members of Government representing the Madras Government on the Conference will be ready to put before the Conference any matters which the representatives of various interests concerned such as paddy, coconut and so forth, have brought to our notice.

"I should like, in conclusion, to acknowledge the kind remarks which Mr. Pannirselvam made about myself and to endorse very heartily the remarks he made about Mr. Thorne, for he and his staff have had a difficult time in the last two or three years and I should like to take this opportunity of acknowledging my indebtedness to them."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I am sorry, Sir, that the Government have not shown any the least consideration for the views of the Council and they persist in the attitude they have taken before. Therefore, I would request you, Mr. President, to take the sense of the House on motion No. 34 whose object is to protest against the attitude of Government in not accepting the resolution of the Council on land-tax remission. In this connexion, I should like to say, Sir, that it is a well-understood right of the subjects to refuse supplies to the Government unless their grievances are redressed. In this case, the practically unanimous resolution of the Council has been brushed aside by the Government and therefore we are justified constitutionally in refusing this demand because our grievances have not been redressed."

* The Hon. the PRESIDENT:—"Even a vote upon this particular motion may mean the same thing, because Mr. Ranganatha Mudaliyar has made it very clear that a vote upon this motion would achieve the object which the hon. Member wants to achieve. If, however, the hon. Member is very anxious that he should take the vote of the House on the other motion, I have no objection, but I think that a vote upon this motion itself will have the same effect."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"If it is clearly understood that it will have the same effect, I have no objection to the course suggested by you, Mr. President."

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* The Hon. the PRESIDENT:—"The question is—
'that the allotment of Rs. 39,000 for Taluk Establishments—
Pay of Establishments be reduced by Rs. 100'."

The motion was declared lost.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|---------------------------------------|--------------------------------------|
| 1 Mrs. K. Alamelumangathayaramma. | 28 B. Pocker Sahib Bahadur. |
| 2 Mr. V. M. Ramaswami Mudaliyar. | 29 Mr. Abdul Hameed Khan. |
| 3 " T. Narasa Reddi. | 30 " Basheer Ahmed Sayeed. |
| 4 Rao Bahadur A. T. Pannirselvam. | 31 " U. C. Subrahmanya Bhatt. |
| 5 Mr. G. Ranganatha Mudaliyar. | 32 " K. A. Nachiyappa Goundar. |
| 6 " G. Sriramulu. | 33 The Pattagar of Palayakottai. |
| 7 " P. C. Moses. | 34 Mr. K. S. Sivasubrahmanya Ayyar. |
| 8 " V. G. Vasudeva Pillai. | 35 " P. Peddi Raju. |
| 9 " W. P. A. Soundara Pandian. | 36 Ahmed Meeran Sahib Bahadur. |
| 10 " P. Bayappa Reddi. | 37 Diwan Bahadur B. Muniswami |
| 11 " P. K. Ramachandra Padayachi. | Nayudu. |
| 12 " G. Lakshmana Reddi. | 38 Mr. K. P. Raman Menon. |
| 13 " M. A. Muthiah Chettiyar. | 39 " M. S. Sreshta. |
| 14 " K. M. Duraiswami Reddi. | 40 " A. Ranganatha Mudaliyar. |
| 15 " S. A. A. Annamalai Chettiyar. | 41 " P. V. Krishnappa Choudari. |
| 16 Rao Sahib C. Jayaram Nayudu. | 42 " G. R. Premayya. |
| 17 " D. V. Narasimhaswami. | 43 " K. Pattabhiramayya. |
| 18 Mr. A. Harischandrudu Nayudu. | 44 " P. M. Thangal. |
| 19 " K. Kesavaramamurti Nayudu. | 45 Rai Sahib C. Kolanda Reddi. |
| 20 " A. Ramakrishna Reddi. | 46 Rao Bahadur R. K. Venugopal |
| 21 Dr. P. Subbarayan. | Nayudu. |
| 22 Rao Bahadur T. A. Ramalingam | 47 Mr. C. R. Parthasarathi Ayyangar. |
| Chettiyar. | 48 " K. Koti Reddi. |
| 23 Mr. Sami Venkatachalam Chetti. | 49 Rao Bahadur C. Natesa Mudaliyar. |
| 24 Khan Bahadur Mahmud Schammad | 50 Mr. M. B. Rangaswami Reddi. |
| Sahib Bahadur. | 51 Diwan Bahadur S. Ellappa Chetti- |
| 25 Mr. A. Pl. N. V. Nadimuthu Pillai. | yar. |
| 26 " V. T. Arasu. | 52 Mr. R. M. Palat. |
| 27 " A. B. Shetty. | |

Noes.

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| 1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 12 Mr. R. Madanagopal Nayudu. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar. | 13 " E. Conran Smith. |
| 3 " Sir Archibald Campbell. | 14 Khan Sahib Syed Tajuddin Sahib Bahadur. |
| 4 " Sir Hopetoun Stokes. | 15 Mr. H. M. Jagannatham. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 16 Rao Bahadur D. Krishnamurti. |
| 6 " the Raja of Bobbili. | 17 Rao Sahib P. Subrahmanyam Chetti. |
| 7 " Mr. P. T. Rajan. | 18 The Zamindar of Kirlampudi. |
| 8 Diwan Bahadur V. N. Viswanatha Rao. | 19 Diwan Bahadur A. Appadurai Pillai. |
| 9 Mr. J. A. Thorne. | 20 Rao Sahib Pandit Ganala Ramamurti. |
| 10 " H. M. Hood. | 21 Sir A. P. Patro. |
| 11 Diwan Bahadur N. Gopalaswami Ayyangar. | 22 Mr. C. Basu Dev. |
| | 23 " J. K. Metherell. |
| | 24 " W. W. Ladden. |
| | 25 " R. Foulkes. |

Neutral.

- | | |
|---|-------------------------------------|
| 1 Subadar-Major S. A. Nanjappa Bahadur. | 3 Rao Sahib V. I. Muniswami Pillai. |
| 2 Rao Bahadur R. Srinivasan. | 4 " V. Dharmalingam Pillai. |

Ayes 52. Noes 25.

Neutral 4.

The cut motion was carried.

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* The Hon. the PRESIDENT:—"The question is—
'that Government be granted a sum not exceeding Rs. 18,24,700
(Demand minus Rs. 100)'."

* The motion was declared carried.

A poll was demanded and the House divided thus:—

Ayes.

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|--|--|
| 1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 25 Mr. W. P. A. Soundara Pandian. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar. | 26 " P. Bayappa Reddi. |
| 3* " Sir Archibald Campbell. | 27 " P. K. Ramachandra Padayachi. |
| 4 " Sir Hopetoun Stokes. | 28 Mr. G. Lakshmana Reddi. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 29 Rao Sahib V. Dharmalingam Pillai. |
| 6 " the Raja of Bobbili. | 30 Mr. M. A. Muthiah Chettiyar. |
| 7 " Mr. P. T. Rajan. | 31 " K. M. Duraiswami Reddi. |
| 8 Mrs. K. Alamelumangathayaramma. | 32 " H. M. Jagannatham. |
| 9 Diwan Bahadur V. N. Viswanatha Rao. | 33 Rao Bahadur D. Krishnamurti. |
| 10 Mr. J. A. Thorne. | 34 Rao Sahib P. Subrahmanyam Chetti. |
| 11 " H. M. Hood. | 35 Mr. S. A. A. Annamalai Chettiyar. |
| 12 Diwan Bahadur N. Gopalaswami Ayyangar. | 36 The Zamindar of Kirlampudi. |
| 13 Mr. R. Madanagopal Nayudu. | 37 Rao Sahib C. Jayaram Nayudu. |
| 14 " E. Conran Smith. | 38 Diwan Bahadur A. Appadurai Pillai. |
| 15 Khan Bahadur Syed Tajuddin Sahib Bahadur. | 39 Rao Sahib D. V. Narasimhaswami. |
| 16 Mr. T. Narasa Reddi. | 40 " Pandit Ganala Ramamurti. |
| 17 Rao Bahadur A. T. Pannirselvam. | 41 Mr. A. Harischandrudu Nayudu. |
| 18 Mr. G. Ranganatha Mudaliyar. | 42 " K. Kesavaramamurti Nayudu. |
| 19 Subadar-Major S. A. Nanjappa Bahadur. | 43 " A. Ramakrishna Reddi. |
| 20 Rao Bahadur R. Srinivasan. | 44 Rao Bahadur Sir A. P. Patro. |
| 21 Rao Sahib V. I. Muniswami Pillai. | 45 " C. Natesa Mudaliyar. |
| 22 Mr. G. Sriramulu. | 46 Diwan Bahadur S. Ellappa Chettiyar. |
| 23 " P. C. Moses. | 47 Mr. C. Basu Dev. |
| 24 " V. G. Vasudeva Pillai. | 48 " R. M. Palat. |
| | 49 " J. K. Metherell. |
| | 50 " W. W. Ladden. |
| | 51 " R. Foulkes. |

Noes.

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|---|--|
| 1 Mr. V. M. Ramaswami Mudaliyar. | 16 Mr. P. Peddi Raju. |
| 2 Dr. P. Subbarayan. | 17 Diwan Bahadur B. Muniswami Nayudu. |
| 3 Rao Bahadur T. A. Ramalingam Chettiyar. | 18 Mr. K. P. Raman Menon. |
| 4 Mr. Sami Venkatachalam Chetti. | 19 " M. S. Sreshta. |
| 5 Khan Bahadur Mahmud Schamnad Sahib Bahadur. | 20 " A. Ranganatha Mudaliyar. |
| 6 Mr. A. Pl. N. V. Nadimuthu Pillai. | 21 " P. V. Krishnayya Choudari. |
| 7 " V. T. Arasu. | 22 " G. R. Premayya. |
| 8 " A. B. Shetty. | 23 " K. Pattabhiramayya. |
| 9 B. Pocker Sahib Bahadur. | 24 " P. M. Thangal. |
| 10 Mr. Abdul Hameed Khan. | 25 Rai Sahib C. Kolanda Reddi. |
| 11 " Basheer Ahmed Sayeed. | 26 Rao Bahadur R. K. Venugopal Nayudu. |
| 12 " U. C. Subrahmanya Bhatt. | 27 Mr. C. R. Parthasarathi Ayyangar. |
| 13 " K. A. Nachiyappa Gounder. | 28 " K. Koti Reddi. |
| 14 The Pattagar of Palayakottai. | 29 " M. B. Rangaswami Reddi. |
| 15 Mr. K. S. Sivasubrahmanya Ayyar. | 30 Ahmed Meeran Sahib Bahadur. |

Ayes 51.

Noes 30.

The motion was carried.

The House adjourned for lunch.

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After Lunch (2-30 p.m.)

DEMAND II—EXCISE—TRANSFERRED.

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Sir,
on the recommendation of His Excellency the Governor, I move—
'that the Government be granted a sum not exceeding Rupees
30,82,000 under Demand II—Excise—Transferred'."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I beg to move
the following amendment:—

RS.

'To reduce the allotment of Rs. 12,000 for Pay of
Officers by 100

My object is to criticize the policy of the Government regarding prohibition. This question has been coming up every year when this demand is made on behalf of the Government by the Hon. Minister in charge of Excise. We have criticized the policy of the Government with regard to their indifference or neglect to give effect to their undertaking given six years ago that within twenty years from that year, they would secure total prohibition in this Province. We have been trying to see to what extent the Government have endeavoured to fulfil that promise after it was made, whether the Government have constituted any machinery, whether they have tried to reduce consumption, and whether they have tried to raise the fees; we have been waiting to see what they have done for local option or even with regard to propaganda, whether they have done anything to fulfil that undertaking within these six years, to the extent they can. We fail to see the Government doing anything in that direction. Years ago they established what were called propagandists for carrying on propaganda against the drink evil; a certain amount of money—Rs. 4 lakhs, I think—was allotted every year for payment to propagandists for carrying on propaganda. Even then we were not quite sure whether anything could be achieved by this half-hearted measure, whether we would be able to achieve the result which all of us had in view; it was found to be a failure. It did not go far enough to bring about any tangible result. The Government also found out that there was no use of going on with propaganda; so they gave up the idea of carrying on propaganda in that direction.

"Excise is the second largest source of revenue in this Province. Whenever this question of prohibition was brought forward by hon. Members of this House, the Government came forward with the excuse that they had expenditure to be met from the revenues of the Government and that they would be giving up such a large part of their revenue; they ask us to show another source of revenue so that they can meet their expenditure. That is one of the arguments that have been advanced by the Government. Hon. Members who raise

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this question of prohibition are not in a position to give an idea with regard to any other new source of revenue for the Government because they do not possess the advantages and facilities which the Government have. We have been calling upon the Government to appoint a non-official committee of enquiry to go into the question of finance and to suggest ways and means by which we can find out another source of revenue. The Government did not appoint a committee of officials and non-officials with a Secretariat to help them to find out another source of revenue which can replace or be a substitute for the revenue we are getting now. The Government themselves are fully aware that, though they secure a large amount of revenue from this source, they have to maintain many services in order to counteract the evils. They have to maintain a large police force; they are forced to have a big service to counteract the evils arising from this drink evil. The Government tried to introduce some sort of prohibition in some districts. They subsequently found that it did not work well; therefore, they abandoned the idea. In this connexion, I may refer to Salem district. The Government found that there was a large increase in illicit distillation and kindred offences and that the experiment was not a success. So the Government ordered the reopening of the shops from 1st April 1933. With regard to this matter the Government stand to blame. If they were really serious and if they wanted to put a stop to the sale of liquor in this Province, they could have done it very successfully. In order to satisfy public opinion, in order to satisfy those who believe in prohibition in this House, the Government tried this experiment in a half-hearted manner and such attempt was bound to fail. They have failed; of course, they throw the blame on the people; I do not think they can safely throw the blame upon the people; they can do so if they carried out their policy with some amount of seriousness.

“ This drink evil is prohibited by all religions except a certain section of Christians. In spite of it, educated people as well as illiterate people have taken to this drink evil. With regard to educated people, one can say that they know what they are doing.

(At this stage Mr. M. A. Muthiah Chettiyar occupied the Chair.)

With regard to the illiterate people, they think that this is a necessary evil; that they require some intoxication which would give them some relief from the day's hard labour. That is a theory which does not hold water. Whenever and wherever attempts were made for real reform in this direction, we find that the labourer is not very anxious to get a drink; if he can get some substitute, he will be certainly satisfied. We know that other countries have been trying to introduce total prohibition. Unfortunately the American people have gone wet recently instead of going dry. I do not know how many barrels are floating in the streets of New York now. There may be reason for their so doing, because it is a cold country. But in this Country—in India—our traditions are different; our people as a whole are religious minded; they do not really want this evil. Unfortunately the Government place temptations in their way. Wherever we go we

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find arrack shops and toddy shops. They are a temptation for people to go and drink. If the labourer or the agriculturist finds that there is some place to which he can go and get some sort of relief for the time being, he is tempted to go there. For placing that temptation the Government are responsible. The Government have failed to fulfil their promise.

“ With regard to the licensing board, I think the time has come when the Government should change its constitution giving more representation to non-official opinion. As a matter of fact, although there are some non-officials on the board, the officials have got control over the whole matter. We know that in our own city there are many places in which toddy shops and liquor shops exist where they should not, in the neighbourhood of schools, in the neighbourhood of temples, in the neighbourhood of mosques.

“ The licensing boards are so helpless; they are not in a position to remove those toddy shops from those localities, however much they may try. Therefore, as I said, the Government not only have failed to give effect to the policy of prohibition, but have not done anything in that direction. I hope, Sir, that the Government will honestly try, to the extent to which they can do so, to reduce this evil if they cannot put a stop to it altogether within the next ten or fifteen years.”

2-45
p.m.

* Rao Sahib V. I. MUNISWAMI PILLAI:—“ Mr. President, Sir, in rising to speak on this cut motion, I would like to draw the attention of Government to the necessity of temperance reform at a time when the whole country is on the threshold of a new Constitution. Sir, we are all proud in this House of legislative enactments both in the Local Self-Government Department and in the Development Department; but unfortunately the portfolio of the Hon. the Excise Minister—I think I am correct in saying—is bare of any legislation on this important subject. We see that the excise policy followed by the Government does not meet the wishes of the people. Reading through the Presidency administration report and the report on the administration of excise revenue, we find that very little advancement has been made in this important reform of temperance. Reading through the administration report, I find that in the year 1932-33 there have been ‘ no special features.’ That is what the report says. At least in the previous regime of the late Diwan Bahadur R. N. Arogyaswami Mudaliyar and also during the time of Mr. S. Muthiah Mudaliyar, something was done to show to the people the evil effects of excessive drink and efforts were made to obtain public opinion as to whether there was any necessity for prohibition. Unfortunately, Sir, due to retrenchment, all these activities were brought to an end; and during the present regime, I do not find any advancement made in this respect. One important point that was urged by most of the temperance societies is that more powers should be given to the various district licensing boards. I know as a matter of fact that the Government moved a step further and asked the Collectors

[Mr. V. I. Muniswami Pillai] [10th March 1934]

of districts to obtain the views of temperance workers and also of such bodies as were interested in the temperance movement. I know also that more than eight or nine months have elapsed since those views were given, and yet I do not know what decision the Government have come to on this important matter. In one place, the report says that the excise advisory boards have worked satisfactorily. I know there is a grievance that the licensing boards that are constituted now are not given any statutory powers, that they are merely advisory bodies and have no powers to dictate terms as to the location of arrack or other liquor shops. My hon. Friend, Mr. Hameed Khan, referred to America having gone wet; but, Sir, we must not forget that in America there is the Local Option Act which may be applied to any State whenever it is the wish of the people of that State. In India, however, especially in this Province, there is no such enactment which allows the people to say what they think in the matter. Even if the people in certain districts express that there ought to be partial prohibition, unfortunately the Excise officials do not give that amount of deference to the wishes of the people as is due. On page 17, the report on the administration of the excise revenue says:—

‘There is abundant testimony chiefly from planters who are in a position to know, that the official prohibition tends to demoralize and impoverish those accustomed to drink. The hill tribes precluded from obtaining drink openly are said to employ Tamil or Kanarese coolies on a commission basis to secure liquor.’

Coming as I do from a district where there is partial prohibition, I know that after the introduction of partial prohibition, the morale of the people, of those to whom this partial prohibition applies, has greatly improved, and in their economic status, they have advanced considerably. Going through the speech of the Hon. the Minister for Excise in the year 1932, when the question of making the possession of liquor illegal came up, he said:

‘Whether administratively it is necessary or desirable to do so is a matter on which I should like to have further consultation with the representatives of the district.’

So far, Sir, I do not know whether the Minister of Excise or the Commissioner or any official of the Excise department has taken counsel from me or from my hon. Friends, Messrs. Ari Gowder and Davis, who also come from the Nilgiris. All the temperance associations in the hills have been clamouring that the Nilgiris at least should be declared as a prohibited area for this purpose. Unfortunately, at page 17, I find the Government say, in their report:

‘There was no temperance work of importance by private associations.’

I think as an important member of a very responsible temperance society in this Province, I have to challenge that statement; for, in the last month of the year 1932, a very big deputation waited on the Hon. the Chief Minister to ask him for a bigger subsidy to enable temperance work being carried on throughout the Presidency. I do not know, Sir, how the Government have come to this conclusion that temperance work is at a standstill. I know branches have been opened in various districts

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and there is a regular net-work of temperance societies. It has been the cry of the temperance associations that subsidies should be given to help this movement. I hope, Sir, the Hon. the Minister will see his way to give some substantial help to these associations, so that they may work in co-operation with the Excise officials to bring better results. Sir, from the report I find that during the year 1931–32, this Province had a revenue of 425 lakhs,

in 1932–33	...	...	...	...	426 lakhs,
in 1933–34	...	...	...	...	432 lakhs and
in 1934–35 (budget)	...	...	...	...	431 lakhs.

These figures go to show that there has been an increase in the revenue, not a decrease. That means there is a greater amount of drunkenness in the country. If we compare the state of affairs some fifty years ago with the present, the temperance movement in this Presidency has really come to stay. At one time it was said by some people that the temperance problem in India was entirely a by-product of the British rule. But what I would say is this: that the Sanatanists who proclaim to be the custodians of the temples, are the cause of this drunkenness in the country. (Laughter.) (Mr. Sami Venkatachalam Chetti: It is very horrifying.) During the pre-Reform days, I mean in the Vedic period, it was the primitive Indo-Aryans that drank the soma juice and gave the start. Now, the Sanatanists, instead of finding out the very reason which is eating into the vitals of the nation, are trying to prevent the Depressed Classes from entering the sacred precincts of the temples. I think, Sir, they will be well advised if they really turn to this field, where they can be really of use to the people of the country. Sir, some fifty years ago, going through the history of the temperance movement in India, I find that there was a great clamour that real temperance reform should be introduced in this country, at least in this Province. Great agitation was started, and as a matter of fact, a resolution was moved in the hon. the House of Commons which fortunately went through. The resolution reads thus:

‘That in the opinion of this House the fiscal system of the Government of India leads to the establishment of spirit distilleries, liquor and opium shops in large numbers of places where, till recently, they never existed in defiance of native opinions and protests of the inhabitants and that such increased consumption spread misery and ruin among the industrial classes of India calling for immediate action on the part of the Government of India with a view to their abatement.’

It was at the time when Sir John Gorst was Under Secretary and he greatly pleaded in the negative; but finally, the resolution was passed, and I find that a Despatch was sent by the then Secretary of State to the Government of India. Though the Government of India were very slow in the beginning, they set up a committee afterwards; and that committee went through the whole problem of drunkenness in India and in our Province. They issued a general memorandum in the

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Gazette of India on the 1st March 1890 adumbrating the policy of the Government of India in matters of excise. It stated:

'Looking to all the conditions of the very difficult problem with which we have to deal, we have, after careful consideration, arrived at the conclusion that the only general principles which it is expedient or even safe to adopt are the following:—

firstly, that the taxation of spirituous and intoxicating liquors and drugs shall be high and in some cases as high as it is possible to enforce;

secondly, that the traffic in liquor and drugs should be conducted under suitable regulations for police purposes;

thirdly, that the number of places at which liquor or drugs can be purchased should be strictly limited with regard to the circumstances of each locality; and

fourthly, that efforts should be made to ascertain the existence of local public sentiment and that a reasonable amount of deference should be paid to such opinion when ascertained.'

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"That is the policy that was adopted by the Government of India in 1890. I think since then it has undergone a change and now we have come to the old position. When we are crying that the number of shops must be reduced, we find that in travellers' bungalows and other resorts there is a bar attached. Though the Government have abolished some shops here and there, they are indiscriminately allowing these restaurants and travellers' resorts with bar attached to demoralize the people of this Presidency. (Rao Bahadur A. T. Pannirselvam: 'Restaurants with bar attached are only very few.') I would like my friend to come with me to the Nilgiris; I will show how many there are. The Government of Madras went into the question and in their report of 1888, they observed:

'It is to be doubted whether the reduction is not in some cases gone too far and further the Board of Revenue have settled in consultation with Collectors the number of shops that ought to be fixed in each district.'

That was the state of affairs some fifty years ago. I think the time has now come when the Hon. the Minister must say whether the Government have in any way advanced in the nature of reform, and have done anything so that the people of this Presidency given to drink may be redeemed."

* Mr. G. R. PREMAYYA:—"Mr. Chairman, Sir, I am really ashamed to speak on this demand. I have been here for the past twelve years and year after year hon. Members talk, advise, and cajole and several other means have been tried to influence the Minister in charge to introduce total prohibition. Discussions followed and several hon. Members spoke very sincerely and very honestly that the Hon. the Minister in charge should take notice of the strong opinion in favour of prohibition and introduce at least partial prohibition. When Mr. Arogyaswami Mudaliyar was in charge of the portfolio, he did something and promised that he would introduce some prohibition and he did so, and earned a good name. Sir, it is very difficult to talk to a deaf man. Generally, much importance will not be attached to a deaf man's evidence in a court of law. When the Hon. the Minister does not like to listen to arguments or respect our feelings, is it not right to call him deaf? Some time ago, when much trouble was anticipated in Afghanistan, King Amanullah abdicated his throne simply for the sake

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of his people even though it entailed sacrificing his regal position. Not only Amanullah, King Alfonso and several other people made such a sacrifice. They did so because they thought that the country was going to be split up by internal quarrels and other troubles. When the whole country is going to be spoiled by this drink evil, when families are going to be destroyed and the physique of drunkards are broken down by drink, why not the Hon. the Minister resign his post now and follow their noble example? I know he is a leading lawyer and can earn from five to ten thousand rupees a month. This salary is nothing when compared to his income as a lawyer. He is a public man and is responsible to this Legislature. I assure him that in case he resigns, we on the side of the House will not take up the portfolio. Let the Government take up that subject in the Reserved Half. If it is taken over by the Reserved Half, the Government will be taught a lesson. When the Hon. the Minister was on this side of the House, did he not speak in very strong terms against this evil as the chief spokesman of the Justice Party? I was some time ago very much pleased when I read some of his speeches delivered from this side of this House, and now I don't know what makes him change his ideas. I don't think it is for the sake of the salary he gets. If he resigns, his name will certainly go down to history and coming generations will praise him. Several Ministers have come and several Ministers have gone and all their names will not go down to history. If the Hon. the Minister resigns, not only will he be praised here, but also in other countries, especially in America, and his name, next to Gandhiji's name, will be on everybody's lip.

"Some time ago, one responsible gentleman who is now in this Council told me that those who have experienced the evil effects of strong liquor speak very strongly against it in the Council. Perhaps, he thought I was a drunkard. I may assure that gentleman that never even as a medicine have I taken strong drinks though I have travelled in cold countries. Let that gentleman take it from me that I have not taken a drop of liquor till now and let him not say it again to me.

"The people whom I represent, the Depressed Classes, take toddy in the evenings. Some of my hon. Friends in the Council have said that it is very necessary for them to take toddy in the evenings after their day's labour. I say, Sir, taking toddy day after day is spoiling their families, their health and happiness. A resolution was passed by this Council some time ago that no toddy shop should be situated very near schools and other public institutions, and that on public holidays no toddy shops should be kept open. Now, we find toddy shops everywhere. If the Hon. the Minister thinks that he is not responsible to this Legislature, toddy wallahs seem to think that they are not responsible to the Government. As is the father, so is the son. Let the Hon. the Minister take the mandate from us and give effect to the resolution that was passed. If he cannot do so, it is but right for him to resign and get away."

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* Mr. A. B. SHETTY:—" Mr. Chairman, Sir, year after year the Hon. the Minister has been telling us that Government accept the policy of total prohibition and of reaching that goal within 20 years, but he has not taken in hand any large programme of prohibition, because prohibition would mean loss of much revenue to the Government and it would also entail increasing expenditure for a large preventive staff which would have to be maintained for preventing smuggling and illicit distillation. Not only has no large programme of prohibition been undertaken but even the small experiments which Government have been trying in this direction have been given up one after another. Since April 1933, in several taluks, the experiment of closing arrack and toddy shops has been given up on the ground that it has proved a failure. In the matter of closing liquor shops on election days, the orders of Government have been slightly relaxed, by vesting Collectors with the power to keep open certain shops. Again, the closing of shops on Sundays has also been withdrawn since 1st April 1933. The prohibition of the sale of liquor to the hill tribes of the Nilgiris has been declared to be a failure. The Government have been considering for a very long time whether the possession of liquor by the hill tribes should be penalized but they never come to any conclusions on this matter. The Government have not made any attempt to explore the possibility of finding other sources of revenue for making good the loss which they would have to incur if prohibition were undertaken. In 1932, during the Budget debate on this demand, Diwan Bahadur Arogyaswami Mudaliyar made certain constructive suggestions pointing out to the Government how the excise revenue could be increased. He proposed an increased duty on arrack, an increased tree-tax and instead of the fixed licence fee on foreign liquor shops he proposed another system which would bring more revenue. He made some other suggestions also. The Hon. Minister said that some of these suggestions were under the consideration of the Government and he promised to examine them further and see what could be done. Sir, high taxation especially of the stronger liquors has become almost the cardinal principle of British liquor legislation. The policy of this Government is maximum revenue and maximum consumption. There is nothing that can stand in the way of this Government increasing the duty on arrack. The rate of duty on arrack in the Bombay Presidency as well as in the United Provinces is said to be much higher than what it is here.

" When the Retrenchment Committee was at work, the Raja Sahib of Bobbili who was a member of the committee at that time proposed that the work of supervision and the preventive work of the Excise department could be transferred to the Revenue department and the Police department. The Retrenchment Committee recommended this proposal for the consideration of the Government. I wish to know whether the Government have examined the proposal and what conclusion they have come to. Last year, speaking on this subject, Khan Bahadur Yahya Ali Sahib suggested that licensing boards should be established in every municipal area and that they should be given larger

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powers. The Hon. Minister received these suggestions with approval and promised to consider them. I wish to ask him whether these proposals have been examined and what the Government have decided to do in the matter.

" The adoption of the suggestions made by the late Mr. Arogyaswami Mudaliyar would result in increasing the excise revenue and the proposal of the Raja Sahib of Bobbili would economize expenditure. The money thus got may be set off against the loss to be incurred in trying prohibition in one or two districts. Sir, the Hon. the Minister should not take shelter under the plea that at a time of depression like this, things have to go on as before and that no new experiments in this matter could be undertaken till better days dawn. Of course, we all feel sympathy for the Minister in the difficult position in which he is placed in regard to this subject, but at the same time, we want him to find out what he can do to work his way towards total prohibition in regard to which he says that Government have accepted it as their policy as recommended by this House."

* Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, Sir, this is one of the amendments by means of which we are treated with sermons year after year on the evils of drink and lip-service is offered at the altar of prohibition, not merely by Members but even by Ministers. I do not want for a moment to minimize the importance of educating the people to be temperate in their ways and more particularly temperate in their drinks. I should certainly advocate all methods that could be devised by Government for the purpose of educating the people to a sense of the evils and dangers that are concomitant to excessive drink. I should certainly suggest a select committee or an expert committee, if you like, whereby right up from the cradle, our people, men and women, would be educated in the evils of drink and if possible to give it up altogether, so that even at the age of Mr. Premayya, they might be able to come up and say 'I have travelled from East to West, I have gone over all the countries, but not a single drop of alcohol has ever entered my mouth.' I should certainly welcome the day when the 350 millions of this country and more particularly the 42 millions of this Province can say it. It is a different thing however to advocate what we call prohibition. Hon. Members of this House might remember that years ago when the non-co-operation movement was started, Mr. Gandhi was never tired of preaching to us about the evils of a slavish mentality, and I submit, Sir, that the slavish mentality of our people has never been more evident than in borrowing whatever novelty might be set afloat in the West, whether it be prohibition or birth control or whatever other novelty it might be, including nudism; and advocates of these things immediately spring up in this country, associations are started."

* Mr. SAMI VENKATACHALAM CHETTI:—" Nudism in this country! "

* Rao Bahadur A. T. PANNIRSELVAM:—" It is coming and Mr. Sami Venkatchalam Chetti might become president of it. Now, Sir, this is an idea which we have borrowed from the West and during the last

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few years, no occasion has been missed by any one who has aspired to be called a nationalist for advocating prohibition. I know if one says anything against prohibition, if one oppose it, he would be considered an anti-nationalist. But speaking for myself, I have not the slightest hesitation in saying that people who advocate prohibition do not understand the implications of what they say. I am not looking at it purely from the point of view of revenue to the Government or the excessive expenditure that Government would have to incur if really prohibition was to be undertaken; I put it on more elementary and simple grounds, but at the same time fundamental grounds of governmental interference with individual liberty. I do think that it should certainly be open to me if on an evening I want to have a little relaxation to have it; it is not for the Government to come and interfere and say, you shall have this sort of relaxation and not the other. Governmental interference can only come in if a person indulging in certain kinds of pleasure does thereby interfere with other people's rights. I would certainly advocate the interference of Government when anybody indulges in excessive drink; it is therefore, I say, that temperance should be made one of the main works of the Excise department and people should be educated to give up drink. We find, Sir, in America, it has been shown that as a result of this sort of unedifying and unprovoked interference with individual liberty and putting all sorts of objectionable restrictions on a person's liberty, you certainly incite him—it might be indirectly—to break the law. We find, as a result of years of experience of prohibition in the West and in America, how crimes have increased and how, after experimenting upon prohibition for a certain number of years, they have ultimately had to give it up. I think, Sir, that to these advocates of prohibition in this country, the example of America ought to prove a very salutary lesson.

“Therefore, while I am opposed to prohibition, I should certainly think that the Minister—in his heart of hearts he does not believe in what he says when he says that total prohibition is the ultimate aim and object of the Government which he represents on the occasion—would realize the necessity for starting regular temperance propaganda campaigns. I do not suggest that the committee which was set up a few years ago and which was last year abandoned as a measure of economy, was a very good experiment. I do not urge for its resuscitation, but I urge some sort of well-thought-out plan whereby we shall not be content with pleading for prohibition on the floor of this House once every twelve months; instead of doing that, let us do something which will reach the man in the village, which will educate the boy in the village school and bring him up in fear of the evils of drink and create in him a natural aversion to drink, so that in course of time—it might be 10 or even 15 years—we shall find advocates of prohibition—not governmental prohibition but natural, spontaneous and moral prohibition.”

* MR. SAMI VENKATACHALAM CHETTI:—“Sir, though I do not see any usefulness in speaking upon this motion, yet having regard to the

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stand-still policy that is being followed by successive Ministers in respect of excise, I am obliged to speak at least to repudiate some of the remarks made by my hon. Friend from Tanjore, Mr. Pannirselvam. I thought there would be no two opinions as to the necessity for complete prohibition of the drink evil in this country, but I am afraid, while desiring that temperance propaganda should be instituted to educate the new born baby from the cradle to the grave of the advances of prohibition, he would still not believe in prohibition. I think he is blowing hot and cold when he is advancing an argument of this sort. Our complaint against the Minister is that, while he has accepted the policy of his party to be prohibition within a certain period of years, he has not done anything towards achieving that end. It is mere sophistry to say that it will take 20 years from every year in which this motion is moved. I would ask the Hon. the Minister not to shilly-shally on this question. Let us have his definite opinion whether it would be possible to introduce prohibition and whether he is taking any steps for achieving that end. He cannot deceive the public by saying ‘my party is against the drink evil’ and yet remain silent doing absolutely nothing towards achieving that aim. It will be more honest for him and for his party to say, ‘having regard to the circumstances prevailing in this country, it would not be possible to achieve complete prohibition in a stated period.’ I expect the Hon. the Minister this time at least will face the question squarely and give us a definite answer.

“Well, Sir, the natural consequence of not being able to do what he has promised is what was suggested by my hon. Friend, Mr. Premayya. Surely no Minister who has got any regard for his responsibility to this House, can both promise a thing and fail to fulfil it.

“Then, Sir, with regard to the remark made by my hon. Friend, Mr. Muniswami Pillai, that the Sanatanists are responsible for the drink evil in this country, I am rather horrified. Not that I am speaking on behalf of the Sanatanists who object to reform; I am speaking on behalf of the genuine and real Sanatanists (Interruption) yes, including myself, when I say that it is a calumny against these Sanatanists to say that they were responsible for the drink evil in this country. I think that that misconception is due to his misunderstanding that the soma juice is the drink that he is complaining against to-day. Somehow or other, it has often been repeated that soma juice was a variant of the present drink. It is far from that. Anybody who has got an intimate knowledge with the various rituals performed by our ancestors would give the lie direct that soma juice is a variation or a variant of the present drink.

“As I said already, Sir, it will be proper on the part of the Hon. the Minister to tell the House definitely what he is going to do. Sir, in regard to a remark during the general discussion of the Budget that the Government have become callous to public opinion in proportion to the decline in agitation in this country, the Hon. the Finance Member

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took exception to that statement. Sir, you will see, and the Hon. the Minister will perhaps acknowledge, that during the ministership of Diwan Bahadur Arogyaswami Mudaliyar, when public opinion was very very strong against the drink evil, he was obliged to introduce prohibition in certain areas of some districts and the experiment was really successful so long as he was on the Treasury Bench, but the moment he came out of it, reports came from heads of departments that the experiment was a failure. Sir, one could not expect anything else from heads of departments who are never wedded to the belief that we can achieve prohibition in this country. Naturally therefore those reports have to be taken at a certain value. The Minister was perhaps too weak to take them at that value and yielded. That was why prohibition was withdrawn on the ground that illicit sales were going on in this Province. If it was so, it was up to the Government to bring them to book. If a man has committed a grave offence, could it be said that the law should be withdrawn? It is an unsound view for Government to take. Mr. Pannirselvam took objection to the attempts to restrict individual liberty so long as that liberty does not interfere with the happiness, comfort and convenience of other people. I agree with that proposition. But my contention is that these people not only spoil themselves but contaminate the whole of their surroundings and therefore it is not desirable that their freedom should go without restriction. What did China do? China is addicted to opium eating. But the other countries joined together and said 'we shall not send you opium because you as a nation are going down.' When you are prepared to do so much in respect of the welfare of other nations, is it not up to you when you feel that the drink evil is on the increase and that the people are ruining themselves and their homes, to see that the State interferes in matters affecting the moral and material welfare of the people? I therefore strongly support the motion."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, Government accepted total prohibition as their goal some years ago. Minister after Minister was telling us that the Government's goal is total prohibition. Having that as the goal, Minister after Minister was finding ways and means as to how to achieve it and the limit for achieving it was fixed at 20 years. And Minister after Minister, year after year, was speaking of that 20 years from his time and the present Minister will perhaps speak of twenty years from this year. I want that the twenty years should commence from the time the policy was first enunciated. To achieve that end, they introduced prohibition in certain areas, abolition of toddy and arrack shops in certain areas and rationing in certain areas. These have to be extended year after year. On the other hand, our report shows that continues in the areas allowed, abolitions continue in some other areas and rationing is allowed to continue also in some other areas. Everything continues and nothing is extended. Our present Minister has got only one year more and I request that in the meanwhile he must make up for his inactivity and see that he extended prohibition in more and more areas extended abolition of toddy shops in more areas and extended rationing in more

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areas in this one year. As for the hon. Member Mr. Muniswami Pillai's remarks, soma juice no doubt existed. Our ancestors drank and danced in the name of God. Chanakya, the ancient finance expert, collected excise revenue. What the people then drank may not be the soma juice. That is a substitution for soma juice. Whether Sanatanists introduced it or whether Sanatanists existed in those days is a question to be investigated. As for Mr. Pannirselvam's remarks; of course, I like the idea that Government should do propaganda work. It was the policy of Mr. Arogyaswami Mudaliyar to have prohibition within 20 years and Mr. Muthiah Mudaliyar appointed a propaganda committee to do propaganda work. But unfortunately these things had to be given up on account of retrenchment. Sir, I request my hon. Friend, Mr. Pannirselvam, not to agitate for temperance, but do so for prohibition. Alcohol, whether in small quantities or large quantities, is injurious. Alcohol, whether in small quantities or large quantities, has the effect of disturbing the normal condition. On the stomach taken in small quantities it only irritates the mucus membranes and the glands and produces more juice and this aids digestion. It makes the heart beat more rapid. Temporarily the normal state of the heart is gone and it stimulates the stream in the blood vessels. There is more rapid flow of blood. There is a glowing warmth felt. Then, Sir, the effect of alcohol on the brain and the nervous system is stimulation again. Flow of ideas, sharp wits, general enthusiasm and argumentative spirit are all the results of such stimulation. If you take more of alcohol, stupidity, unsteady gait, idiotic look, and incoherent speech are the results. Even in small quantities alcohol is bad. A man comes to a doctor with cirrhosis of the liver; when asked he and his friends believe and say that he never takes alcohol. When forced to say more he simply says that he was taking only a little bit. It is that little bit that was the cause of the disease. In small quantities it produces fibrous tissues in the various parts and even in the heart itself. Never stand for alcohol in small quantities. In the Ashantee expedition they tried the experiment of substituting tea for alcohol. At the rate of one ounce of alcohol after 2½ miles, a soldier became exhausted. The exhaustion was more than the exhaustion he had before the one ounce of alcohol was given and the depression was more intense. The report says:

'The reviving effect goes off after at the utmost two and a half miles of additional march, and sometimes much before this; then the previous languor and sense of exhaustion not only return, but are sometimes more intense, and if alcohol is again resorted to, its effects are now less satisfactory.'

Drink produces depression. Depression will be more intense and to bring one to the former position more alcohol is required. Alcohol is not food but it produces energy, it draws it from the body.

"Medical opinion says:

'He draws so to speak, a bill on his health, which must be always renewed because, for want of means, he cannot take it up; he consumes his capital instead of his interest; and the result is the inevitable bankruptcy of his body.'

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That is the evil of alcohol even in small quantities. In the Ashantee expedition the soldiers were able to get on, with one ounce of tea instead of one ounce of alcohol.

"The medical opinion is:

'This expedition would have been a bright era in our military annals had it no other result than that of proving the fallacy hitherto believed in of the necessity of providing our men when in the field with intoxicating liquors.'

So, there is the authority of medical men. Experiments were tried and even to keep up the spirits alcohol is not to be encouraged. There are many points to be said but there is no time. Coming to our Minister, what is he going to do? Sir, he has appointed licensing boards. But when the licensing boards say that a certain shop should be closed there is the Commissioner of the Board of Revenue who as a rule says that it cannot be done. It was so with one shop at Triplicane. There is no use of the suggestion of Mr. Premayya asking the Minister to resign. There are many persons on his side alone ready to occupy his place in the Cabinet. So, I will not ask him to do that indiscreet act, Sir. Mr. Premayya can be sure that there are people in the opposite side also to take the place and my hon. Friend, Mr. Premayya, cannot control them. He has as much interest as any of us in the country to see that total prohibition is sanctioned. Our Minister is an Indian and he has as much interest as any of us. There is the accumulated work of these three years. I hope he will attend to them. But I will never advise him to resign."

* Mr. M. S. SRESHTA:—"With considerable diffidence I rise to speak after Dr. Natesa Mudaliyar. I am afraid I am one of the few who are against prohibition. It is not possible to carry out prohibition. No Minister will take upon himself the responsibility of carrying out the policy of prohibition. My hon. Friend, Mr. Shetty, said that the Minister or the Ministry should find out some alternative method of raising the revenue now recovered from excise. I think the excise revenue is half of land revenue which is a very large one. Mr. Shetty said that some alternative should be found for that amount. I was wondering why he himself could not find out the alternative. I am not aware of any Member who is in a position to suggest an alternative. Again, you will have to find not only the money recovered from excise but you will also have to provide the necessary money for effectively carrying out the policy of prohibition. This question has been before the eye of the public and the Indian Taxation Committee took up the question and the Excise Commissioner of a certain Province said that he would require a standing army to carry out prohibition. A Minister in one Province said that two crores will be necessary to carry out effectively the policy of prohibition.

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"I do not think it is possible for any Minister to say honestly on the floor of the House that he will be able to achieve prohibition. In view of this circumstance, I think the correct thing to do would be to see what we can do in a practical way. In the first place, I agree with my hon. Friend, Mr. Pannirselvam, when he said that we may

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have some educational propaganda to begin with so that people may grow up without feeling the need for drink. Side by side with that propaganda, we must see how exactly we ought to meet the present conditions. Is it possible to carry out total prohibition in this country when almost every compound has a number of coconut trees? As I said last year you will have to employ a policeman for every compound to see that the coconut trees are not tapped. In the second place it is best for us to see how we can collect the entire revenue from excise without leakage? Whatever we may do there will be leakage of revenue. Now there is a pretty large amount of leakage from excise revenue on account of our half-hearted attempt at prohibition. A good many of us talk here about prohibition being necessary and even the Hon. Minister sometimes says that his ideal also is prohibition but that, unfortunately, he cannot carry out. The result of this half-hearted policy is that whereas we are not stopping drink, we are denying to ourselves a large slice of revenue and a good deal of the money which ought to go into the coffers of the State is going into the coffers of private individuals. This leakage must be stopped.

"The second point is that a good deal of the money which ought to remain in the country is now lost to us, because a certain quality of liquor, which is good and which is made locally, is called foreign liquor and extra duty is levied on it. This results in the inability of this quality of local liquor to stand foreign competition. Mr. Wright, when he was in this Council, said that it was desirable that this excise duty should be removed from the locally manufactured liquor. I would request the Hon. Minister to do that. I think if this duty is abolished, it will be possible to keep in the country itself a good deal of the money now going out.

"A good deal of beer is being consumed here. I have no objection if hon. Members pass a resolution to the effect that no beer should be drunk in the country. But so long as there is no such resolution and so long as there is beer drunk in the country, I ask why we should not encourage local beer? I think the duty which is levied on beer made in Bangalore and other places might be reduced so as to encourage this local industry. If the steps I am suggesting are taken, it will be one way of solving the trade depression. On account of depression we are now losing a large portion of our revenue and the cry is for more remission. When that is the case, if we stop excise revenue, how are we to carry on? So, till some concrete method is put before the House for making good the loss in land revenue, what we should do is to see that whatever money is possible to be made out of excise, should be made.

"Last year, I pointed out that a good deal of profit could be made if liquor could be manufactured out of cashew fruit. Thanks to the Hon. Minister, an experiment in this respect is to be launched shortly. By manufacturing liquor out of the cashew fruit, I may assure the House we will not be increasing the consumption of liquor, because, already it is being manufactured illicitly. I am only suggesting that what is being done stealthily and illicitly, may be done openly. Do

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this connexion I would ask the Government to see that this experiment is carried out in South Kanara and not in Malabar. As most of the cashew fruit is found in South Kanara, the experiment may very profitably be made there and not in Malabar.

"Sir, I suggested last year that we might consider the question of manufacturing wines from fermented toddy. We are getting into our province about 12½ lakhs worth of this commodity every year. There is no reason why this industry should not be started here. This question has been taken up in Ceylon and I find that the Cabinet there is considering the desirability of starting operations. A new official has been appointed and investigations are being made and research work is being carried on. I would suggest to the Hon. Minister that he might enquire of the Ceylon Government as to what is being done there and follow their example here. Sir, my object in making these suggestions is to see that we do not lose any money. Already there are indications that the excise revenue is diminishing. Therefore it is worth while for the Hon. Minister to explore all possible means of increasing the revenue from this source without at the same time increasing consumption.

"There is one last point which I want to mention. As I said, the Government have committed themselves to a policy of controlling the consumption of liquor. Now therefore it is up to them to see that the liquor which is being drunk by the people is of good quality. Unfortunately the Hon. Minister is a teetotaler. Otherwise he would realize that the liquor which is sold in the taverns is inferior in quality and full of deposits. I think some steps should be taken to improve the quality of this liquor; if the Hon. Minister is not able to do this, he would be only strengthening the hands of those who are against the consumption of liquor in this country. I hope the Hon. Minister will boldly carry out these steps as he is not able to carry out prohibition and that he will see that no money leaks out and that all money that can be made out of excise is credited to the Government."

MR. BASHEER AHMED SAYEED:—"Mr. Chairman, Sir, I do not want to traverse the ground that has already been traversed by my predecessors. I would confine myself to two or three points without touching the general policy of total prohibition or progressive prohibition. Belonging as I do to the Moslem community which stands opposed to any policy of drink, I would always advocate total prohibition. But whether total prohibition is going to be achieved in the near future or in the distant future, I think that question has now become, after years of experience, a futile one. I would therefore say only this much that in the policy as administered by the Government there are very many defects which deserve notice by the Hon. Minister. In the first place, I should refer to the way in which the Excise department is working in the City of Madras. We have the policy of the Government which has laid down that wherever schools are situated, wherever the depressed classes' cheris are situated the toddy shops should not be located in the neighbourhood. But what do we find? On the route

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taken by the Hon. Minister for Excise on his way home from this House, in the Mylapore Cutcherry Road, very near the mosque, there is a toddy shop. After great difficulty its removal was effected to a place a little beyond. But still the nuisance is very great and nobody has been able to get it removed farther away. In the Ibrahim Sahib street there is a Corporation school where depressed classes boys are educated. There is also a cheri near by where thousands of depressed class people are living and the Corporation is constructing huts for them. In that area too a big toddy shop has been located. Applications have been made by the residents of the division for its removal. Even the Adi-Dravida residents have asked for its removal. But what has the Excise Licensing Board done? Its powers are limited and its voice is ineffective. The constitution of the Board is so defective that nothing could be done in spite of the large number of memorials sent up. Either the Hon. Minister must get rid of this Excise Licensing Board and bring into existence a more effective body which will function very well or he must reform the present Excise Licensing Board. I consider that the members on the Board do not reflect public opinion, or, if they do that, they are incompetent to take suitable action. Their sole concern seems to be the income of the Government. They seem to be concerned only with the revenue side and nothing beyond that. The health or the moral education of the people does not appear to be a concern of theirs. I would therefore ask the Government to institute an enquiry into the exact position as to how this policy is being worked in the City of Madras. Sir, the sooner these shops are removed from the school and cheri areas the better it is for the health and well-being of the people concerned.

(The Hon. the President took the Chair.)

"My hon. Friend, Mr. Pannirselvam, said that he is against prohibition. He advocated temperance. But what is it that has been done with regard to temperance? In other countries they have tried various experiments. One such experiment which occurs to my mind is the experiment of local option. Sir, even in this country Local Option Bills have been passed in other provinces. Why should we not try it in this Presidency? The Hon. Minister may not go in for a full-blown prohibition policy, but let him start with the Local Option Act. If he would undertake to pilot a Bill for this purpose, well and good; but, if he is not in a position to do that, will he, Sir, permit any private member to bring forward such a Bill and enable it being passed with the support of the Government? Let us try here this Local Option Bill which may go far towards temperance if the Government are not able to carry prohibition into effect. The experiment of prohibition or rationing was tried in Salem district. Public opinion was that it succeeded to some extent, but no public announcement has been made as to why that has been abandoned. If the public opinion was that the experiment there was a success, why should not that be pushed on? People at one time thought that that experiment would be extended to the other

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areas. But the whole thing has been closed down even in the Salem district. May I suggest that that experiment should be re-started in the Salem district again and extended to other districts also?

"Sir, I would refer to one more matter and then resume my seat. During the recent cyclone as the Hon. Finance Member admitted much damage was done in certain districts, and the excise revenue was also affected adversely in consequence. For part of it, of course, the economic depression was responsible, but the havoc caused in the district of South Arcot, etc., by that cyclone affected also the excise renters. Any number of coconut trees fell. Although I am not sorry for this happening, the contractors who have taken up their leases suffered immensely and are finding it difficult to pay the kist. Will the Government receive the dues from them after giving them sufficient time to make up their losses or rack-rent and ruin them by compelling them to pay every pie in time? I make this observation, Sir, because cases have come to my notice that in several taluks of South Arcot the excise officers are oppressing these people for the realization of this revenue. After all, the income has to be received by the Government. It has to be paid by the contractors. But will any relief be given to them even as relief is afforded to landowners and cultivators, to pay in easy instalments and conveniently? I would request the Hon. Minister to institute an enquiry into the condition of these contractors and afford them such relief as may be possible."

4 p.m. * Rao Bahadur R. SRINIVASAN:—"Mr. President, Sir, I rise to speak on behalf of the voiceless drinking population. By the sale of adulterated and poisonous liquors and other intoxicating spirits and drugs the Government have realized, say, about 430 lakhs, of which they demand for grants about 30 lakhs. The remaining (about) 400 lakhs are to be sent on various purposes for the enjoyment and benefit of the non-drinking population. The drinking population is small. They come from depressed classes. It is quite justifiable that the drinking population should demand a fair proportion of the 400 lakhs for their betterment—education of their children, etc. They grudgingly allot about 9 lakhs a year for their betterment and education. Surely they can spare 100 lakhs a year, Sir, when rich landowners clamour for remission of land revenue, though they are enjoying several amenities; really the poor people in these hard days have reason to claim remission of certain amount from the excise revenue to which they have contributed, to better their condition and educate their children.

"The country arrack sold for consumption contains verdigris. It is due to bad distillation. Neither is the still cleaned nor the distilled liquor purified. A friend showed me a small bottle in which he has been getting arrack the inner plate of which was coated with a green stuff. A small quantity of verdigris taken every day into his stomach would poison him. No wonder people who drink country arrack get sickness soon. They die prematurely. It is quite unfair and unjustifiable for the Government to sell such poisonous stuff to cut short the

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life of a wage earner and leave his wife and children without any protection. Besides, the arrack is largely diluted and highly priced. A prohibitory duty may be laid on the wholesome foreign liquors.

"Sir, drinking is an acquired habit. The resolution carried in this House and the Government Order passed thereon to close liquor shops on Sundays and public holidays is not strictly observed. It makes one to believe what the people say, viz., that the Excise department is corrupt and full of bribery.

"The prohibitionists are a source of pin pricks to these victims—the drinkers. They should tackle the Government—the culprits.

"Sir, I appeal to the hon. Members of this House to have mercy on these poor people who have fallen into the drinking habit and especially to the Finance Member to show his sympathy. I hope it will not be like getting blood from iron. I pray to the Hon. the Minister for Excise to take prompt action. I hope my prayer will not be like expecting fibre from a stone.

"One hon. Member made mention of Sanathanists and soma juice. The process of drawing toddy from palm trees may be attributed to soma juice. The liquor was introduced into this country by the Englishmen; wherever they went they took with them brandy bottles and missionaries."

Diwan Bahadur S. ELLAPPA CHETTIYAR:—"Mr. President, Sir, I wish to say a few words on this cut motion in order to discuss the necessity for the removal of liquor shops from the road sides.

"It is a matter for regret, Sir, that in spite of repeated protests against the location of toddy shops on the road sides nothing tangible has been done in this direction. The declared policy of the Government that the toddy shops in the Presidency would be closed down in the course of twenty years has not been kept up; and the progress is painfully slow and disappointing. But what is even more painful is that some toddy shops in the Salem district are situated right on the road sides. An investigation into the matter would disclose that the villagers were not prepared to lease out a suitable site for the location of a toddy shop, and in the absence of a suitable Government poramboke, which could be turned for the use, the departmental officers have thought it expedient to permit the erection of a shop on the road side without even consulting the local authorities, in whom the road margin is vested. This would mean that the shop is inflicted on the people against their will. This is really cruel; and to expose the people who haunt the shops to the dangers of motor and other traffic on the road is even more so. I wish the Hon. Minister for Excise will take early steps to see that the toddy shops are not located on the roadsides, but removed to the interior at least half a mile from the roadside."

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, I wish to acknowledge with thanks that the criticisms of the hon. Members who have spoken on this motion have been

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sobered by an appreciation of the practical difficulties in carrying out the policy which they advocate as an ideal. Hon. Members have pointed out, and I have myself more than once mentioned on the floor of this House, that this Council has passed resolutions to the effect that total prohibition must be the goal of the Government, which should be reached within a reasonable period of time, which they fixed as 20 years. The difficulty in carrying out this resolution was present to the mind of the Council when they passed it, and on one occasion, when they passed such a resolution, they added to it the rider that the Finance Committee should examine and suggest other sources of revenue, which will take the place of this excise revenue.

“ My hon. Friend, Mr. Hameed Khan, who started the debate on this motion, was not therefore quite right when he said that this question was not at any time referred to a committee. It was definitely referred to the Finance Committee, which is a representative body consisting of hon. Members of this House, who represent the various parties in it. After nearly two years of examination, they could not produce any better result than the mere statement that they had no remarks to offer on this question. Well, if that was the result of their laborious examination, my hon. Friend was not justified in accusing the Government of not having bestowed any thought on this question.

“ On another occasion, when a similar resolution was passed, the resolution was placed before the Advisory Committee, which the Government have constituted for the purpose of advising it on matters relating to excise and consists of Members of this House. They said, and they were quite right in saying that, the first essential step towards the achievement of this goal was the creation of an active public opinion in this country, which will favour measures of prohibition and co-operate with the Government in carrying them out. It was with this end in view that the Central Propaganda Board and Propaganda Committees in the districts were constituted. But hon. Members would remember that within a year or two of the constitution of this agency for doing propaganda, a period of unprecedented financial stringency began, and a Retrenchment Committee was set up to consider measures of retrenchment. One of the proposals of this Retrenchment Committee was that the Central Propaganda Board and the District Committees working under it should be abolished, and the amount of four or five lakhs that was being spent upon them should be saved for other purposes. And moreover doubts were expressed even on the floor of this House whether this agency was doing work commensurate with the large sum of money that was spent upon it.

4-15 P.M. “ When the Retrenchment Committee made this recommendation, the Government examined the question most thoroughly and decided to accept it but at the same time they thought it would be unwise to stop all propaganda work in the Province and said that as far as possible they would subsidize non-official agencies which came forward to do genuine propaganda work. In the very year in which these agencies, the Central Propaganda Board and the District Committees, were abolished a sum

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of Rs. 10,000 was set apart for aiding these non-official agencies which were engaged in temperance propaganda. A sum of Rs. 10,000 was proposed to be set apart next year, but the Finance Committee which examined the proposal placed it in Class III and did not sanction it as a Part II scheme. Even a small sum which was found by reappropriation and placed in the hands of the Director of Public Health for aiding propaganda was not fully spent. This year also a sum of Rs. 5,000 was proposed to be set apart but the Finance Committee reduced it to Rs. 1,000. I am mentioning all this not as complaints against the Finance Committee but for showing that on an examination of the relative urgency of the various schemes that were placed before them they did not consider this propaganda work so very essential as to be included in the Part II schemes for the year either fully or partially. Anyhow, the policy of aiding non-official agencies which are engaged in propaganda work is still being continued by the Government.

“ My Friend, Mr. Muniswami Pillai, mentioned that during the last one or two years nothing has been done by way of introducing prohibition though during the previous three or four years a great deal was done. While I cannot agree with him when he says that nothing has been done during the last one or two years or that a great deal was done during the previous three or four years, I am prepared to admit that less has been done recently than during the previous years. The best answer was given by my friend, Mr. Muniswami Pillai, himself in his speech when he mentioned the financial difficulties of recent years and I would only reinforce his reply by mentioning to him some figures. In the year 1929-30, when as he says a great deal of prohibition work was undertaken, the excise revenue amounted to 592.25 lakhs. Next year also when prohibition measures were undertaken, though not on the same scale, but on a fairly large scale, the excise revenue amounted to 528.37 lakhs. I would ask my hon. Friend to look into the Budget figures of this year and of the next year and see for himself what the revenue under excise is expected to be. The fall is in the neighbourhood of two crores. Yet does he expect that the Government would be in a position to sacrifice any considerable portion of its revenue by undertaking experiments in prohibition? I would also recall to the minds of the hon. Members of this House, how keen they have been on getting large remission of land revenue. If I am to come forward with large proposals for prohibition and make further inroads on the resources of the Government, would this House excuse me for the further embarrassment that I would thereby cause to the Government in granting the remission that they ask for in favour of the agriculturists? If any moment was inopportune for undertaking these experiments of doubtful value, I think the present is one and instead of accusing me for not having undertaken any such experiment, and thereby involved the Government in additional expenditure, I should venture to say in all humility that the House should thank me for not having launched upon any such experiment. I have repeatedly said on the floor of this House that I shall, to the extent to which it is possible, undertake measures of prohibition in this Province.

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"My Friend, Mr. Sami Venkatachalam Chetti, said that the hon. Member, Diwan Bahadur Arogiaswami Mudaliyar, when he was Minister in charge of Excise introduced large measures of prohibition and added that enthusiasm for prohibition has decreased since he gave up office. The agitation for prohibition having declined he thinks that the interest of the Minister in prohibition has also vanished. I can easily demonstrate to him that these statements of his are absolutely erroneous. No measure of prohibition, I am sorry to say, was introduced during the Ministry of Diwan Bahadur Arogiaswami Mudaliyar; he was engaged in framing a big scheme of prohibition, but before it took any shape and could be worked his term of office ceased. The experiments in Salem to which my Friend, Mr. Sami Venkatachalam Chetti, made a special reference were started during my Friend, Mr. Muthiah Mudaliyar's time and were considerably extended in my time. I mentioned to hon. Members of this House last year how painfully and how reluctantly I had to agree to the abandonment of these experiments. I would have done as I said then a great piece of disservice to the people of that locality if I continued those experiments any longer. The experiment itself was started on the assumption that public opinion in that area had so greatly advanced in favour of prohibition that we could introduce it with success. No doubt, at one stage, there was some amount of public opinion against drink as a result of an intensive campaign of propaganda work undertaken by a body of people who were engaged in rural reconstruction work. But for some reason or another their activities slackened and with the slackening of their efforts the public opinion against drink also began to disappear. It became evident that it would be impossible to stop people who were accustomed to drink in that area from drinking. Instead of getting the drink from near their houses as they used to do, they had to travel some miles cutting short their working hours and incurring additional expenditures. Illicit manufacture also increased enormously. In spite of reports to this effect Government were very reluctant to give up the experiment which was started under such good auspices and so asked the Commissioner himself to make a personal enquiry; and he did so. He inspected the area and interviewed a number of people who were accustomed to drink and a number of others who were disinterested and as a result of his examination, he reported to the Government that there was no alternative to the abandonment of the experiment altogether. I explained all these circumstances to hon. Members of this House last year and I thought it satisfied them. I might also mention again for the information of this hon. House that in the same order Government have said that if evidence was forthcoming that there was any genuine desire on the part of the inhabitants of that area to stop drinking, they would start the experiment again. If my hon. Friends who represent the district of Salem are prepared to produce any evidence which will show to the Government that there is a feeling again in favour of this measure of prohibition, the Government will certainly introduce it once again.

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"My hon. Friend, Mr. Shetty, referred to certain constructive suggestions which were made by our late lamented Friend, Mr. Arogiaswami Mudaliyar, and pointed out that the idea of that hon. Gentleman was to make more money by increasing the duties on liquor and employing that money for making these experiments on prohibition. I may say for the information of my hon. Friend from South Kanara that we have fully considered all these proposals: some of them had already been examined and some others were examined later and the duties on liquor have in many cases been increased but the proceeds of these increased duties have by no means been enough to justify our embarking on any measures of prohibition. I may mention one or two cases in which we increased the duties within recent years. With regard to arrack I may mention that the duty on arrack is not uniform throughout the Presidency. It differs with each district or each group of districts. In the district of Vizagapatam it was increased from Rs. 5-7-9 to Rs. 6-14-6. In the case of Ganjam it was raised from Rs. 8-7-0 to Rs. 10-10-0. In the case of Coimbatore, Salem and South Kanara it was increased from Rs. 8-7-0 to Rs. 8-13-6. In the case of foreign liquor the duty on imported spirits and beer was raised from Rs. 21-14-0 and 8 annas to Rs. 30-12-0 and 12 annas respectively from 1st March 1931. It was again raised to Rs. 37-8-0 and 15 annas respectively from 30th September 1931. Still my hon. Friend accuses the Government of not having paid any regard to the suggestions of the late hon. Diwan Bahadur Arogiaswami Mudaliyar. In spite of the increased duty, my hon. Friend will see that the excise revenue has fallen considerably and there is no money with which we can undertake any measures of prohibition. My hon. Friend, Mr. Shetty, also referred to the fact that the Government have ignored the recommendations of the Retrenchment Committee that the work of the Excise department should be distributed amongst the Revenue and the Police department and all the money that is now spent on the Excise department would then be a saving to the Government. In the first place I may tell my hon. Friend, that there was no recommendation of that kind from the Retrenchment Committee. There was a proposal made by one hon. Member of the Retrenchment Committee that it would be worth while for the Government to examine this suggestion that he made. But the other hon. Members of the Committee thought there was no material on which they could pronounce any opinion on this suggestion and so they were not prepared to make any recommendation to the Government on this point. But the Government have however examined the suggestion and they thought it impracticable to accept it.

"My hon. Friend, Mr. Basheer Ahmed, referred to some grievances of his with regard to the location of toddy and other liquor shops in the City of Madras. In the City of Madras, we have a licensing board of which my hon. Friend, Doctor Natesa Mudaliyar, is a member. I may also mention for the information of this hon. House that on each licensing board whether it be in the City of Madras or in the districts, the Government have made it a rule that at least one non-official Member of the Legislative Council should be a member. If anything wrong

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happens in a licensing board, it would certainly be the easiest thing for the Member of the Legislative Council who sits on that board either to bring it to the notice of the Minister or raise it in the Legislative Council if the matter is of sufficient seriousness to justify that course. My hon. Friend, Doctor Natesa Mudaliyar, is on the licensing board for the City of Madras. We all know Doctor Natesa Mudaliyar and I am sure hon. Members will agree with me when I say that he is not the sort of man who will take anything improper lying low. If anything wrong happens, I am sure he would protest against it and see that it is set right.

"I think I have met most of the points except what my hon. Friend, Mr. Raman Menon, has just reminded me about and that is a point to which my hon. Friend, Mr. Muniswami Pillai, also has referred, namely, the question of partial prohibition in the Nilgiris. Sir, my recollection must be very very erroneous indeed if what he says is true, namely, that I have never had any consultation with the representatives of Nilgiris on that point. I may not have held a regular conference and had a formal discussion with them, but I am perfectly sure that on more than one occasion I have discussed this subject with hon. Members coming from the Nilgiris district. In fact last year, I mentioned that the views on either side were so conflicting that it was difficult to come to a decision on the question but that in view of the strong opinions expressed by the hon. Members coming from Nilgiris I shall have a further examination of the question made. And that further examination has been made and fresh materials are now in the possession of Government which it is my intention to place before those hon. Members and elicit their further views with regard to them and it is certainly not my intention to make up my mind and come to any decision without consulting them. I have been taking them into my confidence from the very beginning and I can assure them that I shall do nothing without a consultation with them with reference to all the facts and figures available to the Government.

"My hon. Friend, Mr. Hameed Khan, did not ask me to take a bold step forward but he only asked me to do what was possible for me to do under the existing difficulties. I hope I have convinced him that the Government are doing what may be considered possible under the present conditions."

MR. ABDUL HAMEED KHAN:—"I beg leave to withdraw my motion."

The cut motion was, by leave, withdrawn.

The Demand was put and carried.

DEMAND III—STAMPS—RESERVED.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I move—

'that the Government be granted a sum not exceeding Rs. 2,04,500 under Demand III—Stamps—Reserved'."

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* MR. K. KOTI REDDI:—"I move, Sir—

'that the allotment of Rs. 2,04,500 be reduced by Rs. 100.'

I propose to address myself mainly to the question of the necessity for the reduction of stamp duties. The two items—judicial stamps and non-judicial stamps—ought to be regarded as distinct from each other. As regards judicial stamps, I believe no civilized country wants to make a profit out of the administration of civil justice, but in the case of non-judicial stamps, it is purely a form of taxation. Let me first take judicial stamps and examine whether the Government have been following any intelligible policy with regard to court-fees a policy which ought to be invariably adopted whether the finances of the Government are good or not. First of all, I consider that Government ought not to make a profit out of the administration of civil justice. I have more than once requested the Government to find out whether or not they are really making a profit out of the administration of justice. Last year I tried to show that the Government are making a profit of about Rs. 50 lakhs out of the administration of civil justice. Let me examine the figures this year. Now in the Budget Estimates the expenditure necessary for the administration of civil justice is included along with the expenditure necessary for the administration of criminal justice. With regard to the administration of criminal justice, I do not think the Government want to go against the well-known principle not to tax any particular set of people for finding the necessary money to carry on the administration of criminal justice. Justice demands that this expenditure ought to be met out of the general revenues and that all people should contribute to it. It is only with regard to the expenditure incurred on the administration of civil justice that the Government ought not to tax the general tax-payer. They ought not also make a profit out of it. If I can show to the Government that with the income from the fees charged for the administration of civil justice, the Government are not merely able to meet the expenditure necessary for the administration of civil justice but are also making a profit, the injustice of imposing such heavy court-fees will be evident. I shall give a few figures which I have taken from the Budget Memorandum and the Civil Budget Estimates and the other information from my own experience. Being a layman, some of my calculations may be wrong and I hope the Government will correct them. It is my object to show to the Government that as much as Rs. 50 lakhs profit is made by them out of the administration of civil justice.

"Let me first take the question of expenditure. It may be rather troublesome to go into all the details, but it is necessary in order to convince the Government that they are adopting a very wrong policy in taxing civil litigation for the purpose of meeting their expenditure in other directions. If the Government want to levy a tax on civil litigation in order to discourage litigation, it is a different matter and let them say so. If the Government think that the litigants can afford to pay and therefore ought to be made to pay, that is also a different matter.

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But then, there are among the litigants poor ones and rich ones and the Government will then have to find the rich litigants and tax them. But the Government do not adopt any such policy.

"Now let me turn to page 50 of the Budget Memorandum and go through item by item of the expenditure mentioned there and estimate how much of the amounts provided under the various heads is necessary for the administration of civil justice alone. The amount provided for the High Court is Rs. 13.25 lakhs. I allot three-fourths of the amount for civil justice and one-fourth for criminal justice. In this allocation, I am erring more in favour of the Government, for I think that something more should be allotted for criminal justice. Anyhow, three-fourths of the amount is Rs. 9.93 lakhs for civil justice. With regard to law officers consisting of the Advocate-General, the Solicitor-General, and Public Prosecutors, etc., I will allocate half the sum provided for civil justice and half for criminal justice. That comes to Rs. 2.05 lakhs for civil justice. The whole amount under Administrator-General, I will allot for civil justice, because he has nothing to do with criminal justice. That comes to Rs. .33 lakhs. The whole amount under Presidency Magistrates' courts should be allotted to criminal justice. With regard to civil and sessions courts, I allot Rs. 52.14 lakhs out of Rs. 64.14 lakhs for civil justice. The whole amount under Courts of Small Causes, (Rs. 1.5 lakhs) should be allotted to civil justice. The whole amount under criminal courts should be allotted to criminal justice and not to civil justice. How I arrived at 52.14 out of 64.14 is as follows: The amount allotted to District and Sessions Judges should be divided half and half and one half should be put against civil justice. That will come to Rs. 2.42 lakhs under non-voted and under the same heading there is a votable item for District and Sessions Judges of Rs. 1.83 lakhs. Half of it comes to Rs. 91,500. The remaining items with regard to Sub-Judges and Munsifs are all included in civil justice. That gives another Rs. 13.8 lakhs. With regard to pay of establishments, I have taken four-fifths for civil and one-fifth for criminal justice; four-fifths of 43.15 lakhs comes to Rs. 34.52 lakhs. This 43.15 is the balance for establishments after deducting from 64.14 the salaries for Judges and Munsifs. I think the whole of it comes to Rs. 66.40 lakhs. Then there is another small item which is not included in this Demand but should go to administration of civil justice and they are Revenue Courts, the Sub-Divisional Magistrates have something to do with the administration of civil justice. They deal, for instance, with cases under the Estates Land Act. I have estimated that these magistrates would spend about one-sixth of their time in administering civil justice and have allocated one-sixth of Rs. 20.08 lakhs or Rs. 3.34 lakhs for civil justice. The total comes now to Rs. 69.74 lakhs. The Government may say they have spent so much money on buildings. I am prepared to consider that question also, because I do not want that the general tax-payer should pay to any extent for the administration of civil justice, because after all the litigant is bound to pay for his litigation. I roughly calculate that the Government have spent about Rs. 68 lakhs as capital expenditure on buildings. I have included the whole of that item under civil

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justice and in doing so, I have erred in favour of the Government. I arrived at that figure as follows. They have spent Rs. 30 lakhs on the High Court. In spite of our fight with the Government, they have spent Rs. 6 lakhs for the Small Causes Court. The district courts cost Rs. 26 lakhs at the rate of one lakh each and 30 Sub-Courts cost 4.5 lakhs at the rate of 15 thousands each. There are 143 munsifs' courts costing 1.43 lakhs at Rs. 10,000 each. It is how I got Rs. 68 lakhs as the cost of buildings. And in the case of buildings, I have taken the whole amount on the side of the administration of civil justice without putting a single pie on the side of criminal justice. If I have erred in this, I have erred only in favour of the Government. Interest on this amount at 5 per cent comes to Rs. 3.4 lakhs. Depreciation charges including the cost of repairs calculated at one-tenth of the cost of buildings come to Rs. 6.8 lakhs. The cost of pensions also should be included in this calculation. I have put it at 15 per cent of the amount paid by way of salaries (Rs. 69.74 lakhs) and it comes to Rs. 10.46 lakhs.

"I have taken 15 per cent of the amount of money that is paid by way of salaries, etc., for pensions. Here again I have erred on the side of the Government. Thus the whole total comes to Rs. 90,40,000. The expenditure which the Government incurs on the Administration of Civil Justice is Rs. 90,40,000. Let me now come to the question of the income the Government is making out of Administration of Civil Justice. From Judicial Stamps we are getting Rs. 1,46,35,000. There is another item in the Administration of Justice—that is Rs. 13,75,000. This income is derived mostly from magisterial fines and it ought to go to criminal courts but there is a small item in it, viz., that for printing and translation charges in the High Court which should be included in the income. This income comes to Rs. 2 lakhs. That comes to Rs. 1,48,35,000. There is a small item which has to be deducted from this. For criminal complaints one has to pay three annas per copy. The whole amount that is spent for copy stamps is about Rs. 8 lakhs. The portion I allot for deduction on the above account is one lakh. Then I take the amount of expenditure incurred in realizing stamp duty. It consists of three items 1.22 lakhs, .71 lakhs and half of .26 lakhs for superintendence. That comes to Rs. 2.06 lakhs. The net income which the Government will thus make out of the sale of judicial stamps is Rs. 1,45,29,000. So expenditure being 90.40 lakhs as I have already showed Government is making a profit of 54.89 lakhs. I wished to err on the side of the Government in calculating these figures. What I urge upon this Government is that the Administration of Civil Justice ought not to be made a source of taxation. I think they should collect tax only to the extent required for meeting expenditure.

"It is rather unfortunate that at the time when the Government increased stamp duties, this point was not very clearly put forward to the Government. At a moment of great stress, at a moment when the Government wanted that its revenues should be increased, this Council was too generous to grant the Government increase by way of increased court-fees on the understanding I believe—although the Government

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now denies it, there is nothing in writing—that the Government should reduce the rates to the old level when the Government has got more money at its disposal. There were times when the Government had plenty of money; it never tried to reduce the court-fees in spite of the repeated attempts on the part of this Council. The Government apparently does not think that it is doing anything wrong by thus taxing the litigant. When the times were good and favourable, the Government should have attempted to reduce the court-fees; it did not do so. The Government does not think that there is anything wrong in its policy in this matter. I want that the Government should come forward and say what is the policy behind it, whether it believes in the desirability of making a profit, whether civil litigation is to be considered a form of taxation. Or let it come forward and say that it is not its policy to make a profit and as a fact it is not making any profit. Of course the Government ought not to incur any expenditure out of its general revenues for administration of civil justice. I believe it is making a profit as I have shown and it ought not to do so. The Government was not kind enough to supply the figures we wanted.

“With regard to the other question—non-judicial stamps—I say it is purely a question of taxation. If people enter into transactions such as sales or mortgages, such transactions may be taxed. This is one of the ways by which every civilized Government gets some revenue. I do not think it is a bad form of taxation. But my only complaint is that the times are so bad; the time is come when, with regard to non-judicial stamps also, the Government should reduce the rates. These sales and mortgages are entered into between the debtor and the creditor not on cash basis but to settle the amounts due already, to protect oneself against insolvency. Where the property is worth only Rs. 1,000 and when the debtor has to pay Rs. 4,000 or Rs. 5,000, the debtor enters into a transaction with the creditor not for the real value but for the face value. I say that this is not really the time when the Government should think of this form of taxation at a high rate. This question has been discussed many a time in this Council and the Government did not think it fit then to reduce the rates. I am only keen on finding out whether the Government has any policy behind it in the matter of decreasing or increasing the court-fee stamps. I want to know whether the Government wants to tax civil litigation for the purpose of increasing the general revenues. It is a form of service rendered by the Government for which it should be given the amount necessary for rendering that service; but it should not make a profit out of it. I am prepared to pay to the Government as much as it is necessary, including buildings, interest and depreciation on them. I want to find out from the Government whether my figures are correct or not. The Government should state what its policy is; if that is known, we may find out fairly well that in future if the expenditure comes down, the value of the stamps will go down too.

“In this connexion I want to impress one point on the attention of the Government. The question of high salaries comes in, in this connexion also. Whether we consider the policy of the Government with

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regard to irrigation, or electric schemes, etc., we are faced with the question of the high salaries. On account of the high salary the Government pays for its officers, schemes of irrigation are accounted to be unremunerative. Of course civil litigation ought to pay the expenditure the Government incurs on civil litigation. The question is whether it is just and proper that the Government should pay such high salaries to its officers and make civil litigation pay by way of increased court-fee stamps. In connexion with this point I wish that the Government should address itself to the question whether it is not possible to decrease the salaries of officers in the Judicial department, so that the cost of stamps and hence of litigation may be reduced. With these words I commend my motion to the acceptance of the House.”

Mr. BASHEER AHMED SAYEED:—“Sir, it is already late; I will not take a very long time. What I wish to point out on this occasion is not what my hon. Friend has stated already. But there is a possibility of reducing the present scale of both judicial and non-judicial stamp duties. I have been repeatedly pointing out to the Government that by a revision of the present scale of fees for court-fees and stamp duties, the Government need not have to incur any loss. Such suggestions have already been made to the Government in reports, particularly, the Taxation Enquiry Committee's report; the existing scale of fees can be so revised as to lighten the burden on the litigant and still not affect the revenues of the Government. The Taxation Enquiry Committee was presided over by a very able man and composed of very able gentlemen; the evidence that has been recorded is from experienced people connected with the judicial administration of justice; that report ought to receive some attention from the Government with regard to its recommendations. It is only a decade old. Although time and again we have been insisting upon the Government to show some regard to the recommendations made therein, we find that it has all along been a cry in the wilderness. The other day the Hon. the Finance Member stated that even the stamps revenue is on the decrease. Is it not worth while to find out what exactly is the cause of this decrease in the revenue? The Government can devise some methods which will improve the revenues of the Government. I am not in the least going to propose that we should reduce the rates so as to reduce the income of the Government. Ways and methods for this purpose have been suggested for the benefit of the Government. I only urge that these recommendations should be explored by the Government so as to see that the Government do not suffer any loss. On the other hand those proposals would add to the revenues of the Government. Now, Sir, the general incidence of taxation on the litigant is very great. Recently the High Court in its jurisdiction has revised the scales of court-fees for suits to be filed both on the original and appellate sides of the High Court. That increase of court-fees has affected detrimentally the revenues of the Government. The number of suits that are usually filed, have not been filed ever since the increase has been made. The increase in the rates of court-fees has been very nearly 50 per cent. That increase has reduced the number of suits filed and such reduction means reduction in the revenue of the

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Government. If on the other hand, the court-fees are reduced, there is every chance of the number of suits increasing. The Government have of course reduced the court-fees for small cause suits considerably. But still that considerable reduction has not improved matters. That is not what I want. On the original side both in the presidency town as well as in the districts, it is necessary that the initial payment of court-fees should be reduced. But what are the ways by which you can at every stage recover money from the litigant for the work done by their officers? There are a number of suits which take very long days; some suits take only an hour or two hours. If you are going to have a sliding scale as to tax the man who taxes the time of the court and of the judges, greatly and tax the man lightly who takes a short time of the court and judges, you can increase the revenues of the Government and reduce the general incidence of taxation. Then there will also be the possibility of the public morale improving. There are suits which are purposely dragged. If such a system were to come into existence, there will be an end to very lengthy litigation."

The House then adjourned to meet again on Monday at 11 a.m.

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

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APPENDIX I.
[Vide answer to question No. 760 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 10th March 1934, page 13 supra.]

A. In reserve forests.

Name of district, division or other unit.	Rates of grazing fee for				For collecting green manure		When fixed.	For collecting firewood per head-load.	When fixed.
	Sheep.	Cow or bull.	Buffalo.	When fixed.	Per head-load.	Per cart-load.			
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			
<i>Salem district.</i>									
North Salem forest division ..	0 4 0	0 8 0	0 12 0	0	1918				
South Salem forest division ..	0 3 0	0 6 0	0 12 0	0	1921				
Nizamkhal, Rasipur and Thammampatti ranges.	0 4 6	0 9 0	1 2 0	0	1918				
Central Salem division— Valapadi, Harur and portions of Shevaroy's North and South ranges.	0 4 6	0 9 0	1 2 0	0	1918				
Hill villages in Atur, Kalroyans and Chitteris under the Malayali hill village system.	0 3 0	per cow unit.			..				
West Vellore— Krahnagiri range of Salem dis- trict.	0 3 0	0 8 0	0 12 0	0	1919				
<i>Coimbatore district.</i>									
Kollegal, North and South Coimba- ture divisions.	0 4 0	0 8 0	1 0 0	0	1918, 1918-19 and 1919-20				
Palghat division— Sholakarai and Anaikatti reserved forest.	0 8 0	1 0 0	2 0 0	0	1926 and 1931				
Bolanpatti valley and Thadagam ..	0 4 0	0 8 0	1 0 0	0	1927 and 1931				

No removal of manure leaf is allowed on permits issued by the Forest department. There is hardly any demand for it in the Coimbatore district and in the North Salem forest division of the Salem district. The demand in Central and South Salem divisions is met by contractors to whom manure leaf coupes are leased out annually for the purpose.

No permits are issued by the Forest department for removal from reserves in the two districts with the one exception of the Kollegal forest division.

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B. Panchayat Forests.

Name of panchayat.	Rates of fees for grazing.				Rates of fees for collecting green manure.				Rates of fees for collecting firewood.	
	Bu ffaloes. (2)	Cows. (3)	Sheep. (4)	When fixed. (5)	Per cart- load. (6)	Per head- load. (7)	When fixed. (8)	Per head- load. (9)	When fixed. (10)	
Salem district.										
Hosur taluk—										
1 Udedurgam	..	8 0	4 0	1st July 1930 ..	..	..	....	0 3	1st July 1926.	
Krishnagiri taluk—										
2 Vartanapalli	..	9 0	4 6	1st July 1931 ..	1 0	0 9	1st July 1927 ..	0 6	1st July 1931.	
3 Thogarapalli	..	8 0	4 0	1st Jan. 1925 ..	..	0 6	Do.	0 6	1st July 1927.	
4 Thattekall	..	8 0	4 0	10th Dec. 1922.	..	0 6	1st July 1933 ..	0 6	1st July 1933.	
Dharmapuri taluk—										
5 Mukkanur	..	9 0	4 6	15th Feb. 1924.	* 1 0	* 0 9	....	* 0 6	....	
6 Elagiri ..	..	2 6	1 3	1927 ..	* 0 10	0 3(a)	1927 (a) ..	0 6	1927	
Harur taluk—										
7 Sunkarahalli	..	* 9 0	* 4 6	....	* 1 0	* 0 9	....	* 0 6	....	
8 Ramanahalli	..	* 9 0	* 4 6	....	* 1 0	* 0 9	....	* 0 6	....	
9 Attippadi	..	9 0 (b)	* 4 6	(b) 1st July 1926 ..	* 1 0	* 0 9	....	* 0 6	....	
10 Sundamalai	..	9 0 (c)	* 4 6	(c) 1st July 1916 ..	* 1 0	* 0 9	....	* 0 6	....	
11 Katteri	..	9 0 (d)	* 4 6	(d) 1st July 1918 ..	* 1 0	* 0 9	....	* 0 6	....	
12 Pudur	..	9 0 (e)	* 4 6	(e) 1st July 1923 ..	* 1 0	* 0 9	....	* 0 6	....	
13 Kallavi..	..	9 0 (f)	* 4 6	(f) 1st July 1926 ..	* 1 0	* 0 9	....	* 0 6	....	
14 Pudur Pungani	..	9 0 (g)	* 4 6	(g) 1st July 1926 ..	* 1 0	* 0 9	....	* 0 6	....	
15 Vellalapatti	..	9 0 (h)	* 4 6	(h) 1st July 1927 ..	* 1 0	* 0 9	....	* 0 6	....	
16 Vadappatti	..	* 9 0	* 4 6	....	* 1 0	* 0 9	....	* 0 6	....	
17 Pannagarapatti	..	* 9 0	* 4 6	....	* 1 0	* 0 9	....	* 0 6	....	
18 Annampet	..	* 9 0	* 4 6	....	* 1 0	* 0 9	....	* 0 6	....	
19 Kattarasampatti.	..	* 9 0	* 4 6	....	* 1 0	* 0 9	....	* 0 6	....	
20 Poyyapatti	..	* 9 0	* 4 6	....	* 1 0	* 0 9	....	* 0 6	....	
21 Mubiripatti	..	* 9 0	* 4 6		* 1 0	* 0 9		* 0 6		
22 Thambidichetti- patti.	..	* 9 0	* 4 6		* 1 0	* 0 9		* 0 6		
23 Kilnorappur ..	..	* 9 0	* 4 6		* 1 0	* 0 9		* 0 6		

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Omalur taluk—										
24 Mukkanur	..	* 1 0	* 8 0	(i) 26th June 1930.	..	* 0 9	..	* 0 6	..	
25 Thottipatti	..	* 1 0	* 8 0	(j) 4th July 1931.	..	..	..	* 0 6	..	
26 Kolnayakkan- patti.	..	* 1 0	* 8 0	(k) 23rd June 1932.	..	..	..	* 0 6	..	
Tiruchengode taluk—										
27 Pakkanad	..	* 1 0	* 8 0	(l) 30th June 1931.	..	..	..	* 0 6	..	
28 Suriamalai	..	..	* 8 0	(m) 3rd July 1932.	..	..	..	* 0 6	..	
Mettur taluk—										
29 Gonur	..	* 1 0	* 8 0	(n) 11th July 1931.	..	..	..	* 0 6	..	
30 Kumjandiyur	..	* 1 0	* 8 0	(o) 6 0 (o) 1933.	..	..	..	* 0 6	..	
Salem taluk—										
31 Murungapatti	..	..	(p) 9 0	(p) 1st July 1924.	1 0	0 9	1st June 1931.	0 6	1st June 1931.	
32 Veerapandi	..	..	(q) 9 0	(q) 1st July 1924.	1 0	0 9	1st July 1931.	0 6	1st July 1931.	
33 Gajalnayakan- patti.	..	..	* 9 0	..	1 0	0 9	1st July 1929.	* 0 6	..	
34 Pannamarattu- patti.	..	..	9 0	1st July 1924.	1 0	0 9	Do.	0 6	1st July 1924.	
35 Gurrathnam	..	..	* 9 0	* 4 6	1 0	0 9	1st July 1928	0 6	1st July 1928.	
36 Kattuveppalai- patti.	..	..	(r) 9 0	* 4 6 (r) 1st July 1924.	1 0	0 9	Do.	0 6	Do.	
37 Ponnarampatti ..	..	..	* 9 0	* 4 6	* 1 0 (s) 0 9	(s) Do.	..	* 0 6	..	
Attur taluk—										
38 Thandavaraya- puram.	..	..	* 9 0	* 4 6	* 1 0	* 0 9	..	0 6	1st July 1928.	
39 Seeliyampatti	..	..	* 9 0	* 4 6	* 1 0	* 0 9	..	0 6	Do.	
40 Keeripatti	..	..	* 9 0	* 4 6	* 1 0	* 0 9	..	0 6	Do.	
41 Kondiyampalli	..	..	* 9 0	* 4 6	* 1 0	* 0 9	..	* 0 6	..	
42 Gudumalai	..	..	* 9 0	* 4 6	* 1 0	* 0 9	..	0 6	1st July 1928.	

* In these cases the rates are those originally fixed at the time of the formation of the panchayats.

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Name of panchayat.	Rates of fees for grazing.			Rates of fees for collecting green manure.		Rates of fees for collecting firewood.	
	Buffaloes.	Cow or bull.	Sheep.	Per cart-load.	Per head-load.	Per head-load.	
<i>Coimbatore district.</i>							
	RS.	A.	RS.	A.	RS.	A.	P.
1 Audiur	1	0	0	8	0	4	0 6
2 Sembagapudur	1	0	0	8	0	4	0 6
3 Alampalayam	1	0	0	8	0	4	0 6
4 Thoppampalayam	1	0	0	8	0	4	0 6
5 Penayamballi	1	0	0	8	0	4	0 6
6 Periakallipatti	1	0	0	8	0	4	0 6
7 Arachalur	3	0	2	0	0	12	0 6
8 Chennimalai	3	0	2	0	1	0	0 6
9 Ekkattampalayam	3	0	2	0	1	0	0 6
10 Punjaipalatholuvu	3	0	2	0	1	0	0 6
11 Dalavoipalayam	3	0	2	0	1	0	0 6
12 Udiyur	2	0	1	0	0	4	0 6
13 Dalavoipattanam	2	0	1	0	0	8	0 6
14 Garudankottai	2	0	1	0	0	8	0 6
15 Ettimadai	1	0	0	8	0	4	0 6
16 Modur	1	0	0	8	0	4	0 6
17 Sirumugai	1	0	0	8	0	4	0 6
18 Tekkampatti	1	0	0	8	0	4	0 6
19 Mettupalayam	1	0	0	8	0	4	0 6
20 Alatti	1	0	0	8	0	4	0 6
21 Vajjinampalayam	1	0	0	8	0	4	0 6

Remarks.—The rate for the grazing of sheep in the Audiur Panchayat, viz., 4 annas was fixed with effect from 1st July 1930. The rates in the remaining cases are in force for a long time.

APPENDIX II.

[Vide answer to question No. 761 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 10th March 1934, page 13 supra.]

Statement.

Establishment charged to Works (monthly paid).

	Number.
1 Water-works Superintendent	1
2 Shift Engineer	1
3 Chargemen	10
4 Store Assistants	17
5 Maistris	79
6 Rolling-stock staff	42
7 Workshop foremen	7
8 Fitters	7
9 Mechanics	33
10 Electrical staff	19
11 Telephone operators	2
12 Miscellaneous such as lascars, masons, coolies, gate-keepers, etc.	145
Total	363

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Establishment charged to the head "Establishment."

Class of establishment.	Total employed.	Number with lien on permanent appointment.	Number with lien on temporary posts.	Number without lien on any appointment.
(1)	(2)	(3)	(4)	(5)
Superintendent of Works	1	1	..	..
Personal Assistant to the Superintendent of Works	1	1	..	..
Executive Engineers	4	4	..	..
Electrical Engineer	1	..	..	1
Subdivisional Officers	10	10	..	..
Supervisors	43	39	4	..
Mechanical draughtsmen	2	1	..	1
Storekeeper	1	..	1	..
Assistant storekeeper	1	1	..	..
Manager (Rs. 150—10—200)	1	1	..	..
Head clerk, Superintendent of Work's office.	3	3	..	..
Accountants	4	4	..	..
Clerks (Rs. 80—4—120)	8	5	3	..
Clerks (Rs. 60—4—80)	46	..	38	8 *
Clerks (Rs. 35—60)	7	2	5	..
Typists (Rs. 35—60)	1	1	..	..
Head draughtsman (Rs. 150—10—200)	2	2	..	..
Draughtsmen (Rs. 110—6—140)	7	4	2	1
Draughtsmen (Rs. 60—4—100)	5	1	4	..
Tracers (Rs. 30—50)	1	..	..	1
Stationery Assistant	12	..	..	12
Copyists	93	1	..	92
Peons	255	81	58	116
Total	255	81	58	116

* Five unpassed.
One discharged from Dowlaishwaram circle.

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APPENDIX III.

[Vide answer to question No. 762 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 10th March 1934, page 14 supra.]

Number of existing panchayats in the Presidency.

Serial number and name of district board.							Total.
1 Anantapur	..	..	..	..	..	..	153
2 Arcot, North	..	..	..	..	..	..	841
3 Arcot, South	..	..	..	..	..	..	232
4 Bellary	..	..	..	..	..	..	109
5 Chingleput	..	..	..	..	..	..	354
6 Chittoor	..	..	..	..	..	..	200
7 Coimbatore	..	..	..	..	..	..	129
8 Cuddapah	..	..	..	..	..	..	24
9 Ganjam	..	..	..	..	..	..	16
10 Godavari, East	..	..	..	..	..	..	270
11 Godavari, West	..	..	..	..	..	..	239
12 Guntur	..	..	..	..	..	..	647
13 Kanara, South	..	..	..	..	..	..	95
14 Kistna	..	..	..	..	..	..	113
15 Kurnool	..	..	..	..	..	..	30
16 Madura	..	..	..	..	..	..	90
17 Malabar	..	..	..	..	..	..	12
18 Nellore	..	..	..	..	..	..	128
19 Nilgiris, The	..	..	..	..	..	..	30
20 Ramnad	..	..	..	..	..	..	178
21 Salem	..	..	..	..	..	..	519
22 Tanjore	..	..	..	..	..	..	388
23 Tinnevely	..	..	..	..	..	..	90
24 Trichinopoly	..	..	..	..	..	..	224
25 Vizagapatam	..	..	..	..	..	..	34
Total ..							5,145

Number of panchayats constituted and abolished during the year ending 31st December 1933.

	Constituted.	Abolished.
Coimbatore	22	25
Nilgiris	2	..
Salem	6	8
South Arcot	55	2
Chingleput	54	32
Malabar	6	..
Guntur	5	22
Anantapur	..	4
Cuddapah	10	5
Kurnool	3	2
Tanjore	7	13
Ramnad	1	21
Tinnevely	2	15
Madura	..	3
Ganjam	..	..
Vizagapatam	1	..
East Godavari	115	9
West Godavari	..	1
Kistna	5	1
Nellore	39	..
Bellary	11	..
Chittoor	6	14
North Arcot	35	27
Trichinopoly	1	8
South Kanara	..	..
Total ..		386
		212

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APPENDIX IV.

[Vide answer to question No. 765 asked by Mr. Basheer Ahmed, Sayeed at the meeting of the Legislative Council held on the 10th March 1934, page 18 supra.]

Statement showing the collections made up to December 1933 in each of the societies in Malabar district liquidated in 1932-33.

Name of the society.		Amount collected up to December 1933.
		Rs.
1	Ottapalam Co-operative Society	1,809
2	Payyanur Skanda Vilas	534
3	Puthupariyaram	..
(Note.—No assets to be collected in the Society.)		
4	Ratnakoran	1,092
5	Mothedethmadamba	1,002
6	Kazhakambram	1,060
7	Narukara	489
8	Edathuruthi South	529
9	Kakkatipuram	1,135
10	Kuniyil	110
11	Cherur	191
12	Irivetti	524
13	Vengasseri	173
14	Muthukala	4,008
15	Chothalur	105
16	Palghat Urban Bank	3,370
17	Trikolam	464
18	Tripanchi	263
19	Vilayur	1,032
20	Murkanad	294
21	Perinham Ariyajana	638
22	Andethode	20
23	Trikkatteri	1,750
24	Madras Survey Party No. 5 Public Servants, Co-operative Society	1,906
25	Calicut Adi-Dravida	10
26	Marayanjalam	319
Total		22,827

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Monday, the 12th 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 Mahmomed.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.
Campbell, K.C.I.E., C.S.I., C.D.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 A. M.
Alamelumangathayaramma, Mrs. K.
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.
Birley, Mr. F.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraishwami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. R.
Gopalaswami Ayyangar, Diwan Bahadur N.
Harischandrudu Nayudu, Mr. A.
Hood, I.C.S., Mr. H. M.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Krishnan, Mr. C.
Kumara Raja of Venkatagiri.
Ladden, Mr. W. W.
Lakshmana Reddi, Mr. G.
Madanagopal Nayudu, Mr. R.
Maharaja of Venkatagiri, The.

Mahmud Schamnad 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.
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.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Pannirselvam, Rao Bahadur A. T.
Patro, Kt., Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Pattagar of Palayakottai, The.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Raja of Parlakimedi, The.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Rao Bahadur T. A.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, M. D. T.
Rangaswami Reddi, Mr. M. B.
Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Sami Venkatachalam Chetti, Mr.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Singam Ayyangar, Mr. K.
Siva Raj, Rao Sahib N.
Sivasubrahmanya Ayyar, Mr. K. S.
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.

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PRESENT—cont.

Subrahmanya Bhatt, Mr. U. C.	Venugopal Nayudu, Rao Bahadur
Syed Tajuddin Sahib Bahadur, Khan Sahib.	R. K.
Thangal, Mr. P. M.	Viswanatha Rao, Diwan Bahadur
Thomas, Mr. Daniel.	V. N.
Thorne, C.I.E., I.C.S., Mr. J. A.	Yahya Ali Sahib Bahadur, Khan Bahadur.
Vasudeva Pillai, Mr. V. G.	Yakub Hasan Sahib Bahadur.
Vedachala Mudaliyar, Mr. M.	Zamindar of Kirlampudi, The.
Venkatarama Ayyar, Mr. K. R.	

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Fisheries

Employment of pupil-teachers trained at the Fisheries Training Institute, Calicut.

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

(a) the number of pupil-teachers now under training at the Fisheries Training Institute at Calicut;

(b) the amount spent per year in running this institute; and

(c) the number of persons who have found employment among those who were sent out of this institute after training in 1932 and 1933?

A.—(a) 12.

(b) About Rs. 16,500.

(c) 26.

Mr. A. B. SHETTY:—“ May I know, Sir, whether among the persons trained and sent out of this institute, there is a considerable number of people who are so far unemployed? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Apparently a large percentage of them are employed.”

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“ May I know the number of people who were trained in the institute in the years 1932 and 1933? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ A little over forty, and out of them 26 are employed.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether besides training people for the Fisheries department, the institute serves any other purpose? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The institute is for training purposes.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether the Hon. the Minister is satisfied that the expenditure on the institute is commensurate with the number of people trained? ”

[12th March 1934]

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The number happens to be very low this year owing to various causes, but the number usually is much higher than this.”

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“ What is the special thing in this institute which we cannot have in the other training schools? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It has got a curriculum which is suitable for the fisher-folk.”

Mr. A. B. SHETTY:—“ May I know whether the Government have any time examined the necessity for continuing this institute? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Oh, yes, more than once; and I have also answered my hon. Friend more than once.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know how long this institute has been in existence and how many students have been trained all these years? ”

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

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“ May I know whether making nets and boats is taught in this institute? ”

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

Mr. A. RANGANATHA MUDALIYAR:—“ May I know whether there are any other training institutes like this at Calicut? ”

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

Mr. ABDUL HAMEED KHAN:—“ May I know whether the Government have any information as to what the candidates that have gone out of this institute are now doing? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Most of them have been employed as teachers. That is what I said. Some still await being appointed as teachers.”

Mr. A. B. SHETTY:—“ May I know whether the Government have any proposal of starting another institute on the East Coast? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Notice Sir; so far, I do not know of any such proposal.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know whether the Hon. the Minister has addressed the Director of Fisheries with a view to the abolition of this institute? ”

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The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"As I said, the matter was more than once considered by the Government and they came to the decision that the institute should be continued."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"What was the recommendation of the Retrenchment Committee, may I know?"

B. POCKER SAHIB Bahadur:—"Is it not a fact that no representations have been made to the Government that the institute does not serve any useful purpose?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not think there has been any such representation."

Mr. A. RANGANATHA MUDALIYAR:—"Have the Government considered the question whether the opening of such institutes elsewhere will in any way affect the present number of pupils undergoing training in this institute?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I am sorry I can't say."

Local Self-Government

Policy governing the grant of contributions by local boards and municipalities to unrecognized educational institutions.

* 771 Q.—Mr. SAMI VENKATACHALAM CHETTI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the local boards and municipalities are allowed to make contributions to unrecognized educational institutions; if so, under what conditions;

(b) who the authorities empowered to approve such contributions are;

(c) whether such contributions were disallowed last year and this year to any of the unrecognized institutions; if so, for what reasons; and

(d) whether there is any general policy to guide the approving authorities?

A.—(a) Yes, but subject to the previous approval of the Government in each case.

(b) The Local Government.

(c) & (d) The main points taken into consideration in deciding whether a contribution to a particular institution should be sanctioned or not are the nature of the management and of the accommodation, equipment and staff provided, the strength of the institution and the extent of its usefulness.

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Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know why no answer is furnished to clause (c) of the question—'whether such contributions were disallowed last year and this year to any of the unrecognized institutions; if so, for what reasons;'"

Were any requests turned down?"

The Hon. the RAJA OF BOBBILI:—"For various reasons, several requests were turned down; if any particular instance is brought to the notice of the Government, I shall be in a position to give the necessary answer."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Because these unrecognized institutions are getting contributions from local bodies, can we take them for all practical purposes as recognized institutions?"

The Hon. the RAJA OF BOBBILI:—"Certainly not. Only in very rare cases such contributions are permitted. They cannot be considered as recognized institutions just because they receive grants from local bodies."

Mr. M. DEVADASAN:—"May I know whether the Government are aware of the fact that the contributions sanctioned by the district and local boards to recognized institutions are sanctioned by the Director of Public Instruction . . . ?"

The Hon. the PRESIDENT:—"We are now dealing with unrecognized institutions."

Mr. ABDUL HAMEED KHAN:—"May I know whether the Government have considered the necessity of permitting these contributions to be made after knowing that these institutions are paying their staff regularly?"

The Hon. the RAJA OF BOBBILI:—"Whenever any request for permission comes before the Government, the Government go into the details of the working of the institution and only in cases where they consider that the institution is properly managed that they grant such contributions."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know what the difference is between an institution which is subsidized by the Government and a recognized institution? Is there any formula by which the Government permit local bodies to give contributions to them?"

The Hon. the RAJA OF BOBBILI:—"The Government as a rule do not permit local bodies to pay contributions to unrecognized institutions."

Mr. P. V. KRISHNAYYA CHOUDARI:—"But wherever the Government have granted contributions through local bodies, I want to know if there is any formula which is different from that applying to recognized institutions?"

The Hon. the RAJA OF BOBBILI:—"There is no such formula, Sir."

[12th March 1934]

Medical Administration

Admission into and discharge from the hospital attached to the School of Indian Medicine, Madras.

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

(a) the number of beds provided in the Unani, Ayurvedic and Siddha sections in the Government School of Indian Medicine; and

(b) the number of in-patients admitted, cured and discharged from each section monthwar from January to December 1933?

A.—(a) & (b) A statement* furnishing the required information is laid on the table.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the Hon. Minister is aware that the number of beds in the Indian School of Medicine is not sufficient to provide adequate clinical instruction to the boys there? ”

The Hon. the RAJA OF BOBBILI:—“ The number of beds has been increased from time to time; of course, so far as clinical instruction is concerned, it may be advantageous to increase the number of beds; but that question cannot be considered now.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether any representations have been made to the Government for a larger number of beds being allotted? ”

The Hon. the RAJA OF BOBBILI:—“ A number of representations have been made from time to time; and wherever possible, we have granted funds for increasing the number of beds.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether at present there is any proposal to increase the number of beds in the school? ”

The Hon. the RAJA OF BOBBILI:—“ There is no such proposal, so far as I know.”

Mr. A. B. SHETTY:—“ May I ask the Hon. the Minister to consider the proposal of increasing the number of beds in the school in view of the fact that a large number of students are undergoing training in this institution? ”

The Hon. the RAJA OF BOBBILI:—“ We shall take up this question when funds are available.”

Mr. ABDUL HAMEED KHAN:—“ In view of the fact that the institution has become more and more popular and the number of students also has increased, would it not be advisable for the Government to go on making provision for more beds year after year? ”

The Hon. the RAJA OF BOBBILI:—“ I have answered already that, as soon as funds are available, the Government will consider the question.”

* Printed as appendix on page 156 infra.

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Mr. U. C. SUBRAHMANYA BHATT:—“ May I know what the strength of the school at present is? ”

The Hon. the RAJA OF BOBBILI:—“ I am afraid I cannot answer it off-hand.”

Railways

Bus-train accident at Nandyal on 18th December 1933.

* 773 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the Hon. the Member for Finance be pleased to state—

(a) whether a collision between a passenger bus and railway wagons took place on 18th December 1933 at Nandyal (Kurnool) near the railway station, resulting in heavy damage to the bus and injuries to several passengers;

(b) what the nature of the injuries to persons is, major or minor, and what the cost of damage to the bus is;

(c) whether the railway authorities have erected a gateway to close the traffic and who is responsible for the accident; and

(d) what steps the Government have taken to prevent such accidents in the future?

A.—(a) & (b) The Agent, Madras and Southern Mahratta Railway, reports that on the 18th December 1933 “ while a string of 32 vehicles was being backed on to the oil siding at Nandyal, a bus approaching from Koilkuntla endeavoured to get over the crossing in front of the rake and was run into by the moving rake of vehicles. The bus capsized when half-way on the crossing. One old passenger in the bus received slight bruises on his left foot. He was at once attended to by the Sub-Assistant Surgeon, Nandyal. There was however no injury to the other occupants of the bus.” The cost of damage to the bus is not known.

(c) No; the finding of the officers' joint enquiry is as follows:—
“ We find the accident was due to the driver of the bus rashly endeavouring to pass the crossing in front of an approaching train. We consider that the shunting jamadar was negligent in his control of the road traffic.”

(d) A report on the matter has been called for from the District Magistrate.

B. POCKER SAHIB Bahadur:—“ With reference to the answer to clause (d), may I ask the Hon. the Finance Member what general steps the Government have taken to prevent such accidents in the future? The answer does not say anything about it.”

The Hon. Sir HOPETOUN STOKES:—“ No general step has been or can be taken by the Government.”

[12th March 1934]

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Government are aware that serious bus accidents are now the order of the day and that recently, two or three days ago, a very serious accident occurred on the Poonamallee High Road?"

The Hon. Sir HOPETOUN STOKES:—" That is not connected with the Railway administration."

B. POCKER SAHIB Bahadur:—" May I point out that the accident referred to in the question occurred through the negligence of the bus-driver? Therefore, may I ask whether the Government will take steps to prevent such bus accidents in the future?"

The Hon. Sir HOPETOUN STOKES:—" The Government will consider what action should be taken when they receive the District Magistrate's report."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Government have ever considered the necessity for third party insurance, where buses are running?"

The Hon. Sir HOPETOUN STOKES:—" That has nothing to do with the Railway administration."

Mr. BASHEER AHMED SAYEED:—" May I ask whether at this level-crossing there were no gates?"

The Hon. Sir HOPETOUN STOKES:—" I must ask for notice of the question."

Mr. ABDUL HAMEED KHAN:—" It has been definitely established that the accident was due to the negligence of the bus-driver on account of the non-provision of gates by the Railway company."

The Hon. Sir HOPETOUN STOKES:—" I would only refer the hon. Member to the extracts published in the answer from the joint enquiry; further details are awaited in the report of the District Magistrate which has been called for."

Irrigation

Improvements to the Velligal odai, Chidambaram taluk.

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

(a) what improvements the Government propose to make to Velligal odai immediately to alleviate or at least to mitigate the recurring flood in the surrounding villages;

(b) what is the estimated cost of the improvements to the odai; and

(c) when the work is going to be commenced and when completed?

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

[12th March 1934]

Administration of Justice

Need for the abolition of the District Munsif's Court, Tiruvadi, Tanjore district.

* 775 Q.—Rao Bahadur A. T. PANNIRSELVAM: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that three successive District Judges of West Tanjore, Messrs. Stodart, I.C.S., P. C. Lobo and E. G. Barter, I.C.S., recommended the abolition of the District Munsif's Court of Tiruvadi;

(b) whether it is a fact that the file in the District Munsif's Court, Tiruvadi, is nearly 50 per cent less than the standard of outturn fixed for that court by the High Court; and

(c) whether it is a fact that numerous memorials have been received from litigants within the area of the Tiruvadi District Munsif's Court, praying for the abolition of the Tiruvadi Court and for their inclusion within the jurisdiction of the District Munsif's Court, Tanjore?

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

Mr. BASHEER AHMED SAYEED:—" May I ask whether we are to understand that the Government have received no memorials from the public with regard to the closing of this Munsif's Court?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"No; the Government have received no memorials."

Mr. BASHEER AHMED SAYEED:—" May I know whether the Government will ascertain from the High Court whether they have received any such memorials, and if so, whether any action will be taken?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I have called for information from the High Court as to whether they have received any memorial on the matter, and I have stated so in the printed answer."

Depressed Classes

Prevalence of tuberculosis in the Paddison Hostel, Royapetta.

* 776 Q.—Rao Bahadur R. SRINIVASAN: Will the Hon. the Home Member be pleased to state—

(a) the number of students in the Paddison Hostel, Royapetta, Madras, during the year ending the 31st December 1933;

(b) the number of students of the hostel who died of tuberculosis during the year;

(c) the number of students of the hostel sent to the Tuberculosis Hospital at Royapetta during the year;

(d) the number at present in the hospital;

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(e) the number of students suspected of the infection still living in the hostel;

(f) whether any medical officer attends on the students;

(g) if the answer be in the affirmative, the number of visits he pays in a month;

(h) whether he examines each and every student periodically and reports to the Superintendent of the hostel or the Commissioner of Labour;

(i) if the answer be in the affirmative, when the last report was made;

(j) whether there is any proposal before the Government to remove the Paddison Hostel or the Tuberculosis Hospital from the present locality, viz., Royapetia; and

(k) what the educational and other institutions are that surround this hospital of infectious disease in Royapetia?

A.—(a) Fifty-four.

(b) One student reported to be suffering from tuberculosis was taken home for treatment. He is reported to have died.

(c) One.

(d) One.

(e) Four are suspected to be suffering from incipient pulmonary tuberculosis.

(f) A medical officer of the Royapetia Hospital visits the hostel periodically as the medical officer of the hostel.

(g) The number of visits is not fixed. As the hospital is very close to the hostel, the medical officer attends whenever necessary.

(h) All students are examined annually. The report in each case is entered in the Hostel Medical Register and is submitted to the Honorary Superintendent. Boys whose health is shown to be weak are given special diet and treatment under the direction of the Medical Officer.

(i) Each boy is examined at least once per academic year the examinations being spread over the months of the year. During the current year 29 out of 54 students have been examined and the examination of the remaining students will be completed shortly.

(j) There is a proposal to construct a Government building for the hostel in the Spur Tank. The proposal has been deferred on account of financial stringency.

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There is no proposal at present to remove the Tuberculosis Hospital from the present locality.

(k) There are a Corporation school and three Mission schools within two furlongs of the hostel.

Rao Bahadur R. SRINIVASAN:—“ May I know since, how long this disease has been prevalent in the hostel?”

The Hon. Sir MAHOMED USMAN:—“ I have no information; I must ask for notice.”

Rao Bahadur R. SRINIVASAN:—“ For answering this question, the Superintendent should have been asked to give details; if so, may I know whether there is no information given by him as to how long this disease has been prevalent there?”

The Hon. Sir MAHOMED USMAN:—“ We got the information from the Commissioner of Labour.”

Rao Sahib V. I. MUNISWAMI PILLAI:—“ With reference to the answer to clause (j), may I know whether the Government ever considered the question of having a separate building for the hostel?”

The Hon. Sir MAHOMED USMAN:—“ It has been stated here that the proposal has been deferred on account of financial stringency.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know when the student referred to in the answer to clause (b) was first noticed to be suffering from tuberculosis?”

The Hon. Sir MAHOMED USMAN:—“ I have no information on that point.”

Mr. A. RANGANATHA MUDALIYAR:—“ May I know whether a tubercular student is not a source of danger to the other boys in the hostel?”

The Hon. Sir MAHOMED USMAN:—“ I must ask for notice in order to get medical opinion on that point.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the proximity of this hostel to the Tuberculosis Hospital in the Temple Gardens has anything to do with this attack?”

The Hon. Sir MAHOMED USMAN:—“ Again I must ask for notice in order to get medical opinion on that point.”

Mr. ABDUL HAMEED KHAN:—“ In view of the fact that there are certainly a number of students suffering from this disease, will it not be better if some enquiry is made to find out what really are the causes, whether the attack is due to insufficiency of food or the quality of the food supplied, or even on account of the surrounding atmosphere in the locality?”

The Hon. Sir MAHOMED USMAN:—“ I shall make further enquiries, if necessary.”

[12th March 1934]

11-15 a.m. Rao Bahadur R. SRINIVASAN:—" May I ask the Hon. the Home Member whether it is not a fact that the Corporation School and a Mission School are abutting on the walls of the Tuberculosis Hospital?"

The Hon. Sir MAHOMED USMAN:—" I must ask for notice."

Rao Bahadur R. SRINIVASAN:—" May I know, Sir, whether besides these institutions, the Y.M.C.A. Reading room and the Paddison Hostel, there is also a Mission High School all within a distance of half a furlong?"

The Hon. the PRESIDENT:—" The answer in a way is given in clause (k) wherein it is stated that there are a Corporation School and three Mission Schools within two furlongs of the hostel."

Rao Bahadur R. SRINIVASAN:—" Will the Hon. the Home Member be pleased to state whether dead bodies from the Tuberculosis Hospital are carried to the General Hospital and Royapetta Hospital as there is no dead-house attached to the Tuberculosis Hospital?"

The Hon. Sir MAHOMED USMAN:—" I must ask for notice of the question, Sir."

UNSTARRED QUESTION

Irrigation

Proposals of the Tank Restoration Scheme Party to remodel the North Kodaimel Alagian channel in the Tinnevely district.

777 Q.—Mr. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state with reference to the North Kodaimel Alagian channel in the Tinnevely district—

(a) whether the Tank Restoration Scheme Party has investigated the channel and made proposals for remodelling and repairing the channel;

(b) what action has been taken by the Government in regard to these proposals and the defects in the channel pointed out by the Tank Restoration Scheme Party; and

(c) when the Government propose to undertake and finish the remodelling and repairs of the channel?

A.—(a) The attention of the hon. Member is invited to the answer to question No. 432, dated 10th November 1933.

(b) & (c) The Executive Engineer proposes to carry out the essential repairs to the channel in the order of urgency spreading them over about four years, and is sanctioning an estimate for special repairs to a portion of the channel in a ridge in order to send more supply down. An estimate for replacing some of the palmyra spouts by masonry sluices to minimise wastage is also under preparation.

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

11.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND III—STAMPS—RESERVED.

* The Hon. the PRESIDENT:—" Mr. Basheer Ahmed will continue his speech."

Mr. BASHEER AHMED SAYEED:—" I was suggesting the other day that the Government should take steps again to examine carefully the recommendations contained in the Taxation Enquiry Committee Report with a view to further increase the revenues of the Government without imposing any further burden on the litigant public. In that connexion, Sir, I would like to suggest to the Hon. the Law Member that, as was done previously when the Government thought fit to revise the then existing scales of fees, judicial as well as non-judicial, it will be in the interests of the Government, as also in the interests of the public, if a similar committee presided over by a competent judicial officer is constituted to examine how best the revenues of the Government could be increased. The last committee to suggest increases was presided over by Sir Norman Marjoribanks and they recommended in almost all cases except one or two that a 50 per cent. enhancement might be made. I do not want, Sir, that Government should lose their income; but with a view to augment their revenue, I ask why a committee should not be appointed to go into the whole question afresh and to make recommendations to reduce the incidence of the charge upon the litigant public and at the same time increase the revenues of the Government. I need not go once again into the details as to how the existing court-fee works a hardship on the litigant public. 76951

" Sir, I wish to make one or two suggestions. So far as the Small Causes Court and the City Civil Court are concerned, the plaintiffs, when they file a suit are required to pay the full fees including the court fees. Afterwards summonses are served on the parties and it happens sometimes that before the case comes up for hearing, the case is reported to have been settled. In that case, half fee remission is usually granted. There is a slight difference in the procedure that is followed in slightly different cases. I stated that as soon as the parties come to court and report that the case has been settled, half fee is granted, the Judge recording that the case has been settled. But, if the parties agree to a compromise and want the Judge to record that compromise as a settlement of the case, no half fee is granted. In such a case not only does it work a great hardship on the litigant public but also it develops a tendency in the litigants to keep the Government out of the income that it would otherwise naturally derive. If it is a case of compromise out of court, and the compromise being only recorded by the court itself, it makes no difference whether the court simply writes that the case is settled or records the full compromise. If the City Civil Court Act is slightly amended and the Presidency Small Cause Court Act also is amended so as to enable remission being granted even when compromises are recorded by the court, I consider that there would be a further source of income to the Government. Unless and until this

[Mr. Basheer Ahmed Sayeed] [12th March 1934]

rule of remission of half fee is relaxed so as to enable parties to have a good compromise recorded in court instead of settlement outside, it will impose hardship on the litigant public. If these settlements can be recorded without any detriment to the remission of half fee, there will be a larger number of suits filed, because the tendency nowadays for litigant public is to regard compromises as a mere settlement, which does not satisfy the parties. But, if the terms of the settlement are to be recorded by the court, it increases the confidence of the parties concerned. Although it discourages them from further litigation, I consider that a slight amendment of these two Acts is necessary to make the parties go to court for getting their points of difference finally settled by the court. After all the work involved by the court is not much. It does not take more than a few minutes for the terms of the compromise to be recorded. And, in many cases the terms of the compromise happen to be almost signed and agreed to by the parties concerned and those things are to be merely filed in the court and then the order has to be made that the settlement as per terms of the compromise filed, has been come to. That is one aspect, Sir. With regard to the other aspect I was saying that there are cases, which took days, weeks and months together and those that took only a very short time. There ought to be some difference made between cases, which engage courts for a longer time and those that engage the courts for a shorter time. In such cases those who engage the court's time for a longer period ought to be made to pay more than those persons who engage courts for only a shorter period.

"Leaving this, Sir, I would like to ask the Hon. the Law Member as to what effect there is going to be on account of the abolition of the unified stamp system and what the position of the Government would be when the Government of India are going to discontinue their contribution to this Government? Do the Government realize that by the abolition of the unified stamps the ignorant public are going to be greatly inconvenienced. They will not be able to make distinctions between revenue stamps and postage stamps. Even as it is, when the revenue stamps have to be affixed, mere postage stamps are affixed and documents become useless and void on that account. If that distinction is going to be maintained rigorously between the stamps for postage and those for revenue, very few people indeed know exactly what the difference is and it will not be possible in all cases, when ignorant people are concerned, to discern between the revenue and postage stamps. The print on the stamps is not in Tamil, Telugu, Urdu or any other vernacular language but only in the English language. Very few people in the village and mufassal parts know English. Whatever the difference in the design and the colour, they will not always be kept in mind by the mufassal public. It will, therefore, be necessary to make the public fully aware of the difference between these two types of stamps, and before it is brought home—even if it is brought home—there is always the possibility of confusion. I would like to know what exactly the policy of the Government is in this regard and how the 8-84 lakhs are going to be made good.

[12th March 1934] [Mr. Basheer Ahmed Sayeed]

"There is another point, Sir, with regard to which frequent complaints, both in the Presidency town and also in the mufassal parts, exist. At a time when stamps are urgently required, the stamp-vendors are not always available or they do not possess sufficient quantity of stamps for ready supply to the litigants. There is a great need for increasing the number of stamp-vendors and also for supplying them with larger quantity of judicial and non-judicial stamps and papers. I would request the Hon. the Law Member to examine this question particularly with regard to the Presidency town and more particularly with reference to stamp-vending for the criminal courts. The Presidency Magistrate Court in Egmore and Georgetown have no stamp-vendors and the litigant public are being put to great inconvenience and they do not know where exactly stamps are sold. I would request the Hon. the Law Member to consider the necessity and desirability of appointing one or two stamp-vendors for the criminal courts of the City and also to increase the number of stamp-vendors wherever the need is felt."

* Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—"Mr. President, Sir, I wish to point out that there are some defects in the Stamp Act, which causes hardship to the people. For example, testaments do not require to be stamped. Some documents of this nature, on account of the defect in the Stamp Act, are charged different stamp duties by different registration officers. In the case of testamentary wakfs some registration officers have registered them without requiring stamp duty, some with a reduced stamp duty and some have charged the full duty of a conveyance. This is all on account of the indefiniteness of the provisions in the Stamp Act. It is a hardship to the public that such documents in the nature of a will and which come into effect after the death of the testator should be required to be written on stamp paper. This duty with the land revenue is ruining the people. The prices of commodities are very low and even for this there is no market. Ryots find it extremely difficult to get money. In order to get money they have either to collect old dues or raise loans. As for raising loans, the heavy stamp duty prevents them from taking any loans at any rate of interest.

"Even to recover dues through the courts, on account of the prohibitive court-fees, they are not able to do anything. So, they can neither raise loans nor recover the old dues through courts. These taxes really work as great hardship. I am sure, if the Government realize the real nature of the thing, they will certainly reduce the court-fees; and, if the court-fees are reduced, there will be more people going to the courts to file suits and thereby the income of the Government will increase. I think it was my hon. Friend, Mr. K. P. Raman Menon, who said the other day that he had to allow several of his suits without being filed on account of the heavy court-fees. He is one of the leading lawyers and is supposed to have ready cash and if even such a man could not go to court, what will be the fate of others? As a matter of fact, I had also to forego some amounts.

[Mr. Mahmud Schamnad] [12th March 1934]

"Sir, as was pointed out by several speakers before me, before going to court, one has to pay one-fourth of the amount in advance by way of court-fees, etc., and even after getting a decree, he has to spend a good deal for execution and other things. What about the old accepted principle that in administering justice no profit should be made; but, now, the profit made by courts is very much. I hope, now at least, when there is so much hardship among the people that principle will be considered. I find, Sir, on the receipts side a sum of Rs. 83 lakhs for non-judicial stamps, and on the expenditure side Rs. 4 lakhs; and for the judicial stamps, receipts show Rs. 229 lakhs, while the expenditure is 6 lakhs. So, the profit made must be very large after deducting the cost of administering justice. Further, there is the promise made in 1922, that this raising of the stamp duty was only to tide over an emergency. That emergency has long ago passed; now we are having a surplus; even last year we had a balanced Budget; and it is therefore high time that you think of reducing the stamp duty, both judicial and non-judicial."

* Mr. M. DEVADASAN:—"Mr. President, Sir, I have given notice of a cut motion to discuss the necessity of appointing Depressed Class vendors. Sir, it is a well-known fact that Depressed Classes have not been encouraged in the matter of appointment of stamp-vendors by the Tahsildars and other subordinate officials, in whom the power of appointing stamp-vendors lies. If we analyse the relationship of the vendors to the Tahsildar it will be seen that some of the stamp-vendors are related to the Tahsildars, and, in other cases, it might be found that they have some influence over the appointing officers. The reason why I have given notice of this cut motion is this: in the rural parts the vendors use as much influence as the village karnam or the village munsif. The vendors receive only a commission for the sale of stamps and they do not receive any pay. Yet, from the point of view of the Depressed Classes, the appointment of vendors is very important. It cannot be said that the members of the Depressed Classes do not wish to become vendors, nor can it be said that they are not competent to carry out the duties of vendors. I should say that, if the Depressed Classes are not highly qualified to occupy high positions of Registrars, or Deputy Collectors, they are at least able to carry out the duties of vendors. If, only, the Hon. the Law Member issues a circular that, in future, when appointments of vendors are made, candidates coming from the Depressed Classes should be preferred, then there will be no difficulty, and many of the members of the Depressed Classes will, I am sure, come forward to accept the posts of vendors. If the Government do this, it will go a great way in removing the curse of untouchability. In the rural parts, untouchability still exists, in spite of the propaganda done by Mahatma Gandhi, and others, and by appointing Depressed Classes, as vendors, the evil of untouchability will be removed to a certain extent. I do not mean to say that this is the only means of removing untouchability, but this will certainly go a long way to solve the problem."

12th March 1934] [Mr. M. Devadasan]

"The next cut motion of which I have given notice—about which the speakers who have preceded me have spoken enough—relates to the necessity of reducing the price of stamp paper. Sir, prior to 1922, the cost of one stamp paper was two annas, and during the war, when prices of articles went up, the Government found it difficult to carry on the administration and they enhanced taxes, and they had to increase the cost of copy stamp paper to three annas. They also at the same time increased the stamp duty and I am not going to say that the stamp duty on all stamps should be reduced. Sir, most of the clients resorting both to the Civil and Criminal Courts find it very difficult to meet the cost of obtaining copies, and for want of funds they have to forego taking copies. Now, the Government are getting a decent contribution from the Central Government of about 229 lakhs on account of stamps. I hope, Sir, that in view of this contribution, Government will consider the lot of the poor litigants, and try to reduce the cost of the stamp paper from three annas to two annas. If they do so, it will go a great way, at this period of economic depression, to relieve the litigant public from further expense. With these words, I support the cut motion."

* Mr. P. PEDDI RAJU:—"Mr. President, having given notice of a similar cut motion, I want to say a few words. So far as the stamp duties are concerned, the question now is whether the present rate of stamp duty regarding sales and mortgages is still necessary to be kept at such a high pitch, or whether it is high time that Government should consider the desirability of reducing it. The question is merely this: who is to pay the stamp duty on a sale or mortgage? It is the man who sells his property, borrows money, because he has got some necessity to transfer his property. In the circumstances, if that man is compelled to pay a high rate of stamp duty, it is simply obnoxious. That man is already in a crisis, and wants to part with his property, and for doing that, he will have to pay a high rate of stamp duty. That is a matter on which, as a non-official member, my Hon. Friend, Sir Krishnan Nayar, argued some time ago that the stamp duty should be reduced. In the year 1925, when a similar motion was placed before this Hon. House, Government also accepted it and said that the matter was under consideration, so far as the reduction of the stamp duty and court-fees was concerned. The Hon. Sir C. P. Ramaswami Ayyar, at that time the Law Member, said that the matter was under the consideration of Government, and that they would take early steps to give effect to it, at least so far as the court-fees were concerned. That was taken by the House to be the opinion of the Government. But nine years have since elapsed, and the Government have not taken any steps to reduce the same."

"Then, Sir, I want to say a few words also on the subject of court-fees. The Government have, times out of number, expressed on the floor of this House that they have been considering the question of reducing court-fees in non-contentious matters. Of course, my hon. Friend, Mr. Basheer Ahmed, said that, so far as the City Civil Court and the Small Causes Courts in the City are concerned, there is some

[Mr. P. Peddi Raju] [12th March 1934]

refund, if the case is uncontested. But I am sure it is so in the mufassal. The Taxation Enquiry Committee have also recommended some such proposal, and the Government have stated that they are considering the matter, and called upon the High Court, so long ago as 1925, to devise ways and means as to how far relief can be given in the matter of court-fees, so far as non-contentious matters are concerned. I do not know what Government have done all these years. It is high time that Government should come to the rescue of the litigant public. After all, it is not the rich man that pays the court-fees; but it is the poor man who will have to pay the cost later on, and it also falls upon the poor ryot. Under the present circumstances, though Government are not kind enough to recommend a remission of land revenue as desired, I think that they should at least consider and see that the troubles of the poorer people are not enhanced, but that they are given some relief in the matter of stamp duties and court-fees."

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, I find that this is rather an annual ceremony to ask the Government every year to restore the court-fee to the rates that were prevailing before the amendment of the Act in 1922. I stand up to perform this ceremony because I am convinced that, so far as the Government are concerned, they are not generally moved by persuasion or reasoning or by going into the conditions that prevail among the people, but I believe that this unending repetition of the same request will have some effect on the Government. It is only with this idea that I repeat the very same request which was being made in this Council year after year, ever since 1922. Very often the Government was reminded of its pledge solemnly made on the floor of this House also, but nothing seems to have any effect on them. Anyhow, if we go on repeating our request, let us see whether that experiment at least will have any effect on the Government. I do not know whether it is really worthwhile to take up the time of the House or my time in repeating the very same arguments which have been repeated in this House times out of number. So, I do not propose to deal with the reasons for reducing the court-fees to the rates which prevailed before the amended Act, which was intended to be only for a temporary period.

"There is one other point which I would just like to press and that is this. The present Court Fees Act, as it stands at present, works a grave injustice and inequality in ever so many cases. That is a matter on which Government should pay attention. Even last year, this matter was brought to the notice of the Government and if I remember aright, the Government then promised that the matter would be attended to, but I do not know whether the Government have taken any steps to revise the Court Fees Act in order to remove those inequalities and several cases of injustice resulting therefrom.

11-45 a.m. "As a matter of fact, if the Act, as it stands, is looked into with reference to the various decisions that have been given by the High Court and with reference to the Court Fees Act, it will be found that

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there are so many inequalities and also that there are so many provisions which are vague in which the parties and vakils find it very difficult to know what they have to do. I know, Sir, in many cases, on account of the emergency of the situation, the party is compelled to pay a higher rate than will be necessary. Because if the party waits, he would not get the remedy and the matter will have to be inquired into by the taxing officer. So, more definite provisions have to be made and the defects removed. As regards the inequalities, I may just refer to one instance. If a suit on a promissory note is filed in the Original Side of the High Court or City Civil Court when both courts have jurisdiction to receive the same, there is an inequality. I do not know if the principle of the Government is that when the suit is tried by the High Court, there must be a higher court-fee and if the City Civil Court has to try, there is to be a lower court-fee. I do not know if even this is worked out. So, I would like the Government just to conduct an enquiry into these inequalities as they exist and take steps to revise the Court Fees Act with a view to remove these inequalities and several cases of injustice. Under the Stamp Act also, there are so many cases of hardship which have to be removed. By the interpretation given to certain provisions of the Stamp Act by the Revenue Board, a great hardship is worked. For instance, I understand that in the case of a document for dissolution of partnership, of course if a partnership is dissolved, the assets of the partnership will have to be taken either by one partnership or another. I understand that a dissolution of partnership means always we have to pay Rs. 10 for dissolution, Rs. 7-8-0 for release and also conveyance for conveying all of the assets from one partner to the other. So, it works very great hardship and I do not think that it is just or proper that one of the parties at the time of dissolution of partnership should be asked to pay the whole conveyance for this document. There are so many other instances of this kind and it is very necessary to enquire into these cases of hardship and to take steps to revise these Acts in order to remedy these inequalities. I would just like to refer to another point in regard to a notification that has been issued by the Government as regards the revenue stamps to be affixed for receipts and promissory notes, etc. Notice of a cut motion with reference to that point has been given by Mr. Yahya Ali. This notification that from 1st April 1934 it is only the new kind of revenue stamps that are to be used for promissory notes, receipts, etc., has to be made known in every nook and corner of the country. I do not know what steps the Government have taken with reference to this. No doubt, the Press Communiqués or publication in newspapers will be useful to the reading public. But there are millions of illiterate people who have resorted to the use of these stamps with reference to the daily transactions in the remote villages. No doubt, it is stated these stamps will be available in the post offices and branch post offices. But this is not enough. It is quite necessary that Government should take such effective steps as will ensure a knowledge of it by the villagers in the remotest corner of the country. If such steps are not taken, I am afraid that these illiterate people in the villages will land themselves in difficulties owing to ignorance of this new rule that has been effected."

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* Mr. P. V. KRISHNAYYA CHODARI:—“ It is no doubt that, while increasing the stamp duty in 1922, the Government promised definitely that they would reconsider reduction when funds were available. So far as the Finance Member is concerned, when the finances improved, he kept up his promise and removed the salaries cut. Now, Sir, I ask the Hon. the Law Member why he should not keep up his promise and reduce the stamp duty? When somebody put a question as to why a particular tax was not reduced, the Hon. the Finance Member said ‘ You must ask Mr. Schuster.’ It means that I must ask the Hon. the Law Member and, with that idea, I am now asking the Hon. the Law Member to keep up his promise and reduce the stamp duty. The second thing, Sir, is that the stamp duty is intended not as a source of profit to the Government, but for the purpose of doing justice to the people. People must be given justice at a cheaper cost and not at a prohibitive cost. That prohibitive cost is bringing fewer people to the courts of justice. If the idea of Government is to keep justice accessible to the poorest people possible, it is very necessary that the cost of the stamp duty must be reduced. Some other Minister has stated that the tree tax is increased as a prohibitive measure and it is supporting prohibition. Similarly, I do not know if the Hon. the Law Member feels that he should keep the stamp duty as prohibitive as possible in order to prohibit people from having justice. If that is his idea, I do not press the motion. If that is not his idea, I request him to consider and reduce the stamp duty to a reasonable amount. When several ryots are suffering from indebtedness and when people are demanding for moratorium as well as debt conciliation boards, now, Sir, the stamp duty is certainly an additional burden when once they file a suit at a heavy cost. As a first measure, Government must come forward and before discussing conciliatory measures, they must reduce the stamp duty of the ryots. As a matter of fact, stamp duty is more costly than the interest the ryots have to pay. So I request the Hon. Member to consider and reduce the stamp duty as early as possible in the interests of the ryots.”

* Mr. K. A. NACHYAPPA GOUNDER:—“ Sir, I also wish to associate myself with the previous speakers in requesting the Hon. the Law Member to keep up the promise made in the matter of reduction of stamp duty. As the plight of the poor ryot of the present day is well-known, it needs no argument from me to stress that he requires help from all quarters. With regard to the other points, which I want to deal with here, I like to say that in the rural parts, it is quite necessary to increase the number of stamp-vendors. In some places, people have to go more than 5 or 6 miles to get stamps. After all by increasing the number of stamp-vendors the Government do not lose anything. They are paying commission only on the sales effected and the stamp-vendors are not paid any salary. So, I would urge on the Hon. the Law Member to have more stamp-vendors in rural areas, at least one for a radius of 3 miles, so that people who may require stamps may get them easily.

12th March 1934] [Mr. K. A. Nachiyappa Gounder]

“ Then, Sir, I would also urge another important point for the serious, earnest and sympathetic consideration of the Hon. the Law Member. That is the supplying of stamps to the stamp-vendors on credit system. Now, when getting the stamps, stamp-vendors are asked to deposit the full amount in advance and then take the stamps. This method of demanding advance payment causes much hardship because as the Government allow only a very small percentage of profit to the stamp-vendors in the shape of commission, it is not worthwhile for them to invest large capital on stamps and so they are not in a position to get enough of stamps of various denominations and keep them ready for sale. Therefore I would suggest, Sir, that the Government would do well to distribute stamps to vendors on credit system, taking personal security from the persons so that the stamp-vendors since they are not troubled to pay ready cash in advance, may take stamps in larger numbers of varied values. If the security of the person of the stamp-vendor is not satisfactory, he may be asked to produce personal security of satisfactory persons. If it is done, I do not think there will be any loss to Government as some of my hon. friends apprehend. If any loss is likely to occur, it can easily be made good from the persons who stand as sureties. So, I request the Hon. the Law Member to consider this suggestion and make it easy for the people to get the required value of stamps from one stamp-vendor. As it is, since the stamp-vendors do not get much stock of stamps it is very difficult to get the required number of stamp papers of various denominations from one stamp-vendor and so, one has to go to a number of stamp-vendors to get the papers he wants. So, Sir, I request the Hon. the Law Member to give his serious and earnest consideration to this question and solve it early.”

* Khan Bahadur YAHYA ALI SAHIB Bahadur:—“ Mr. President, Sir, I wish to join the representation that has been made from every part of the House with reference to the reduction in the rate of court-fees and stamps in this Province. Sir, the Hon. the Law Member is aware that the enhancement in the rates has caused enormous inconvenience to the litigant public.

“ The other matter that I wish to place before the Government is that with reference to the change they have made in the categories of stamps. They have separated revenue and judicial stamps with effect from the coming year. Sir, on the previous occasion when the stamp duty was enhanced, people were taken unawares and a considerable number of documents became invalid on account of insufficient stamps. A lot of inconvenience and embarrassment was caused to the public and the Government had to bring in a validating Act with reference to those documents. On this occasion also, when the Government are dividing the stamps into two categories, sufficient notice has not been given to the public. For my part I knew of this only when the Budget came into my hands. It is not perhaps known to the public even now. On the 8th March, I found a Gazette notification introducing this change. Sir, if this change is to be brought into

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noon.

[Mr. Yahya Ali]

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effect so soon, before the public had time to make themselves familiar with it, many a document is bound to become invalid. I would therefore request the Government to take steps to notify to the public in all villages the effect of the change, so that, hereafter, they may use the proper kind of stamps and obviate the documents getting invalidated. With these remarks I support the cut motion."

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, my Friend, Mr. Koti Reddi, who opened the debate on the cut motions under this Demand made certain suggestions. To begin with, he stated that the Government should not make any profit from the administration of Civil Justice. Stated in that form, the proposition, I think, is liable to be disputed. Probably it is an ideal to be achieved; but in practice, I find that many Governments levy court-fees for the purpose of revenue. In any case, I join issue with my Friend in the correctness of that broad proposition.

"Then my Friend, Mr. Koti Reddi, stated, with reference to certain figures which he quoted, that the Government were really deriving a profit from the levy of court-fees in connexion with the administration of justice. The figures that he referred to, I submit, cannot be taken as a basis for any serious discussion. What my hon. Friend did was this: he referred to the figures in the Civil Budget Estimates and allotted portions of them to what he called the administration of Civil Justice and allotted the remaining portions to the administration of Criminal Justice. In making this allotment or division, he did not follow any principle. His division was purely arbitrary. I myself tried several hours yesterday to allot the different portions of the court-fees income to the administration of Criminal Justice and to the administration of Civil Justice. I found it actually impossible to make any allotment worth the name. I then pursued my researches further and dived into certain books which dealt with the subject. I found from an examination of the report of the Taxation Enquiry Committee that they too considered this subject and came to the conclusion that it was very difficult to make any allotment. Further, I find that the Government of India themselves went into this question so long ago as 1890 and published a resolution on this subject. In that resolution they said that, though they and the Provincial Governments took a very long time in gathering statistics necessary for the publication of that resolution, they were themselves quite dissatisfied with the resolution and with the result of the enquiry. They stated that it was extremely difficult to come to a conclusion with reference to this allotment of revenue for administration of Civil Justice as distinct from the administration of Criminal Justice. So, seeing that the subject is so very difficult, I do not blame my hon. Friend, Mr. Koti Reddi, for arriving at these figures. But the point for consideration now is whether the figures which my friend has chosen arbitrarily can be taken as a basis for serious discussion. I am afraid they cannot be taken as any basis for serious consideration. I am glad, however, that my friend recognized one thing, viz., that it is a sound principle to take into consideration the amount that is

12th March 1934] [Sir M. Krishnan Nayar]

spent upon the salaries of the civil judicial officers and upon the upkeep of buildings and other things. Only, my friend did not refer in detail to all these items. I found, Sir, on a reference to the report of the Taxation Enquiry Committee, the subjects which they had taken into consideration for this purpose. One of these subjects is pay and pension of officers and establishment. My friend also referred to that. But he did not take into consideration the amount that is necessary to be spent for contingencies. This is a necessary item. Then again, we have to spend money upon stationery and printing. My friend did not refer to that either. He, no doubt, thought it necessary to deduct from this court-fee income the amount that has to be taken into account for interest on capital cost of buildings. But in addition to the interest to be allowed on the capital outlay on these buildings, it also necessary to allot some funds for the maintenance of the buildings. He did not refer to that. Again, there are charges of administration in the Secretariat for the purpose of supervising generally the Civil and Judicial administration. My friend did not refer to all these and I feel certain that, if this is done, the result ultimately, so far as Government is concerned, will be on the debit side.

"With reference to non-judicial stamps, I am glad that Mr. Koti Reddi admitted the principle of Government levying fees. He said it was for the purpose of revenue and added that the Government were justified in levying this desirable and necessary tax. Only, his point was that the rates were rather high. Now, with reference to this point, namely, that the duties are high, not only my Friend, Mr. Koti Reddi, but many others in this House, Messrs. Pocker, Basheer Ahmed, Krishnappa Choudari and Peddi Raju have spoken. All these hon. Gentlemen said that the duties are high and that they should be reduced. This subject, as you are aware, Sir, has been engaging the attention of this House every year since 1924. These duties were raised in the year 1922 when there was great need for money for the Government. Unfortunately that great need for money still continues. I very much sympathize with the hon. Members in their desire to have these fees reduced, but I am sorry that I cannot give them any hopes for reduction, in any case, in the coming year for which this Budget is framed. Speaking in round figures, the total revenue from stamps, judicial and non-judicial is about Rs. 230 lakhs. Now, if this 50 per cent is to be cut out of this Rs. 230 lakhs, it will roughly come to about Rs. 76 lakhs. My hon. Friends will realize that the Budget has been framed on the assumption that this sum is available for the administration and now, if they cut off this Rs. 76 lakhs, it will very seriously disturb the Budget. My friends are also aware that the Government have already remitted under land revenue roughly about 60 lakhs. Thus, if this 76 lakhs is also to be taken away, the Government will seriously feel the difficulty, and it cannot be the desire of this House which forms part of the Government that the Government should be so put to difficulties. (Mr. Basheer Ahmed Sayeed: 'What about the next year's Budget?')

[Sir M. Krishnan Nayar] [12th March 1934]

"Then my hon. Friend, Mr. Koti Reddi, made a statement—he was the only Member of this House who made such a statement and emphatically differ from him—that the salaries paid to the Judicial officers are very high and that they should be cut down. Far from that being the case, I personally feel that the salaries paid to our Judicial officers are insufficient. Take for instance, the pay of our sub-judges and our district judges. Our sub-judges have unlimited pecuniary jurisdiction and we pay them only Rs. 850 per mensem. Hereafter, the pay is going to be smaller than this. The pay that we give to our Judicial officers is low. It is not adequate. As regards the salary of our Sessions Judges, so far as the Indian Civil Service Sessions Judges are concerned, it is not within the power of this House either to enhance or reduce it. It is non-voted and it is in the hands of the Secretary of State. Then, as regards the pay of the non-I.C.S. Sessions Judges, my personal opinion, again, is that it is not certainly excessive. I believe that, on an average, a sessions judge of this Presidency, and probably of other Presidencies also, disposes of more murder cases in one year than a judge in England of the Supreme Court does in the whole of his lifetime. I have the authority of the High Court for this statement. Having regard to the enormous powers and the vast responsibility of the Sessions Judges in this country, I believe that even my hon. Friend, Mr. Koti Reddi, will agree with me, on reconsideration, that the salaries paid to them are not too high.

"Then, as I stated with reference to the figures that my hon. Friend gave, he cannot be blamed because even the Government of India found it extremely difficult to come to correct conclusions. I can, however, tell my hon. Friend that all the figures that he gave us the other day will be carefully examined in the office.

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"Then my Friend, Mr. Basheer Ahmed, stated that the Government have not taken any action whatever on the report of the Taxation Enquiry Committee. I may tell him that Government have taken action. With reference to the stamp duties, apart from the court-fees, the Government, have, after consulting the various administrative and Judicial officers of this Presidency, sent an elaborate report to the Government of India, and the Government of India have not yet replied to that." (Laughter)

MR. BASHEER AHMED SAYEED:—"I am more concerned with the result of the report." (Laughter)

THE HON. DIWAN BAHADUR SIR M. KRISHNAN NAYAR:—"It is beyond our control; we have done what we can, and it is for the Government of India to accept or reject it.

"With reference to the remission of the stamps in cases which are settled out of court, the hon. Member's suggestion will be taken into consideration when the Madras City Civil Courts Act and the Small Cause Courts Acts are amended.

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"Then, many of my friends, including Messrs. Basheer Ahmed, Yahya Ali and Pocker Sahib, have referred to the question of unified stamps. I am glad that they referred to that matter, as it is a very important one. It was stated impliedly, though not explicitly, that both in 1905 and 1925, when the existing changes regarding unified stamps were introduced, people, on account of ignorance, were greatly confused. My friends ask me why Government should not take steps to see that people are not put to such difficulties now. They are right in their representation, and I am glad to inform them that Government have taken steps to avoid confusion. Some of my friends themselves stated in this House that a Press Communiqué has been issued by the Government of Madras. Instructions have been issued to publish it in all newspapers, English and vernacular, throughout the Presidency. That is one method of making this change known to the people. In addition to that, these new stamps, separate for revenue and postage purposes, are available for sale with all the licensed and stamp-vendors, in all treasuries, post offices including branch and sub-post offices. Besides this, this change is also published in the *Fort St. George Gazette* and in the *District Gazettes* as well, both in English and vernacular languages. (Mr. Krishnayya Choudari: 'What is the object of this change?') It is for the Government of India to say. (Laughter.) The Collectors of districts are also instructed to make these changes known. If any hon. Member has any other method in view by which the people can be saved from any confusion and difficulty arising from this change, I shall only be too glad to adopt it.

"Mr. Yahya Ali wanted to know what the financial effect of this change is, so far as this Government are concerned. At present we are getting Rs. 8,34,000 from the Government of India. We have been corresponding with the Government of India and claiming from them an annual contribution, not of Rs. 8,34,000 but of Rs. 9,83,000. That is still under correspondence and the Government of India have not yet replied to it finally. In any case, according to our calculations, the chances are that from the 1st April 1934 we shall get about Rs. 9,83,000.

"Then my friend, Mr. Devadasan, referred to the necessity of appointing stamp-vendors from the depressed classes. As a matter of fact, there is no rule or regulation preventing the members of the depressed classes from becoming stamp-vendors. The only difficulty that stands in their way is perhaps the fact that they have to furnish security to the Collector for a certain amount, undertaking that they will abide by certain rules that they will tender certain accounts and that they will always keep stock of the required number of stamps. If Mr. Devadasan can find any member of this community who can give security, there will be no difficulty to have him appointed as stamp-vendor. In any case, Government will gladly forward the discussion that has taken place in this House to the Board of Revenue

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thereby indicating that Government are desirous and anxious to see, if possible, members from the depressed class community appointed as stamp-vendors.

“Then a suggestion was made by one of the hon. Members to the effect that the value of the copy stamp papers should be reduced from three annas to two annas. Formerly it was only two annas. The reason why this has been increased is this: two committees, one of which was presided over by Sir Norman Majoribanks, and another consisting of several Members of this House, went into this question and finally recommended that the value of the copy stamps should be increased to three annas to enhance the remuneration of the copyists. Originally these copyists were paid only 16 pies for 175 words. That was raised to 24 pies, and out of the balance of 12 pies, 6 pies goes to the superintendent of copyists and the remaining 6 pies to meet the cost of stationery and printing charges. Thus, hon. Members will see that the result of a reduction in the value of copy stamps will be to reduce the remuneration of the copyists by 50 per cent. I am sure that hon. Members are not going to suggest that. (Mr. K. P. Raman Menon: ‘Why do Government want to have any profit out of it?’) I have just told hon. Members that Government are not getting even a single pie as profit. They are only taking just the cost of the stationery and printing charges, and certainly these charges, hon. Members are not going to suggest, ought not to be appropriated by Government.

“Then my friend, Mr. Basheer Ahmed, and some others suggested that the number of stamp-vendors in the City should be increased. I may tell my hon. Friends that there are at present in the City four salaried stamp-vendors, and in addition to that number there are seventeen licensed stamp-vendors. My friend, two years ago in this Council, stated that on the reopening day of the High Court after the long vacation, difficulty was felt in getting stamps. On account of this representation, Government, after consulting the Board of Revenue, have issued orders that on the day the High Court reopens after the long vacation and the following four days or so, one of the four salaried stamp-vendors should be in the High Court, always ready with the stamps. Besides this, the Collector goes to the High Court on the reopening day and superintend the work of the stamp-vendors from 11 a.m. to about 1 p.m.

“With reference to the representation of Mr. Nachiyappa Gounder about the dearth in the number of stamp-vendors, I may tell him this. The rule is that there should be five stamp-vendors on an average for every 100,000 people, and it is left entirely to the discretion of the Collector of the district concerned to increase or reduce the number of stamp-vendors in a particular locality. Here again, I shall forward the suggestion of the hon. Member to the Board of Revenue, and if they find that the number is really insufficient in any particular locality, I am sure, they will take the necessary steps.”

Mr. K. A. NACHYAPPA GOUNDER:—“It is dependent on the area.”

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The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“Certainly, it must depend very much on the area.

“With regard to the credit system, as a matter of fact, Sir, they have the credit system now. If there are vendors who are ready to furnish security, they will be supplied with stamps on credit. But whether it should be personal security or some other form of security is a matter to be decided entirely by the Collectors of the districts. It is left to them, because it is a case of protection of the revenues. The Collectors have the discretion to issue stamps on personal security in some cases and on property security in others.

“I believe, Sir, these are all the suggestions that have been made by hon. Members, and I have nothing more to add.”

Mr. K. KOTI REDDI:—“Mr. President, Sir, I am sorry the Hon. the Law Member has forgotten to answer the main point, i.e., the profits earned by Government out of the administration of Civil Justice in the Presidency and . . .”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“I am sorry that the hon. Member was not present in the House when I answered that point. As a matter of fact, the greater portion of my speech dealt with that topic.”

Mr. K. KOTI REDDI:—“I stand corrected, Sir. In view of the assurance given by the Hon. the Law Member, I beg to withdraw my motion.”

The cut motion was, by leave, withdrawn.

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

DEMAND IV—FOREST—RESERVED.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“Sir, on the recommendation of His Excellency the Governor, I beg to move—
‘that the Government be granted a sum not exceeding Rupees 30,54,600 under Forest—Reserved.’”

* Mr. M. S. SRESHTA:—“I rise to move the cut motion standing in my name, that is:—

‘To reduce the allotment of Rs. 30,000 for Pay of Establishments by Rs. 100’

Sir, I have given this cut motion in order to discuss the policy of the Government in regard to forest matters. In my previous speeches in this Council on this Demand, I pointed out the desirability of the Forest department investigating the possibility of growing trees suitable for making match boxes. I believe the match industry is mostly now confined to Northern India and now that protection has been afforded to match industry, Northern India will be benefited by it and a large contribution will be made to the people of Northern India by the people of the South by way of purchasing match boxes. It

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would have been desirable if Government had anticipated this situation and did something for the growth of suitable trees required for match industry in our Province. I quoted in my previous speeches the case of Sweden where it was found necessary to grow suitable trees for match industry. The work was begun and in about 20 or 30 years all the timber that was necessary for making match boxes was grown in Sweden itself. I do not know if any action has been taken on this suggestion of mine. Even last year I went into this question and asked whether any action was taken. I shall be very glad if the Hon. Member in charge will kindly reply whether any action has been taken and, if not, whether Government propose to take any action in the future. I must admit that the Forest department is one of the valuable assets of our administration, and it is very well and ably managed. It must be admitted that the administration of this department has been successful and the policy adopted by it has been so sound that other parts of the Empire have followed the example of India. But at the same time I must point out that there are defects also in the administration. In their anxiety to increase the revenue from the administration of forests, the department has sometimes encroached on the rights of the people. We know from English History what the struggle was between the king and the people there regarding forests. In India, it was originally thought that forests belonged to the people. Whatever it is theoretically, whether the kings had rights over the forests or the people, in India the forests were freely used by the people and even to-day in the district from which the Hon. the Law Member comes, viz., Malabar, all the forests are properties of the people. Only such bits of forests as have been purchased by the Government or have been leased to them belong to them. The rest of the forests are in the hands of the people and there is no difficulty, I am told, for the people to get all the fuel and the manure leaves they want from the forests. In spite of this, there has been no difficulty experienced in Malabar district. There has been no deficiency in rainfall there. It has been alleged that it is necessary to conserve forests so that the rainfall may not be diminished. In spite of the people in Malabar taking away the fuel and manure leaves from the forest there, the rainfall is not in any way diminished. So, I do not know whether this argument has not been stretched too much and whether it is not desirable in the interests of the public to relax the rules which the Government have framed in regard to reserve forests. In regard to reserve forests all sorts of restrictions are now placed for the use of the rights which the people have been enjoying from time immemorial. I shall leave it to hon. Members coming from other districts to deal with the position in their respective districts. I shall, for the present, confine myself to South Kanara the conditions of which are well known to me. Certain rights have been exercised by the people in South Kanara from time immemorial in forests. They have been allowed from time immemorial without let or hindrance to remove leaves required for manure, small fuel and also sticks and so on required for their huts. The reason why this

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special privilege was given to South Kanara has not been fully understood by the Government. I think the Chief Conservator of Forests said in a memorandum prepared by him that he did not know why South Kanara should be specially favoured. The reason for this special favour is that although there is heavy rainfall, still the soil is very poor and a large quantity of leaf manure is necessary to carry on the cultivation. It is for this reason that a special privilege has been conferred on the people of the district. I believe this matter has been fully explained in the South Kanara District Manual, but I am sorry I am not able to quote from it at the present moment. But whatever the reason may be, the fact remains that from time immemorial these rights have been exercised by the people in South Kanara and is it right for the Government now to take away those rights? I think it is stated in the report of the Agricultural Commission that 'forest is the hand-maid of agriculture.' Forests should be conserved only in so far as they are beneficial to agriculturists. In this connexion you will find what the Forest Code states. I shall claim the indulgence of the House for a few minutes in quoting a few passages from it. The forest policy of the Government is contained in the resolution of the Government of India, dated 19th October 1894. This is what that resolution states:—

'The needs of the communities dwelling on the margin of forest tracts consist mainly of small timber for building, wood for fuel, leaves for manure and for fodder, thorns for fencing, grass and grazing for cattle and edible forest produce for their own consumption. Every reasonable facility should be afforded to the people concerned for the full and easy satisfaction of these needs. It should be distinctly understood that considerations of forest income are to be subordinated to that satisfaction. It should also be remembered that subject to certain conditions to be referred to presently the claims of cultivation are stronger than the claims of forest preservation.'

Then, again, Sir, Sir Thomas Moir has said some years ago in the Legislative Council:—

'We do not forget and have never forgotten that the Forest department's main object is to supply the needs of the people and it must pay attention to the facts, that the ryots do require fuel, that they require timber for houses, that they require implements for agriculture and that they require grazing for their cattle.'

Then again what is Government of India's resolution?

'The claims of cultivation are stronger than the claims of forest preservation.'

Sir, I shall now quote a case in which in South Kanara all these statements have been treated as scraps of paper. On the 17th December 1932, the Chief Conservator of Forests passed a resolution in which he remarked that the only reason for the exercise of the rights by the people in forest areas seemed to him to be that they had been enjoying those rights. As I have already pointed out, the people have been enjoying these rights from time immemorial. It is true that some years ago the forest panchayat system was introduced in South Kanara whereby the exercise of these rights was controlled by the forest panchayats. I think it was wrong on the part of the Government to

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have introduced that system. It was not right on the part of the Government to take away the rights which the people already possessed. I am afraid the Forest department was obsessed by the idea of obtaining revenue and they overlooked the duty of allowing the people the rights which they possessed for a long time. Therefore I say that the control by the forest panchayats of the rights already possessed by the people was a wrong step on the part of the Government. I think it was not correct on the part of the Government to have taken away those rights possessed by the people because of certain abuses. It is possible that in such a system there might have been some abuses, and if there were any abuses it was for the department concerned to take steps to put an end to them. Because there have been some abuses, you cannot take away the rights, and innocent people should not suffer for the guilt of others. There has been considerable agitation on this matter and I do not know what action the Hon. the Law Member in charge has taken. I believe the matter is still under consideration and no final orders have been passed. If they have been passed, I would like to point out to the Hon. Member in charge that there is an easy remedy for this state of affairs. We have not got the village panchayats except in one taluk in South Kanara. If the village panchayat system is extended to all taluks, it is quite possible to place the control of these rights in the hands of the village panchayats. That is the easiest remedy. I would also like to point out that there has been an entire misconception of the whole position. I shall take two instances, viz., the reserve forests of Hosabettu and Todar. These were originally not reserved. No doubt the Forest Act empowers the Government to reserve any forests and these forests were made reserve forests in 1890 or so. But in reserving these forests the people were told that they were reserved so that the villagers might get the full benefit. When these concessions were removed by the Government Order in 1932, these forests were said to contain sandalwood trees and were for the first time placed in Class I or II which are meant for timber trees. I think such a classification is entirely wrong. I do not know under what circumstances such a thing could have been justified. It must be remembered that South Kanara is one of the three districts where sandalwood grows in every piece of land. You can see sandalwood on all lands. I own a piece of land which was practically useless for a long time. But now I see a number of sandalwood trees on it. I do not know whether Government will now say that this must be included in reserve forests. It has been repeatedly said that forests in this Province are roughly divided into Provincial forests and rural forests, the former for the purpose of deriving revenue and the latter for the benefit of the people. It has been stated that the two forests which I referred to above, viz., Hosabettu and Todar forests were rural forests and even when they were classed as Class IV forests they were intended for the benefit of the people.

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“That being so, is it right for the Government by one stroke of the pen now to make them Provincial forests for the purpose of getting revenue, because these sandalwood trees are required for the purpose

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of revenue? It is a wrong step that the Government have adopted. But now that I have explained the position, I hope the Hon. the Law Member will redress these grievances which have been felt for a long time in the district. I know that the Hon. Member is very sympathetic; he has reason to be very sympathetic as South Kanara is his neighbouring district and he knows the conditions there very well. Whatever special concessions were given to South Kanara on account of the peculiar conditions there, they should be restored to the district. The Hon. the Law Member has been an eminent lawyer and also a Judge. I believe and I trust he will act with a judicial mind. I should like to know how he will defend the position of the Government. Anyhow, I hope that he will go carefully into the matter and see that these grievances are redressed as quickly as possible. Besides this particular forest I have mentioned, there are other forests also in South Kanara where much injustice has been done. I leave it to my hon. Friend, Mr. Shetty, to speak about them as he knows more about those forests.

“Only one point more. It has been said by the Hon. Member that the prevalence of malaria is not in any way connected with the existence of forests closeby. But South Kanara is one of the two districts which are most severely attacked by malaria, the other district being the Vizagapatam Agency. In these two areas quinine is distributed free owing to the severe incidence of malaria. From my own personal knowledge, I must say that malaria is chiefly to be found in places near those big forests in South Kanara. Therefore, it cannot be said that malaria is in no way connected with the existence of forests. Well, Sir, if these forests are not to be used by the people, and if on the other hand, they are to be the vehicles for malaria, what is the use of having them there? Why not get rid of them? Then there is the question of cattle. They cannot be kept tied the whole time and it will happen that occasionally one or two will stray into the forests which are very closeby. Then they come into the hands of the Forest department underlings. Practically very few cases go so far as the courts; for the underling is the court of first instance in the matter of these offences and he receives a small bribe and lets the matter drop there. It is said that this is a state of affairs for which both parties are responsible. That is the expression used by the Hon. Member in a similar case. But we must consider that the people of the country are very ignorant and therefore they ought to be protected against these underlings. It has been said in one Government publication—I do not remember which—that the great evil of these reserved forests is the power put in the hands of these underlings. We do not want to give too much power to these underlings. If there is any system in which the underling must be given large powers and in which the powers of the underling are liable to be abused, I say, ‘get rid of that system.’ This matter should be very carefully considered by the Government. I know that our Forest administration is a very good one. It is necessary in the interests of revenue and in the interests of the general public that forests should be conserved, but in no case should this be done at the expense of the people.”

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MR. SAMI VENKATACHALAM CHETTI:—" Mr. President, Sir, I second the motion moved by my hon. Friend. If there is any doubt in the propriety of my seconding this motion, I think it will be dispelled if I say that recently I have visited the district of South Kanara where I had an opportunity to study at first hand the various forest grievances from which the people of the district suffer. The forest conditions in South Kanara are very peculiar in that the forests are very close to cultivable lands. The ryots of the district have been enjoying the privileges of taking manure leaves and grazing their cattle, etc., for a long time unlike the ryots in other areas. Therefore the withdrawal of these concessions recently by the Government has come upon them as a surprise and they are handicapped considerably even in cultivating their lands. It was rather unfortunate that the Hon. the Law Member visited South Kanara just before the concessions were withdrawn, for if he had gone there after the concessions had been withdrawn, he would have seen for himself the difficulties and troubles which the ryots have to undergo on account of the withdrawal of these old privileges. The forests in many cases are hardly 15 feet distant from the cultivated lands and it is absolutely impossible for the cultivator not to trespass for one thing or other on the reserve forests. The Government may say that the concessions were withdrawn because they had been abused. I do not think, Sir, that the abuses of the so-called concessions have been so frequent or so numerous as to warrant the withdrawal of these concessions from all the people. After all what the Government regard as concessions, the people, on account of long usage and custom have come to regard as their rights and it will take some time for the people to understand that the Government regard even these necessary and inevitable conditions as concessions. After all, I do not think the abuse of these concessions would have meant any loss of income to the Government. It is only an imaginary loss that the Forest department think they would be incurring if the concessions were granted to the agriculturists. The actual loss suffered by the cultivators on account of the withdrawal of these concessions is much heavier than the loss which the Government imagine they would suffer if the concessions were restored to them. There is a heavy loss of cattle on account of the proximity of forests which the people are not able to prevent on account of the withdrawal of gun licences.

" Moreover, Sir, it is erroneous to think that at the present time the agriculturists are not really enjoying those concessions, for they do it by clandestine methods. It is true, Sir, that some agriculturists have to resort to clandestine methods. What I want to tell the Government is that as anyhow they have not been able to prevent the people from enjoying these privileges, they might as well withdraw the restrictions and let the agriculturists have the old concessions again. After all, by the present arrangement who is benefited? Not the Government and not the agriculturists, but as has been very aptly put, the forest guard, who is to keep watch over these agriculturists and prevent them from abusing these so-called privileges. The forest guard cannot honestly discharge

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his duty for the simple reason that he is a single man as against the whole village. The village can very easily inflict its tyranny over him, if he should be scrupulously honest. Therefore, it is impossible for the forest guard to discharge his duty honestly when all the people living in the village are against him. I do not think that the restoration of these concessions to the people will in any way affect the capacity of these forests to conserve the clouds and produce the usual rainfall. Nor will it in any way reduce the income to the Government. I would therefore request the Hon. the Law Member to bestow his personal attention on the matter and not merely be guided by the reports he may have got in his office. I hope he will look upon this question with his usual generosity and sympathy. After all the concessions are very few and minor ones and they do not give much additional income to the Forest department. Nor would the grant of those concessions affect the conservation of the forests in any way. I therefore make a special and personal appeal to the Hon. the Law Member before he lays down his office, to restore these concessions to this district which is a neighbouring district of his own."

* MR. G. R. PREMAYYA:—" Mr. President, Sir, the Forest policy of a country is guided by the following considerations. The forests are conserved so that there may be regular rainfall, and enough supply of timber, firewood, manure leaves and grazing grounds for cattle. The Government also protect the wild life of the forests. Many of us have seen that as we go up the Ootacamund Hills, there are different kinds of trees at different heights. We see some kinds of trees at the foot, but at 200 feet above we see different kinds of trees and so on as we go to the top. The same thing can be said with regard to the different zones. The trees that grow in the torrid zone do not grow in the temperate and the trees that grow in the temperate zone do not grow in the frigid. Those who have some knowledge of forestry will see that trees which grow in the temperate zone will not grow in the other two zones. In several countries, the Forest departments appoint several committees who go out and live in other countries. The main object of these associations is to send to their own countries species of timber and other trees not found in their own country so that their countrymen may grow those varieties in their country. In thickly populated countries they do not allow the forest to have only wild trees and nothing else. In countries such as Germany, Holland and Denmark, they do not allow wild trees to grow in their forests. They cut down wild trees and plant in their place fruit trees and timber trees. In our country, Sir, as we go along the East Coast to Calcutta, we find big jungles and shrub jungles—forests of second and third classes. They are full of unprofitable trees. If the Forest department could plant fruit trees and timber trees in the place of these jungle trees, I think it will be very profitable to our Province. Sir, the eucalyptus is grown on the hills, but some of my friends brought some seeds to the plains and planted them on the sandy soil. They have thriven well. Then there is the tree called 'Blue

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gum' growing on the hills. It gives very good material for house-building on the hills and I am sure if it is planted in the plains it will give equally good house-building material.

1 p.m. "In the plains we use parts of margosa trees and blueberry trees for our houses. If the useless jungle trees are removed and trees useful to the people are planted, there will be wonderful help to the poor ryots, who are not in a position to purchase Rangoon teak. We know that Rangoon teak is very highly priced in our Madras Presidency. Has this department, at any time tried to grow the Rangoon teak in our forests? We have good climate for it; we have soil for it. If they had at any time tried to grow Rangoon timber on our hills, they may sell it in our markets cheaper than the Rangoon teak.

"We are getting a lot of forest goods from Hyderabad, especially those in the Northern Circars. We have Nallamalai forests. When such trees grow in the Hyderabad State, why should they not grow on our hills? Are these trees going to help only Muhammadans? The Government can grow sandalwood trees in their forests. We have hills with an area of about 160 miles.

"Some hills are barren; no attempt is made to grow anything at all. If this department grows these trees on the hills or anywhere where the climate allows it, I think it would be a wonderful help to the ryots.

"Recently this department is separating some forests where small trees are grown for the benefit of panchayats; it gives away some acres of land for the panchayats for the use of cattle. We have domestic cattle in this country numbering about 26 crores. When we have little food for the people, these cattle are a burden to the ryots. There is a forest in Konanki, Guntur district. This forest has about 2,000 acres of land; some years ago it was leased out to a panchayat; the panchayat has been looking after this forest for the last 4 or 5 years; long before it was assigned to the panchayat, Woddars were living by cutting stones in this forest. Recently these people were turned out by the panchayatdars. When the panchayatdars want it for the cattle, the Woddars want it for their sustenance. The Government in this matter have ordered that the land should be given to the panchayat for use of cattle and not of the people. There are about 300 and odd people living on stone-cutting in this forest; now they have no source of earning their bread; they have been completely turned out. The Government have finally decided to reserve the forest for the cattle and not for the people. Such is the policy of the Forest department.

"In Western countries shrub jungles are cleared and some labour colonies are started on them. I do not remember all the names of the labour colonies. But in Belgium there is one such colony; about 4,000 people are kept there in the colony and they are now living as gentlemen. It was forest before and it has been turned into a good colony. There are a number of such colonies in the West. Before people were allowed to go there, it was only jungle. Their forest policy was changed. Where there are more people than cattle, they have changed the policy

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of the Forest department and have given worthless land for the sake of cultivation. Our Government may adopt this policy. I would conclude by saying that our Forest department instead of allowing jungle trees to grow, should grow fruit-trees and other useful trees. The Government are allotting forest lands for use by cattle; I think they should reserve some land for the benefit of the ryots so that they may grow fruit crops or cultivate the land and live honourable lives thereby."

* Mr. K. P. RAMAN MENON:—"Sir, I wish to make one suggestion; that is the reason why I intervene in this debate: As has been observed by various speakers, the Forest department is doing very good work. Mr. Sreshta dealt with the match industry in his speech which is a nascent industry in this country. The Forest department can make experiments with reference to light woods and find out if there are light woods suitable for match sticks. That is a direction in which investigation can be made and I am quite certain that the forests of Malabar, of which my hon. Friend is aware, can produce trees which would be suitable for this industry. If some officer is told off to make investigations in this direction, I am quite certain that a new source of income can be tapped by the general public and by the Government in particular."

* Mr. A. B. SHETTY:—"Sir, some reduction in establishment has been made in this department as a result of the proposals made by the Retrenchment Committee. The cadre of officers of the Indian and Madras Forest Service was in excess of the number of posts sanctioned by Government as a result of reorganization. I would like to know whether it still continues to be in excess of the sanctioned number of posts. The cost of the establishment of this department is said to be much larger in proportion to the revenue it gives, than it is in other Provinces, at all events in most other Provinces. The department is admitted to be top-heavy. I suppose the number of Conservators has been reduced from 6 to 5. Each of these Conservators is in charge of an area of 3,130 square miles. If the number of Conservators is reduced to 4, each would continue to be in charge of an area of 3,912 square miles, compared with 4,741 square miles which a Conservator had under him prior to 1921. Many of the duties which fell largely upon these Conservators in years past have been to some extent relieved by opening separate working plans, utilization and research branches with special officers in charge of them. It is therefore possible now to reduce the number of Conservators by one more without causing much inconvenience since the area under each Conservator would still be less than what it was prior to 1921 as I have already stated. As regards the post of the Forest Engineer, the Retrenchment Committee was not satisfied that he had sufficient essential work to do. They wanted the Government to find out whether it is a question of inventing occupation for him or whether he has got sufficient work. The old practice was to depend upon the engineering knowledge of the ordinary officers in the department. I wish to know whether it is not possible to revert to the old practice and do away with this post as a measure of economy."

[Mr. A. B. Shetty]

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"As regards the forest policy, my hon. Friend, Mr. Sreshta, has dealt exhaustively with this matter. He has quoted the forest policy laid down by the Government of India in their resolution and the declarations made by high officers like Sir Archibald Campbell and Sir Thomas Moir in this matter. He has pleaded eloquently for the restoration of the forest concessions which have been withdrawn in South Kanara from April last and my hon. Friend, Mr. Sami Venkatachalam Chetti, who had occasion to visit South Kanara recently, has supported the request made by him. The report of the Forest department says:— 'Generally the department supplied adequately the domestic and agricultural requirements of the people. The removal of manure leaves has been allowed in divisions which were unable to do without it.' This privilege has been withdrawn in certain areas in South Kanara. In reply to a question put in this Council last year, the Government have admitted that cultivation work in South Kanara needs the help of manure leaves from reserved forests at least in certain places. It is, therefore, the duty of the Government to see that cultivation work is helped by giving manure leaves from forests wherever it is necessary. Several questions have been asked in this Council and representations have been made to Government from various public bodies in South Kanara asking Government to restore the concessions. The Hon. the Law Member has told us that the matter is under consideration. As has been stated by previous speakers, the Hon. the Law Member being a gentleman of the West Coast, he is in a position to know best the needs and difficulties of the ryots in our part of the country. He is the first and the only Member in charge of the Forest portfolio who has so far visited South Kanara during his term of office. He has passed through some forest areas and he has personally seen what the difficulties of the people are. He has raised high hopes by the sympathetic way in which he listened to the grievances of the people. It is unfortunate that instead of remedying any of the grievances complained of, he should have given his consent to the withdrawal of the few concessions which the people have been enjoying. This is surely the unkindest cut of all. I hope that the Hon. the Law Member before he lays down the reins of high office which he has held so worthily and well, will do this last act of favour and earn the gratitude of thousands of poor ryots suffering great hardship at present on account of the withdrawal of concessions in reserved forests in my district."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, going through the administration report of the Forest department, I find that this department has worked as a public utility department and the money spent on this department has been used well. Speaking from the Depressed Classes' point of view, I think the department has not afforded any facilities to the unfortunate people. During the previous years, speaking on the same demand, myself and some representatives of the Depressed Classes were urging on the Government the desirability of giving facilities for free fuel, free manure leaves and free timber at times of necessity for the Depressed Classes."

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"The recent visitation of the cyclone has left the people in the most miserable condition and they were even left without any dwelling huts. P.m. It is for this reason that we have been agitating here that these people should have some dwellings worth the name and that the Government should come to their rescue by giving them free timber."

"Going through the report, I find that no mention has been made of any such facility. As already observed by my hon. Friend, at page 20 of the report, we are told that the Forest department supply adequately the domestic and agricultural needs of the people. Sir, I am myself an agriculturist and I do not think the department has been giving any facility to me. Now with the rapid transport convenience, with motor cars, the livestock has been diminishing. Why? Because we are not being given that facility which we used to be given in years past. Cattle are not generally allowed to pass through roads. Similar restrictions obtain even in forests. I think, Sir, it is high time that the Government give some facility to the cultivators."

"Again I find from the report that there has been an increase in the number of crimes by way of entry of cattle into forests. That shows that the people are not in a position to pay the fee for permits and that therefore they get into trouble. The report says that a measure of important administrative convenience was carried during the year, by separating the ministerial service of the Forest department from that of the Collectorate. Last year, I brought to the notice of the Government the decisions of some of the important Revenue Board Members where they accepted the policy of having the ministerial services of both the departments under one head. The Government, however, seem to have come to the conclusion that the separation of the two departments is necessary. At page 26 of the Administration Report, I find that 'one ranger, four foresters, twenty guards, nine watchers, a tanadar, five clerks and three menials died during the year.' Nothing is mentioned about the families of these subordinates. Also 'in South Coimbatore a sum of Rs. 651 was spent on anti-malarial measures in the interest of the subordinates and labourers.' Sir, a department which has to carry on operations in a malarial tract, such as in forests, would be benefited to a great extent by being coupled with the Revenue department; that would be more in the interests of the people who are serving in that department. I do not know if this move on the part of the Government is going to be a beneficial one; but it is a matter of time, to know whether it will be so."

"Again, Sir, I find from the report that the Government propose to retain the retail sale of sandalwood. I welcome this idea; because at a time like this when the Savarna Hindus are performing yagas for their past sins, I think the Sanatanists and those of their way of thinking will welcome this."

"Another point that appears in the report is that large profits have been made by exporting timber. I think it is a very good move and with the recent development of bridges and equipments in Nilambur."

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forests, the Forest department will be making more and more profits. In one of the chapters of the report, I also found that the Government propose to make some transit rules with regard to sandalwood. I am sure when they make the rules, they will consult the people who are in the vicinity of the forests on the question whether those rules would give them any greater facilities or would add to the difficulties that already exist.

"One other point which I wish to refer to is the question of manure leaves. Recently many companies have come into existence for manufacturing fertilizers and they are trying to go to the agriculturists and burden them with the cost of the fertilizers, though they are not in a position to meet the high cost thereof. After all, what the agriculturist requires of the Government is free manure leaves; and these manure leaves are not at present bringing much profit to the Government. Why not the poor agriculturist in these days of hardship be at least allowed this concession? Moreover, I do not find there is any check on the growing import of fertilizers and it is time that the Government, by stocking the manure leaves in convenient places, made some money instead of the leaves rotting in the forests and allowing profits to be made by the manufacturers of these fertilizers.

"Lastly, Sir, I find from the report that the Government have increased the reserved forest area. In some places, I think, it will not be advisable for the Government to increase the reserved forest area. Reserved forests mean a great difficulty for the agriculturists who live near by. For instance, people who were taken as captives in the Boer War were kept in a place in the Kaity village; after the Boers left the place, the whole area was brought under Eucalyptus cultivation and the villagers near by had free access to that place and took their cattle there to graze. Recently, the Forest Officer of the district seems to have recommended that this plot should be transferred to the reserved forest area. The villagers have appealed to the Government, the District Forest Officer and to the Collector of the district. If this transfer takes place, I am afraid that the ryots will be greatly inconvenienced. I hope that the Hon. the Law Member who has this portfolio will kindly see that this is not done, in the interests of these poor ryots."

* Mr. M. DEVADASAN:—"Sir, I do not want to cover the same ground as was covered by my friends who have spoken before me but shall confine myself to the cut motions which I have given notice of. We find in the administration report of the department that the work of the Forest department was carried on as it was in the past and that department always gets a good word from the Government. I am not going to criticize the report in any detail, but I want to point out certain difficulties which the agriculturists have been experiencing for some time along with other Members of this House. I have several times pointed out the grievances of the agriculturists to the Government and every time I was told that necessary relief would be afforded by opening up larger areas for the grazing of cattle, and that fees for green manure

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would be reduced. But the old rates still remain as before. I request the Hon. the Law Member to consider the question in detail and do whatever is necessary, by reducing the rates for green manure, by opening up larger areas for cattle, etc.

"I have given a cut motion, Sir, for the purpose of drawing the attention of Government to the necessity of appointing Depressed Classes as forest guards, and watchers. I am not tired of representing the grievances of the Depressed Classes. Already I said that stamp vendors should be chosen from among Depressed Classes, I submit that the claims of the Depressed Classes in the matter of appointments to the Forest department are not fully considered by the authorities concerned. People of the Depressed Classes are applying in considerable numbers for these appointments, and yet they have not been appointed. After all, these appointments are very low in rank; and they do not require any high qualification from the applicants. It is enough if the applicants have got sufficient education to read and write. These posts are however given to others. There was a Muhammadan District Forest Officer in Tinnevely who was very considerate in the treatment of the claims of the Depressed Classes; and he took some men into the service while he was there; but since he left, the claims of the Depressed Classes have not been considered in the same manner. At the instance of the forest rangers, guards and watchers are appointed in the various ranges; and it is very difficult for young men of the Depressed Class to secure those posts. I request therefore that the Hon. the Law Member will be pleased to instruct the authorities concerned to liberally appoint the Depressed Class people as forest guards and watchers. They have the necessary health and physique to do the duties that are expected of these forest guards and watchers. Forest life is a hard life, and the Depressed Classes whom I represent here, are the fit persons to lead a hard life.

"The next question that I want to deal with is the one referred to 1-30 by my friend, Mr. Premayya. He says that growth of fruit trees should be encouraged. Government may find it very profitable to themselves if they do so. Formerly, some lands used to be disforested and given to the Depressed Classes. Of late, the Government seem to have given up that policy and they do not assign any lands in the forests in favour of the Depressed Classes. If the lands are assigned, and the Depressed Classes are allowed to plant fruit-bearing trees, it will be a great help to the Depressed Classes, while at the same time it will bring some profit to the Government in the shape of revenue for the land assigned to them.

"The next important question, Sir, is the preservation of wild life. It has already received some consideration at the hands of His Excellency the Governor and others who own forests. I agree that wild life should be preserved. I submit, Sir, that innocuous animals which do not damage the crops are destroyed by men who go hunting in thick forests, in spite of the vigilance of our forest officers. I am not saying that

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animals which destroy crops such as the wild boar, should be preserved. When I speak of preservation, it is only with reference to animals that add to the beauty and grandeur of the forest. Hon. Members are aware that recently in the Cumbum valley, some fourteen elephants died as a result of their having eaten a poisonous herb. We do not know what the Government have done in the matter. In conclusion, I support the motion."

The House adjourned for lunch.

After Lunch (2-35 p.m.)

Mrs. K. ALAMELUMANGATHAYARAMMA spoke in Tamil.

2-45
p.m.

Diwan Bahadur S. ELLAPPA CHETTIYAR:—"Mr. President, Sir, I wish to say a few words on this cut motion with a view to discuss the need for reducing the seigniorage on the removal of leaf manure and the grazing fees, and also the need for effecting uniformity in the rate of seigniorage fee charged by the Forest panchayats for quarrying road materials for local fund purposes.

"Sir, the rates of fees charged for collecting leaf manure and for grazing in the forests managed departmentally and through the agency of forest panchayats have more than doubled within recent times. As the incidence of such heavy burden on the poor agriculturists is keenly felt by them particularly in these days of general economic depression, I wish to urge upon the Government the necessity to reduce the rates within reasonable limits so as to protect the poor agriculturists and their cattle.

"Again, I believe, Government are aware that a good number of quarries for metal and gravel required for road maintenance are located in panchayat forests. I do not quarrel with the panchayats levying a reasonable seigniorage fee for mining in those quarries. But the rates imposed by some panchayats are anything but reasonable. Although the works are got executed through private agency, the incidence of seigniorage fees falls indirectly on the local boards. The rates must not be left to the caprice of individual panchayats, but must be reduced to a uniform standard. The matter is one of sufficient urgency and importance for the Government to interfere. I earnestly wish that the Government will effect some change in the existing conditions at an early date."

Mr. V. T. ARASU:—"Mr. President, Sir, I wish to associate myself with the remarks made by the previous speakers on this cut motion. Last year, it will be remembered, that I have pointed out to the Hon. the Law Member, who is in charge of this portfolio, that our forests have not been exploited properly to the advantage of the Government. It is well known, that we have in this Presidency over 18,993 square miles of reserved forests. But, in spite of this extensive area of reserved forests, it is regrettable that the net income from these forests has

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been only 4.71 lakhs during the year 1932-33. While in the other Provinces like Mysore and even in such small States like Travancore where the area of reserved forests is considerably less than what we have, their net revenue is very much more than what we derive from our forests. If you take, for instance, forests under the Mysore Government, there the total area of reserved forests is somewhere about 6,000 square miles and the net income derived by the Mysore Government amounts to 11 lakhs; and in the Travancore State, where the extent of forests is about 1,200 square miles, the revenue amounts to 2 lakhs. From the above figures, it will be evident to the Hon. the Law Member that our forests have not been properly exploited and that they are not made to yield an increased return to the Government.

"As regards the ways and means by which our forests may be made to yield greater revenue to Government, I made some suggestions while speaking on an identical motion last year—and I believe the Hon. the Law Member has not forgotten about it—and I once again request the Hon. the Law Member to see that these suggestions re the ways and means by which our forests can be exploited to the maximum advantage are fully considered. I hope that the Hon. the Law Member will see his way to give effect to them wherever possible.

"There are one or two minor points regarding which I should like to make a few observations. I am sorry to note, Sir, that year after year the Government are going on increasing the extent of these reserved forests. I may point out, Sir, that in the year 1931-32 the total extent of reserved forests in this Presidency was 18,955 square miles and that by the end of 1932-33, it has gone up to 18,993 square miles, so that there has been an increase of about 38 square miles in the extent of reserved forests. This process of increasing the area of reserved forests has been going on from year to year to the greatest detriment of the villages abutting these reserved forests. The policy of the Government evidently appears to be to include even shrubs which cannot be really called forests and bring them into the category of reserved forests and this policy, as I have already stated, has been going on year after year in spite of the complaints lodged by the villages abutting these reserved forests. The result of this increase is that it puts the villagers to a considerable difficulty and in certain cases they are also harassed by unscrupulous officers in the Forest department. For instance, if cattle of these villages happen to stray occasionally into these forests, they are being hauled up and heavy fines are imposed on the owners of such cattle. I would therefore suggest that Government should bring into the category of reserved forests only such areas which have got a dense vegetation and not mere shrubs and plants.

"The other grievance that is felt by the villagers—and I speak about it on the authority of my hon. Friend the Pattagar of Palayakottai, the Hon. Member representing Coimbatore—is that in that district the villagers are permitted on payment of certain fees to graze their cattle in the adjoining reserved forests, but I understand that in these areas

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there is absolutely no drinking water for the animals. I would therefore suggest to the Government that they should take steps to see that small tanks are dug in these forests, so that the cattle which are allowed to graze may have the advantage of drinking water from out of those tanks. Otherwise the agriculturists will find it difficult to take advantage of the grazing facilities given by Government to their cattle. If those facilities are to be taken advantage of in an increasing measure the Government should provide drinking water facilities for these cattle.

"I would like also to make one or two suggestions regarding the utilization of the produce of the forests by the Government. I find from the latest report on the Forest department that large quantities of sandalwood or its substitute are being imported into this Province from outside countries. I am glad to note that this Government have suggested to the Government of India the idea of levying an import duty on sandalwood and other substitutes which are being imported from other countries. I wish the Government do not leave this matter at this stage, but press upon the Government of India the need for imposing an import duty on sandalwood and other substitutes imported from Africa and other places.

"Then Sir, the other produce which is productive of a considerable amount of revenue to Government from these forests is the bark which is being used for tanning purposes. Even in this case, I find that the revenue derived by Government has been going down year after year. Whereas in the year 1931-32, their revenue was over 6 lakhs, I find that in the year 1932-33 it has gone down to 5.67 lakhs; that means there has been a decrease of about Rs. 40,000 from that source. I suggest that even in the case of these barks, the Government of Madras should address the Government of India in regard to the levy of an import duty on such tanning barks which are being imported in large quantities from other countries. Tanning bark is a substance which is widely in demand in view of the fact that tanning industry has been on the up grade during the last few years. I would therefore suggest that if Government are going to make any increased revenues, or are determined to derive increased revenue from this source, they should ask the Government of India to levy an import duty on these tanning barks as well.

"In conclusion, I would only make one appeal to the Government and that is, that they should consume the timber that is grown in their own forests for building Government offices and the like. I am sorry to note that large quantities of Burma teak have been utilized for several of the big buildings that Government have put up at enormous cost, when large quantities of teak are available in their own forests. I therefore suggest to the Government to send round a circular to the various departments under them, particularly the Public Works Department, and compel them to use the timber grown in the forests of this Presidency in preference to teak that is being imported from Burma and other places. If that is done, I am sure the revenue from the sale of these teaks would considerably increase.

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"These are the few points which are uppermost in my mind at present and I believe the Hon. the Law Member would consider them seriously and do something in the matter before he lays down his office of Law Member."

* Mr. K. A. NACHAYAPPA GOUNDER:—"Mr. President, Sir, from a perusal of the figures for 1934-35 in the Budget Memorandum, I find that the total revenue derived from the forests is 42.85 lakhs and the expenditure on establishment and other charges is 35.02 lakhs. From this one can see that almost the entire revenue that is got from these forests is consumed by its establishment, etc., charges themselves. Taking the higher appointments in this department into consideration, I find, Sir, there are a number of Conservators, Assistant Conservators, Extra Assistant Conservators and so on. I would like to suggest to Government to consider whether it would not be possible to reduce expenditure in the higher establishments of this department, so that the savings effected thereby may go to help the poor villagers by way of granting reduction in grazing and other fees now extracted from the poor peasants.

"Then, Sir, in regard to grazing fees, I find that higher rates of fees are levied since the year 1918 onwards.

"In the answer furnished by the Hon. Member to a question of mine 3 p.m. on the 10th March, I am able to know, Sir, that such a high amount as Rs. 3 is levied in certain panchayat forests for each buffalo and Rs. 2 is charged for such animals, in certain forests maintained by Government. The enhancement of grazing fees has been made at a season when the agriculturists found their time very prosperous. Whatever may be the rate, they were able to pay them ungrudgingly all along. But now, since there is an all-round depression, the ryots are unable to pay even their land-tax and obviously it is too much to expect them to pay such a high rate of grazing fees. So, Sir, it is time for the Government to reduce the rates of grazing fees. With regard to the panchayat forests, the Government may very well say, Sir, that the panchayats are in the hands of local people and they must find their way to reduce such fees. But I think the rates ruling in the forest panchayats are chiefly controlled by the Revenue Department, and from the rates prevailing to-day it would be seen that the forest panchayat and the Revenue Department have not realized the situation, and come forward to help the poor ryots. So I wish Government should interfere and press them to levy a low and uniform rate of grazing fees. Many and varied are the forest grievances of the district, which I have the honour to represent. People of the Harur taluk complain, Sir, that the forest limits are quite close to the dwelling places and thereby they are put to much trouble and difficulties. The cattle as soon as they are let loose from their stand enter the forest limits reserved; for the acts of these innocent dumb creatures the ryots have to pay heavy penalties. The people find it very difficult to get on with the forest limits quite close to their quarters. So, I request Government to go into the question and see that the difficulties are immediately

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removed. The people of Harur taluk met in a conference some time ago and represented many of their grievances in this behalf to the Government. I do not know what remedy they were afforded or whether the papers were simply lodged. With regard to the provision of free grazing facilities, I made some observations when I spoke on a similar demand in 1931. As you know, Sir, the district of Salem is a dry area and the agriculturists have no adequate grazing facilities. Every place which will afford grazing facilities is reserved and left under the control of the forest panchayats, so much so the ryots are put to the necessity of paying high rate of fees for grazing their cattle and it is very difficult for them to pay for the grazing of their cattle which is their sole property, especially at a time when their resources are completely run out. I have specifically mentioned one of such forest panchayats where free grazing should be provided when I spoke in 1931. But I find that nothing has been done for it for the past three years. There are similar places where people feel much difficulty in respect of grazing facilities. In such places the reservation should be removed and the place should be thrown open to the public for grazing purposes. I also like to make a few observations with regard to assignment of forest lands in my district. Some disafforestations have been made in recent times in my district and I think, Sir, a major portion of the land is pending assignment for the past some years. I am made to understand that it is still pending with the Revenue Department. I would urge that the assignment should be made as early as possible. In some areas in the work of disafforestation, I understand that the services of the people of the locality were engaged on the understanding that they would be given preference in the case of assignments. On that understanding, I hear a number of people volunteered their services and worked free of charge in clearing the forests in those areas. In such places, I hope, the department and the Government would give due weight to promises held out and assign the lands to these persons.

“With these words, Sir, I request the Government to take effective and immediate steps to help the people as much as possible in the directions I have referred to.”

Mr. U. C. SUBRAHMANYA BHATT:—“Mr. President, Sir, in supporting this cut motion, I should like to say that it is with a certain amount of disgust at the way in which the Government has been meeting the agitation in South Kanara on the question of the forest grievances of the ryots of South Kanara that I rise to speak. The policy of the Government appears to be that of the Roman Emperor, Nero, who appears to have been fiddling when Rome was burning. Of course, though not to such a degree, the policy is something which approaches that. Mr. President, Sir, if I use this language, it is not with the view of criticizing Government or criticizing the Hon. the Law Member, but it is simply to impress upon the Government and the Hon. the Law Member the seriousness of the situation of the ryots in South Kanara, and the seriousness we feel on the whole question. Nobody would have

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expected, Sir, at a time like this that the Government would be withdrawing the privileges which the ryots were enjoying for a long time in the reserved forests. This is a time of exceptional financial distress. This is a time when the yield from the land has gone down. This is a time when the ryot finds it difficult to pay even his tax. At this time, instead of aiding the ryot, the Government has withdrawn the privileges he has been enjoying in the Government forests all these years. The matter may not be serious elsewhere. But so far as South Kanara is concerned, the ryot has to depend entirely for his manure and cultivation on the privileges from these forests. Without them, it is absolutely impossible to go on with the cultivation. No doubt, Sir, the Hon. the Law Member would come forward with the plea that it was not as a matter of right that the ryot was enjoying the privileges all these years. My submission, Sir, is, it was the ignorance of the ryot of South Kanara which has brought him to such a plight. As a matter of fact, he was the owner of the land from the bottom to the top in a hill. At the time of settlement, it was only those portions of the land which were cultivated for which he was given a patta, and his ignorance went to the extent of not asking for the rest of the land. Then, Government claimed it as its own land. Literally, this went on on a wide scale so that one-third of South Kanara is now a forest area. Though the land was entered as a Government land, the ryot was enjoying the privileges which he used to enjoy in the land actually belonging to him and now the Government came forward and said with one stroke of the pen that they deprived him of all the privileges. Ever since the privileges were withdrawn, from public platform after public platform the landlords and ryots of the district have asked for redress of grievances. We, in this Council, took every opportunity to press upon the Government for the redress of these grievances. The only answer that we got was that the matter was under consideration, that the Collector had been informed about it and that he would be conducting an enquiry. But the cultivator cannot go on with his cultivation in this state of affairs. May I ask if the attitude of the Government is not that of Nero? Then, Sir, I would humbly submit to the Government that the Government can take their own time to go into the question at their leisure. But in the meantime, let them allow the ryots the benefit of continuance of the enjoyment of the privileges, and, they can come to a consideration later on. If the privileges are not to be granted according to their final conclusion, let the privileges be then withdrawn. Until the final decision is taken, let the ryots of the districts be allowed to enjoy those privileges which admittedly they have been enjoying till last year. Then, Sir, it has been said that an opportunity was given to the people to object to the withdrawal, but still the people of the district did not put forward any objections. In the first place, I must state that the Landholders' Association of South Kanara did pass a resolution and did object to the withdrawal of these privileges before the time allotted and communicated that to the Collector as well as Government. As a body, the Association which represents the ryots

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has objected to it. It is not correct to say that the people of the district have not objected to it. Then it was said that the Government was going to withdraw the privileges and that the matter was made public by tom-tom and by publication in the gazettes. This is a sort of publication which could have reached the ears of not even a few of the illiterate and uneducated villagers. So far as tom-tom is concerned, the tom-tom is only a tom-tom on paper and not a tom-tom in fact. I am sure that, if the ryots had known that the privileges were going to be withdrawn, I say, Sir, they would not have kept quiet all this time. This tom-tom therefore I really say must have been a tom-tom on paper and not in fact. So far as the gazette notification is concerned, I do not know whether there is any ryot who reads a gazette. There has been this serious irregularity in this question of the publication and therefore too much should not be made of that. In the next place, I must state that this Government appears to care very much for the inhabitants of the forests and for everything else except the poor ryot, who is a human being, so far as our district is concerned. When South Kanara was not covered with Government forests to this extent as it is now, there was not so much of malaria, and the cultivation was being carried on happily by the people without any molestation by wild beasts. But this process of afforestation of almost all available Government lands has been carried on to such an extent that with every afforestation—on the heels of each—there is malaria also spreading itself.

3-15 P. M. "On this question, several times, I have referred the Hon. the Law Member to the report of the Malaria officer. Dr. Raghavendra Rao who was the special officer deputed to study the question and find out the reasons for the growth of and remedy for malaria worked on this question and came to the conclusion that the growth of malaria in the district was due to the contiguity of reserved forests. My submission therefore is that, instead of creating new forests, we must disafforest the existing forest areas.

"Then I learn that lately a working plans officer was deputed to the district of South Kanara and that he, after working there for two or three years, submitted plans for the working of the reserved forests, but that his working plans have not been given effect to, preference having been given to the plans prepared by the District Forest Officer, one Mr. Padmanabha Pillai, for working the unreserved forests. It seems that it is in consequence of this arrangement that the Government have been compelled to deny these privileges to the people. I leave it at that. I do not know how far it is correct. It is only the Hon. the Law Member that can enlighten us on this point."

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, I was very glad to note that my hon. Friend, Mr. Sreshta, who is the mover of this cut motion, paid a very handsome compliment to the efficiency of the Forest department and the way in which it is worked. My hon. Friend quoted certain extracts from the speeches of some of my predecessors and others to the effect that the Forest department

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is a handmaid to agriculture. I fully admit the validity and the correctness of those observations. The Forest department is certainly a handmaid to agriculture and it is because the Government want to protect the interests of the agriculturists that they are taking so much care in the preservation of these reserved forests. For, if the Government did not take care of these reserved forests, each individual cultivator naturally, without caring for the interests of the agriculturists as a whole, is likely to so work the reserve forests that in a very short time they will disappear.

"Then, my hon. Friend, Mr. Sreshta, and some other friends also, for instance, Mr. K. P. Raman Menon and Mrs. Alamelumangathayammal, referred to the desirability of the Forest department encouraging the match industry. Now, this is a subject which pertains to my Hon. Colleague the Minister in charge of Industries. But I may say this, that so far as it is possible for the Forest department, this department will co-operate heartily in any attempt that may be made by the Hon. Minister in charge of Industries to introduce or improve the match industry. The match industry is particularly important in the eyes of the public now by reason of the excise duty that has been levied upon it by the Supreme Government. As my hon. Friends know, I am not an expert in this match industry and therefore I am not in a position to say whether our forests contain trees which are fit for the manufacture of match sticks. But, from the knowledge that I derived when I was in charge of the Forest department in Travancore, I may say this: that our forests generally contain a large number of trees which are excellent for match industry. All our junglewood trees are fit for being used in this industry. Therefore, as I said, the Forest department will only be too glad to co-operate with the Industries department with regard to the establishment and improvement of the match industry.

"My hon. Friends, Messrs. Sreshta, Subrahmanya Bhatt and Shetty, coming from South Kanara, and my hon. Friend, Mr. Sami Venkatachalam Chetti, complained that the concessions which existed in the South Kanara district have been withdrawn and urged their restoration. Sir, before I come to the stage which this question has now reached, I may, in one or two words, refer to the reasons for which these concessions were withdrawn. To make my position clear I shall refer to one or two of these concessions. The trees in the South Kanara reserved forests are divided into two classes, known in the language of the department as classified trees and unclassified trees. One of the privileges granted to the ryots of the South Kanara district was that they were allowed to remove, without any payment to the Forest department, green manure leaves from the unclassified trees. That is a privilege which exists in no other part of the Presidency. Another concession that was being enjoyed by these ryots was that they were at liberty, again without any payment to the Forest department, to remove dead leaves. They had a third privilege and that was the right of

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removal by them, free of any charge, dead trees for fuel. As I submitted, not only the first concession, but the second and third concessions also were peculiar to the South Kanara district. Now, for a long time past, in fact from 1925 onwards the Government have been receiving reports from their officers, stating that these privileges were being abused by the people concerned. For instance, in 1924, 1925, 1926 and so on up to 1932 reports were being received by the Government that manure leaves from classified trees were being removed and that trees which were green whether classified or not, were being hacked to pieces so that they might be converted in course of time into dead trees and removed for fuel. In addition to reports from the department, the Government also received reports from the Collector on one or two occasions. In spite of all this, the Government stayed their hands and allowed the people to enjoy the concession. They were not willing to stop it. Ultimately, however, in 1932, on account of the repeated reports of the head of Forest department, it became impossible for the Government to continue this concession. And what did they do? They said the concession ought not to be suddenly withdrawn. Let the people have sufficient notice of the intention of the Government to withdraw the concession. Let this fact be published in the gazette, by beat of tom-tom in the villages and in all other ways possible, so that the people might come forward with their objections, if any, to the proposed withdrawal. Not a single petition or objection was received for a long time thereafter and then, ultimately, the Government sanctioned the withdrawal of the concession. As soon as the concession was withdrawn, petitions, memorials and resolutions of meetings were pouring in and my hon. Friends were bombarding the Government—I do not blame them for that—with questions. Naturally, I paid attention to them. The Collector of the district, the Conservator, and the District Forest Officer recently inspected some of these reserved forests and had consultations with the people. The reports of these inspections are awaited. Now I can promise my hon. Friend, Mr. Sreshta, that as soon as the Government receive the report of the Chief Conservator of Forests and the report of the Collector, they will consider them very carefully and even with sympathy, wherever possible. There the matter stands at present.

“My hon. Friends, Messrs. Sreshta and Bhatt, referred to the existence of malaria. I am afraid that this is a question which must be addressed to my Hon. Colleague the Minister in charge of Public Health. Of course, so far as the department in my charge is concerned, I am willing to supply any amount of quinine to the Public Health department. Mr. Hon. Colleague who is in charge of the Health department will carefully consider these suggestions and will do whatever is necessary. Here again, this department will gladly co-operate with the Public Health department.

“My hon. Friend, Mr. Premayya, made certain suggestions which the Government will bear in mind.

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“One hon. Member referred to the desirability of providing for larger and more extensive areas for grazing and of reducing the rates of grazing fees. I am very sorry to say, whatever my sympathy with this request may be, that I cannot hold out any hope. As a matter of fact, recently the Government consulted the several officers concerned, on this matter. They were all for enhancing the fees for grazing and manure leaves. But the Government said that on account of the depression they were not willing to enhance the fees now. There is also this to be said in respect of the fees for grazing and manure leaves. My hon. Friends will remember that the forests generally are divided into two classes, those that are directly in the possession of the Government through the department and those that are in the possession of the people themselves through their panchayats. Now, those forests that are in the direct possession of the Government consist of the forests which are useful for the purpose of big timber and forests which are necessary for climatic purposes. In this connexion, my hon. Friends, Mr. Sreshta and others, stated that the forests, though said to be necessary for rainfall, are really not necessary. I do not say that forests are necessary for rainfall. As a matter of fact, this is a controversial question. Some experts are of the opinion that trees are necessary for attracting rain clouds while others deny that this is so. But whatever that may be, there is no doubt that the forests are really necessary for the retention of moisture and that therefore for climatic purposes they ought to be preserved. So, it is for climatic purposes and for growing big timber trees that important forests are in the possession of the Government. It is for this reason also that it is not always possible to afford ample grazing grounds for cattle in Government forests. But, wherever possible Government are only too ready and willing to afford grazing grounds for cattle and facilities for removing manure leaves.

“The Government trust that the people will help themselves in other ways for improving agriculture. I know that the Agricultural Department is assisting cultivators in every possible way in growing manure crops, so that their cultivation may be improved. Thus, the Government are ready, as far as possible, to help the people with grazing grounds and facilities for the removal of manure leaves, for which of course they levy a fee. 3-30 p.m.

“Mr. Shetty referred to the desirability of decreasing the number of officers in this department. I may tell my Friend that the Retrenchment Committee recommended the examination of this question to the Government. They accordingly went into the question of reducing the existing number of Conservators, and after a great deal of correspondence and personal conversations, came to the conclusions that it was not possible to reduce the existing number.

“Mr. Shetty also referred to the desirability of doing away with the services of the Forest Engineer, and added that his duty could be safely entrusted to the District Forest Officers. I may tell him that it is not possible to do so. As he knows, these are days of specialization.

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Important engineering works have to be executed, and these works cannot be entrusted to District Forest Officers. We have now only one engineer in this department and I do not know what the consequences will be if that post is abolished.

"I am sorry that, as the time at my disposal is very short, I cannot answer all the points raised by Mr. Arasu, but I shall remember his suggestions. I accepted one of the suggestions which he made last year. I have accordingly issued a circular to the Chief Conservator of Forests, and asked him to prefer, whenever possible, local teak timber to Burma timber."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, in the short space of two or three minutes at my disposal I shall very briefly deal with three points. Mr. Nachiyappa Gounder said that there was some delay in the assignment of land which had been disafforested and that persons interested are being put to difficulty on account of the delay. If particulars of the cases are supplied to me, I shall be glad to cause inquiries to be made."

"Mr. Ellappa Chettiyar referred to the high fees levied by forest panchayats for quarrying road materials from local boards and their contractors. When quarrying material is available in areas managed by forest panchayats, the panchayats are entitled to issue permits for its removal on payment of a seigniorage. Departments of Government, and after them, local bodies and their contractors are given priority in respect of permits issued by the panchayats for quarrying for works carried out wholly at the cost of the Government or local bodies. But this is also subject to the payment of seigniorage in accordance with the rates fixed in the agreement executed by the panchayats. The rates are uniform throughout the Presidency except in regard to four districts, namely, Chittoor, South Kanara, South Arcot and Trichinopoly. The rates in other districts including Salem are one anna per cart-load of rough stone, two annas per cart-load of chiselled stone and six pies per cart-load of metal, gravel, earth or turf. I have been unable in the time at my disposal to ascertain all the rates, but I will enquire into the matter."

"I am glad to notice that Mr. Devadasan has expressed his approval of the formation of a society for the preservation of wild life in South India; and that no hon. Member has expressed his dissent to that proposal. Hon. Members may rest assured that that association will see that their proposals for the preservation of wild life will not jeopardize the safety of human beings or crops. I fear, however, that the association will not be able to prevent such accidents as that which led to the death of 12 wild elephants in the Cumbum valley in the Madura district on the borders of Travancore. The post-mortem examination revealed the fact that they perished from feeding on a poisonous crop. The Tamil name of the crop is 'Varagu' and its technical name is Paspalum Sirobiculatum. Dr. Watts in 'The Commercial Products of India' says,

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'though used as food by a large number of people in India, the grain cannot be considered a wholesome article of diet, and in some seasons it contains a poisonous narcotic property. Damp cloudy weather towards harvest time, a damp season and damp soil, are said to produce poisonous kodra.'

From 'A note-book on Agricultural Facts and Figures' by Mr. Cecilwood, I find that that this crop is grown on about 1,125,000 acres and it is therefore not possible to prohibit the cultivation of this crop. I fear that nothing can be done to prevent such accidents."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, I note with thanks the assurance given by the Hon. Member that he will sympathetically consider the grievances which have been brought to his notice. I trust he will expedite the receipt of reports, and that when they are received he will keep his word (laughter) and will sympathetically consider all the statements in the various petitions. With these words, Sir, I withdraw my motion."

The cut motion was by leave withdrawn.

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

DEMAND V—REGISTRATION—TRANSFERRED.

* The Hon. Mr. P. T. RAJAN:—"Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move—

'that the Government be granted a sum not exceeding Rs. 29,57,500 under Demand V—Registration—Transferred.'"

* Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I beg to move—
'that a sum of Rs. 100 be reduced under the allotment of Rs. 24,000 for Superintendence'

to discuss the policy.

"Sir, since the Council has been meeting year after year just to discuss the policy of the Government with regard to each of its departments on the occasion of the demands put to them by the Ministers or the Members, as the case may be,—on each of those occasions we have been trying our best to put forward the cause of the people, so that the Ministers or the Members concerned may revise their policy with a view to affording some relief to the people affected. So far as the department of Registration is concerned, when I spoke on this demand last year, I said that there was nothing to be said against the working of this department, in view of the fact that it was presided over by an officer, who was endeavouring not only to do justice to his work, but also to see that justice was done to all communities concerned. This year I would confine my attention to some of the difficulties from which the persons who are indirectly taxed by this department are labouring under. The Government have not, as they have done in the other departments also, taken into account the economic depression generally prevalent throughout the Province, on account of which there has been so much dislocation of business, as is inevitably the case whenever there is dearth of

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money in the hands of the people. Such being the case, the people find it difficult to find money for the payment of registration fees, and if at all you see them paying, it is more because they can't but pay, as a matter of compulsion, than of their free will. That is, they pay these fees as there is no other alternative for them. Hence on this occasion I would like to put forward a plea on behalf of that large number of people who go in for registration of documents as a safety-valve and in order to get a seal of permanency or guarantee for their transactions. When they resort to registration, they do so, as I said, more on account of compulsion than out of willingness. And so Government ought not to misconstrue and draw an inference of economic progress of the people and try to make a great deal of profit out of these fees. In this connexion I particularly emphasize the case of those persons who go in for registration for amounts not more than Rs. 1,000. If only Government will look into this matter, they are sure to find that a great majority of registrations take place for sums not exceeding Rs. 1,000. And so I would very much request the Government to reduce the rates of fees, rates which were enhanced when prices were ruling high. I have no objection to these rates being levied in prosperous times. But now, in view of the fact that there is economic depression in the country and general depression all round, the poorer classes of people are put to immense difficulties when they are called upon to pay these high fees.

3-45
p.m.

"I would on this occasion request the Hon. the Minister to bestow his best attention and see that some relief is given to that class of people.

"From the report that has been placed in our hands we find that Government has closed down some of these districts so far as registration work is concerned. I can understand that, when for purposes of retrenchment we have to reduce our expenditure, we had to close down some of these districts as registration districts. But, I am afraid that the policy of making the area of registration district larger than it ought necessarily to be would give rise to most undesirable situations. Greater distance between two registration offices will lead to the danger of corruption and greater is the difficulty which has to be undergone by the parties who go to registrar's office. Therefore, if any retrenchment has to be made, it is not by abolishing the registration offices but by some other method.

"Government also for the sake of retrenchment of expenditure resorted to the copying of documents by means of photograph. I do not know to what extent the Government is going to make a saving. Perhaps it will be a lakh or two. I would like to point out that in these days of unemployment the Government ought not to resort to any such measure, however modern it may be, which will entail in throwing a large number of people out of employment. If they do so, it will be swelling the army of the unemployed which in other countries is causing trouble to the various Governments. Luckily the army of the unemployed in this country is not so vocal or vociferous nor does it make

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itself very difficult to be dealt with. That circumstance should not make us indifferent to their case. Their case is really difficult and it will be more difficult if you resort to methods which will throw them out of employment. Government will of course find that a number of registration offices are not offices which could be classed among first-class offices which will ultimately safeguard the interests of the people. They are not industrial concerns or factories or any business concerns of that nature, which have been registered. The offices which have been registered on a large scale are only insurance companies and banks. They are on the increase. That shows also the economic condition of the people during these years.

"With regard to the question of services themselves some years ago when the Hon. Minister was asked whether it would not be proper for him to give adequate representation to Muslims, Depressed Classes, and other backward communities, he assured us that he would look into the question and see whether it would not be possible for him to see that justice was done to those communities. But I am afraid that sufficient attention has not been paid to that question. There are only certain communities which are still allowed to continue in the same condition and occupy positions of advantage. They not only occupy the positions to which they aspired to but they have advanced far above in various other grades in the department. Certain communities have not been given the same facilities. I hope the Hon. Minister will look into this question. I understand that Government recently asked the Public Services Commission to make a selection of 20 candidates for appointment as sub-registrars. I understand further that the Commission has made selection. I think it is nearly a year or more since the selection was made and the Government have not yet made these appointments. Evidently there has been some dispute with regard to the question as to how many such appointments should go to the communities which I mentioned above and how many to clerks who acted as sub-registrars. Evidently the departmental head is making a representation on behalf of these people. I hope the Government will come to some conclusion soon. In view of the fact that selection has been made and a certain number of persons have been given the assurance that they would be appointed, and in view of the fact that these persons will be over-aged after some time and they will not be eligible for such appointments, I hope the Hon. Minister will soon make these appointments. The Hon. the Minister said that 25 per cent of these appointments would be given to the head clerks who have been acting as sub-registrars. When such is the case, I do not know why there has been delay in making these appointments. I do not know why this question is still kept pending. If it is allowed to be kept pending for a long time, a large number of candidates who have been selected will be adversely affected. In that case there is no use of asking the Public Services Commission to make the selection and not publish the list for a long time. It is not to the advantage of the Government or their reputation to call upon people to send in their applications without making a selection although the

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Public Services Commission have made their selection. These candidates will get over-aged before they are selected and will lose all their chances of promotion if they are not selected soon. I hope the Government will not make any further delay but will see that the appointments are made as early as possible.

"Regarding the selection grade appointments, so far as the number of Muhammadans is concerned, representations made on behalf of that community remain in the same stage. Although the Hon. Minister when he spoke last time said that so far as this department was concerned, he could not do full justice to the community on account of shortness of time, now it is two or three years since that assurance was given, nothing seems to have been done in that direction. I hope these questions will be looked into and that Hon. Minister will do his best to see that justice is done in that direction."

* Rao Bahadur C. NATESA MUDALIYAR:—"I want to say only one or two words. There is a fear that there will be some more retrenchment in the Registration department. People who served the department for five or ten years are afraid that they will be sent away. We have had enough of retrenchment in the Registration department. There is a saving of 3½ lakhs on account of retrenchment in the Registration department. Without knowing what the effect of such retrenchment would be, the Government are sending the people away. Now I request the Hon. Minister to see if he cannot, out of the 3½ lakhs, at least spend one lakh and give some maintenance to those people who have been sent away till they are absorbed in the department which ought to be done at some time or other. Let them be kept in the waiting list. If there are vacancies, let them be absorbed. That is the request I will make to the Hon. Minister.

"Sir, the department is not much in want. Owing to the economic depression, owing to people selling their lands or mortgaging them, the revenue to the department rose by 4 lakhs. Including the 3½ lakhs—the savings effected on account of retrenchment—with these 4 lakhs, the net saving to the Government is about 7 lakhs. I therefore request the Hon. Minister to see that those who are retrenched are given some maintenance allowance till the Hon. Minister gets them absorbed into the department or various other departments. Otherwise unemployment will increase.

"Sir, I am aware that the Inspector-General of Registration is seeing that all communities are represented in that department and all districts too. I hope he will continue doing that and that any other extraneous influence will not make him swerve from the policy he is adopting. All the communities and all the districts should be represented. That should be the attitude of the Inspector-General and also our Hon. Minister.

"One other thing which I wish to refer to is this: there are a number of banks and insurance companies which are cropping up daily

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and a number of them are being wound up also suddenly. I want the Hon. Minister to devise some machinery which will be able to prevent such a winding up or before they actually crash shareholders concerned and the people insured will come to know that such a thing is going to happen . . ."

The Hon. Mr. P. T. RAJAN:—"May I point out that companies are not dealt with by the Registration department. They come under Reserve department which is dealt with by the Government of India."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, I am coming to that. I know especially in the case of insurance companies, although they are registered by the Local Government, they are not under the control of the Local Government but they are under the control of the Government of India. The knowledge that these companies are registered is an encouragement to the people to join the banks or the insurance companies that are started believing that the Madras Government have control over them. So I request the Hon. Minister to see that the Local Government gets some powers from the Central Government, so that the former may have enough of control over the companies and banks working in this Presidency. Otherwise there is no use of registering these banks and insurance companies by the Local Government. So I request the Hon. Minister to see that something is done in this direction."

* Mr. A. B. SHETTY:—"Mr. President, Sir, I find from the Budget 4 p.m. that the revenue of the department has fallen from Rs. 34.13 lakhs to Rs. 31.21 lakhs due to decrease in registration and the money value of the documents registered while the expenditure is expected to increase from Rs. 29.08 lakhs to Rs. 29.77 lakhs in the coming year due to the extension of the photo-copying system and increments to the staff. But still there is a surplus of about Rs. 1.44 lakhs. My submission is that this surplus should not be appropriated for other purposes: it should not go to general funds but it should be utilized for opening new sub-registry offices and giving more facilities to the people for registration. The offices are not evenly distributed in all the districts. I pointed out last year that in the 12 Tamil districts there are 316 offices while in the 12 Telugu districts they have only 188 offices. In the West Coast, in Malabar, although the offices are working at a loss, that district is provided with 80 offices. South Kanara which has been giving a surplus revenue year after year has only 18 offices. Malabar has a number of superfluous clerks while the sub-registry offices in most other districts are undermanned. I asked a question with regard to the undermanning of the offices in South Kanara in October last year and the Hon. Minister admitted that several sub-registry offices in South Kanara were undermanned. On account of this, there is a great deal of difficulty and delay in regard to the giving of certified copies and encumbrance certificates. The Hon. Minister promised that the matter would be considered and necessary arrangements made. I wish to ask him, Sir, what he has done and what he proposes to do.

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"The photo-copying of documents is said to have been developed very much in Bombay. I wish to know how far the experiment has been a success here and how it is going to be extended in the near future. The development of this system of copying documents is likely to open up prospects of further economy in this department. The money saved may be utilized for opening new offices and for giving more adequate establishment for the several offices which are now undermanned.

"Sir, last year I pointed out the necessity of training up a class of document-writers. The Hon. Minister in his reply was pleased to say that the matter would be duly considered. I wish to know what consideration he has given to this matter. We have about 600 registration offices in this Presidency and I suppose in connexion with these offices, there would be at least 10,000 document-writers. At present village karnams, schoolmasters and such other people with little education and with no sort of training are the people who write the documents. They are ignorant of the stamp required for the various classes of documents; they do not know the rates of registration fees or the registration rules. The result of employing such quacks is badly written documents full of repetitions and errors which often-times lead to law suits. People are put to trouble in other ways also by relying on such inefficient document-writers. Insufficiently stamped documents are impounded; fines are levied by the District Registrar and deficit stamps are also levied. I would earnestly request the Hon. Minister to consider whether Government cannot think of opening one or more institutes for training document-writers just as they have classes for training people in survey and in matters of co-operation. If a class of people with sufficient education and with proper training is produced for drawing up documents properly, the Government will be conferring a great boon on the public who now suffer in various ways by resorting to untrained and ill-educated people. The registration offices also will be helped a great deal in their work. At the same time, the Hon. Minister will be doing a great service to the large army of unemployed people—men who have received secondary grade education and are without employment. He will be creating an honourable and lucrative avenue of occupation for such people."

Mr. P. V. KRISHNAYYA CHUDARI:—"Mr. President, Sir, formerly the Government charged no registration fees for the registration of documents of co-operative societies, but now they are charging half the ordinary rates. The object of the co-operative movement is to help the people and some concession should be shown to it. Loan transactions of co-operative societies should be distinguished from ordinary loan transactions and the Government should be willing to charge no registration fee on documents relating to them. I therefore request the Hon. Minister to allow free registration for these documents and cancel even the half-fees now charged for the co-operative societies."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Mr. President, Sir, my hon. Friend, Mr. Shetty, suggested that document-writers should be trained by the Government. I am afraid, Sir, it is a very impracticable proposition. I do not know whether he wants a separate service of document-writers and whether he wants the Services Commission to hold

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a qualifying examination for document-writers. I think, that the expenditure involved may well be spent on training sub-registrars, many of whom have had no proper training. For some of them interpret a clause in one way and others in another way. I have referred to the same fact some time back. Under the Stamp Act, testamentary instruments such as wills need not be stamped as no stamp duty is leviable on them. But some sub-registrars levied a stamp duty on testamentary wakfs while others registered them without any stamp duty. Some of them required the full stamp duty, as on a conveyance deed, to be paid. This shows that they are not all fully equipped for the work they are called upon to do. It is better that they are given sufficient instruction in these matters."

"With regard to the introduction of the photo-copying system, I am told that it would mean the throwing out of employment of a large number of clerks. It would be a hard lot for these clerks, many of whom have put in many years of service and have grown grey in the service of Government. It is admitted that many officers are undermanned, especially offices in South Kanara. These clerks may therefore be employed in those offices. Such a course would not only help these poor people, but would relieve the congestion of work in those offices. I hope the Hon. Minister will consider this suggestion and do his best to employ these hands who will have to be discharged and relieve the congestion in those offices which are undermanned at present. In some districts, especially in South Kanara, there is a great difficulty on account of the small number of registration offices. This difficulty was pointed out last year also, but the Hon. Minister said that for want of funds the Government could not open more offices. Although they were opening 9 or 10 offices every year, they did not do so for the last two or three years on account of their retrenchment policy. I think it was Mr. Muthu Chettiyar who said last year that there were more registration offices in some districts and that some of them might be removed. Therefore, without incurring extra expenditure, the Government may transfer the offices which are found to be unnecessary in certain districts to other districts where there are not enough number of offices. For instance, in Malabar there are too many offices and they are working at a loss. Some of the offices in that district may be transferred to South Kanara where they are much needed.

"Sir, the rate of fees for attendance at private residences was reduced from Rs. 15 to Rs. 10 some time ago. Very often gosha ladies are too poor and they find it difficult to pay this heavy fee. Even though they are poor they have to observe gosha, because custom forces them to do so. In the case of attendance even in the case of documents for small sums, they have to pay Rs. 10 as batta and the conveyance and other charges of the sub-registrar. In the case of immovable properties even documents of the value of Rs. 10 or even less have to be registered. In such cases, it is very hard if the party is asked to pay Rs. 10 for attendance fees alone, because that is all that the party might get out of the transaction. Therefore I request the Hon. Minister to see his way to remit altogether attendance fees in the case of documents for small sums and in the case of gosha ladies."

[12th March 1934]

* Mr. M. DEVADASAN:—"Mr. President, Sir, in supporting this motion, I should like to make a few observations. Sir, in some districts there are two District Registrars while in fact there is no necessity for two. In Tinnevely, for instance, there are two District Registrars, with their offices in the same town. The Registrars have to go on tours to distant corners of the district from the same place. This means that the Government are incurring much greater expenditure than they would otherwise have to. It is not necessary to have two District officers. By having one officer, the Government can save something.

"With regard to the introduction of the system of photo-copying, I should say that it is quite unnecessary to have recourse to it at present. People who have experience in the Registration department have told me that this system would lead to greater expenditure. Again, Sir, I am told that copies made by this system may not last long. I am not an expert in photography, but we see some of the photos fading after a lapse of some years. As the same chemicals are used in the process of copying of these documents, I am told that these copies may not last long. Of course, the Hon. Minister may hold a different view, but the experience I have had and the information I have been able to gather from people who have a knowledge of the system, go to show that this system will be expensive and the copies may not last long. Moreover, Sir, the introduction of this system would result in throwing out of employment many men who have been in service for a long time.

"I shall now refer to another point connected with the working of this department. In the past when there was a rush of work in particular seasons of the year, the Government appointed additional staff to cope with it. In the months of April, May and June, there was heavy work and additional clerks were appointed to help the sub-registrars, but now they have abandoned that practice with the result that much inconvenience and discomfort is caused to persons who come from seven or eight miles away to these registration offices. I submit to the Hon. Minister that the Government should appoint additional staff to cope with the rush of work during particular seasons of the year in particular areas. People who have had inner knowledge of the working of this department have told me that there is need for additional clerks during heavy seasons and so I request the Government to consider this fact and do the needful in the matter."

4-15
p.m.

"I have also given notice of another cut motion to discuss the question of appointments. I put some interpellations before the discussion on the Madras Services Commission report and I got an endorsement that the Hon. the Minister had replied to them. In last February some men were chosen for the posts of sub-registrars. Though they have been selected, they have not been appointed. They have been waiting for a long time for orders of appointment from the Government but they have not yet received any orders. By the time they are appointed, some of them may become age-barred. I do not know what the Government are going to do in such cases. It will be a great hardship to them if they are told that

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they have exceeded the age-limit, after keeping them in suspense for a long time. The administration of this department is not satisfactory at all. With these few words I support the cut motion."

Mr. K. A. NACHIAPPA GOUNDER:—"Sir, I should like to say a few words in connexion with the cut motions I have given notice of under this Demand. First of all I must express my gladness, that, in spite of the general depression everywhere, this department has been working at a little gain though not to the extent of Rs. 6 lakhs or Rs. 7 lakhs as it used to do in the previous years. The Government should consider whether it is possible to reduce the expenditure still more by reducing the number of District Registrars and making some savings in that respect.

"Coming to the points which I wanted to raise specifically, I find there is often a lot of delay in granting encumbrance certificates and copies of other documents. This sort of delay causes a lot of inconvenience to the public and especially to those who have to file these things in the courts. I am glad that our Inspector-General exerts his best to see that these defects found in his department are remedied, but still I must say that there is still room for complaints which deserves his notice. I hope in due course he will be able to put down these defects with an iron hand as he is capable of and keep the department in a perfectly good condition.

"Sir, I desire to place the hard lot of the temporary clerks employed in this department and I would like to observe about the difficulties they are labouring under. I believe, Sir, that this department has good many temporary clerks working day and night under it. If the Government do not encourage these poor clerks with some privileges, it will be a great hardship to them. I know a particular instance in my district where an individual was compelled to occupy a temporary post though he was a senior man because he having known Telugu was wanted for a Telugu office where only a temporary vacancy existed. Since he was fixed to that office, in spite of seniority, his juniors got acting chances in other places and this man was forced to addict himself to that temporary post for a long time. At last after a long time when he got acting chance in the usual course, the service he had put in as a temporary clerk was not taken into consideration and his place drifted from a senior one to a junior one and a number of his juniors now hold higher ranks than him for confirmation, because of the want of recognition of the services in a temporary post. Since this department has a large number of temporary posts under it and as these posts continue to exist year after year, I think it is highly necessary that as a special case the temporary service put in by the clerks of this department should be taken into account and given due consideration in the matter of pension and other privileges. I understand that these temporary clerks suffer untold miseries by working a few days in one office, the next few days in another and thus go on shifting from office to office and I think these poor persons spend a greater portion of their wages in travelling from place to place. In spite of their trouble and

[Mr. K. A. Nachiappa Gounder] [12th March 1934]

sufferings, I believe, they are not enjoying even the ordinary privileges such as leave, etc. After all these temporary posts continue year after year and the services of these clerks, are found necessary. So, Sir, I ask whether it is too much if I say that they should be given the same privileges as are given to acting and permanent clerks. I would appeal to the Hon. the Minister to see that due consideration is given to these poor set of clerks holding temporary posts who in the long run expect to be made permanent and that they are not deprived of the benefit for the faithful service they have rendered to the department as temporary clerks.

“ With regard to charges for attendance of sub-registrars at the private residence of parties, I would request the Hon. Minister to consider whether it is not possible to reduce the rate that is prevailing now. If this is done, I am sure there will be a larger number of applications for taking the sub-registrar to private residences of parties and it will very well compensate the loss incurred by such reduction. So I request the Hon. Minister to consider this matter also and come to a favourable decision.”

* MR. M. S. SRESHTA :—“ Sir, I propose to deal with only a few points as there are a large number of speakers. In the first instance I wish to refer to the question of recruitment to the post of the head of the department itself. I do not want to cast any reflection on the present head of the department. He has been a great success and he will, I hope, in due time take up the higher post of a Collector or a Member of the Board of Revenue. But I would earnestly plead for the safeguarding of the interests of the officers of the department. It seems rather a hard lot that members of the Registration Department have no opportunity of rising to the chief appointment in the department, as members of the Madras Civil Services or persons outside become heads of the department. I think on principle this is not quite sound. It is but fair that at least one post should be allowed to the members of the department who have passed the same examinations as the members of the Madras Civil Service and who have no chances of being transferred to the Revenue side. I trust that this matter will be very carefully considered and at the next earliest opportunity the injustice which has been done to the department will be corrected.

“ The next point I would urge is as regards the appointment of probationary sub-registrars. Several applications were called for and the candidates took the trouble of appearing before the Madras Services Commission, but the orders of appointment have not yet been received by them. We do not exactly know what the reasons are for the appointments not being made. I trust the matter would be expedited and that the persons who have been put in suspense for a long period will be told whether they are wanted or not.

“ Then the question arises of promotions from the posts of clerks to probationary sub-registrars. A certain number of appointments have been reserved for clerks to be promoted. As regards this matter I spoke last time also. I said that promotion should be according to qualified

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seniority. That is to say, each time a vacancy occurs you must not find out the most efficient man in the service, and give him the appointment. That will be a very difficult job, especially as clerks are scattered in different districts and recommendations and reports will be received from different Registrars. It is also very difficult to find out who is the most efficient man. The Inspector-General personally does not know every man to say who is the most efficient man. I would say that the appointment should be made this way; the senior man should be appointed unless there is anything against him or unless he is not efficient. If there is some entry in the personal record against any man, it should not be taken into consideration unless that remark has been shown to the officer and unless that officer has had an opportunity of explaining the remarks against him. With these reservations I think the appointment should be given to the most senior man. I do not know how the appointments are now made. I believe that men who have passed the B.A., or similar examination or are recommended highly by Registrars are appointed. That, I think, is not the proper procedure. As regards men with academic qualifications, I think there is opportunity of fresh blood coming into the service by the appointment of probationary sub-registrars by direct recruitment. The percentage allowed by the Government for clerks should be reserved for senior men.

“ Then I should refer to the question of the photo-copying system. Some hon. Members have spoken against it. I myself do not know anything about it. But I rather think that any system of that kind should not be discredited straightaway, because some clerks would be thrown out of employment. If the system is good, it ought to be introduced in the interests of the service and in the larger interests of the public. But at the same time I think any person who is found unnecessary by reason of the introduction of this system should not be turned out of employment. Every attempt should be made to retain him; some appointment should be given to him either in this department or elsewhere. I trust that every endeavour will be made to appoint people who are thrown out of employment by this system. They may be thrown out of employment not because of the introduction of this system but for other reasons. I believe that a large number of clerks in Malabar were thrown out of employment because there are too many Malabar people in the service. Once a man is appointed, I think that security of service should be given to him by the Government and the department. He should be sent away only if he is not fit. At the outset very careful selection should be made; once the selection has been made, the man should not be turned out. I trust that no one will be turned out of employment on account of the photo-copying system or for any other reason.

“ Then I come to the question of the number of sub-registrars in the South Kanara district. As has been very often pointed out, there are very few Registrars in this district, in comparison with other districts. Compared with the district of Malabar, South Kanara has very few Registrars. The ratio is one-fifth or one-sixth. There ought to be more men in South

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Kanara than in other districts because of the lack of good communications. I trust that this point of lack of communications will be carefully considered and that more Registrars will be appointed. It has been stated that in many offices of the Registration department, the work turned out is not very reliable. The reason for this is there are very few men to cope with the enormous amount of work. The staff should be considerably increased in South Kanara; if that is done there will not be any sweating in this department. I hope that early steps will be taken to increase the number of sub-registry offices in the South Kanara district."

4-30
p.m.

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, the question of photo-copying of documents is one of direct concern to my district at present. I do not know whether the Government have already come to a decision in the matter or whether they are still considering it. From what I understood, I am afraid the Government have come to some conclusion on the question of introducing this photo-copy system in Malabar. On this question, I would like to know from the Hon. the Minister what the purpose is that underlies this proposal. Is it merely for the fancy of it? I believe not. Or is it with a view to retrench expenditure in the Registration department? Or is it with a view to having greater efficacy, i.e., with a view to produce copies which will last for a longer time than the ordinary copies? Or will the copies taken by photography be more legible than the written copies? What is the principle on which this system has been introduced, I should like to know. I am not an expert in photography; I do not know the principles involved; but speaking as a layman, I must say that I have seen many photographs which, on account of old age, have faded and are not now worth being called photographs. Copies of documents registered are expected to last for a long time; and if this photo-copy system does not ensure such long life to the documents, then the Government ought not to adopt that system. Even as regards legibility, I want to know whether the Government have tried any experiment, before coming to a conclusion. So far as I know, the photo copies that I have come across so far are not at all attractive from the point of view of legibility. How far these copies will last is a matter which can be settled only after the lapse of a good deal of time. Judging from my own experience, I am afraid these photo copies will not last even as long as the written copies; provided the paper is sufficiently strong, written documents will last even for a century. I do not also know whether the Government took any expert opinion before coming to a decision on the matter. Merely because it has been introduced in some Province, merely for the fancy of it or even merely to effect retrenchment, it ought not to be introduced and I would strongly deprecate the decision of Government if it is based on any of these considerations. If, however, from the point of view of efficacy it has been found that it is much better than written documents, the experiment is really worth while continuing. If, as I understand, it has been introduced as an experiment, then it should not be tried in district after district. Experiments must be limited to a particular area, and the results must be ascertained before extending them to other parts. It was first introduced in some area, and I want to know

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what results were obtained which the Government took into consideration before extending the experiment to my district. If the results showed that there was greater efficacy, then it should be introduced throughout the Presidency. No doubt there may be difficulties in introducing the system in all the districts at the same time, in the way of creating unemployment for the men in service. But my point is, when the experiment has already been introduced in one district, why should you now say 'we are trying the experiment in Malabar'? I certainly protest against the experiment being tried in Malabar or in any other district unless and until the Government come to the conclusion that the experiment has been found to be a success. Before such a decision is come to, we cannot subject ourselves to any such 'experiment.' I would ask the Hon. the Minister whether he consulted legal opinion as to how far the copy produced by this system of photography will be secondary evidence under the Evidence Act. This is an important point. So far as I know, this question does not seem to have been raised up to now; but it is for the Government now to consult legal opinion on this point, as to whether these photo copies can be considered as secondary evidence under the Evidence Act.

"Now, Sir, so far as Malabar is concerned, I understand that consequent on the introduction of this system, about 104 clerks have been thrown out of employment. I am assured that the head of the department has been trying his very best to provide for these persons by absorbing them in the department itself through transfer to other districts or by other means. I am thankful for the sincere efforts that are being made by the head of the department. I would request him to see that every one of them is provided for.

"There is one other question which I should like to refer to; that is, the selection of the reserve sub-registrars. I would request the Government to look upon the candidates who seek employment under Government as gentlemen with some self-respect who are very anxious about their career. When the Public Services Commission issues a notification that so many sub-registrars are going to be selected by such and such a date, many apply for the posts, undergoing a lot of trouble and misery; as a matter of fact, I know that in many cases the candidates have had to sell the ear-rings of their mothers in order to find the necessary money for applying for these posts. They are also made to undergo a *viva voce* examination at the hands of the Commission, and after undergoing all this ordeal, expenditure and misery, so far as the result is concerned, it looks like a stone thrown into a well; and we hear nothing more about the affair. I ask the Government whether they consider these people as serious persons at all. Should they not have some feeling or consideration as to the security of the career of these people? Their whole career depends on their selection, and if at least they are told that they are not selected, they will look for other employment or they will pursue higher studies and take to other walks of life. They are not even told that. A question may be asked as to why after their appearing before the Commission, these candidates should not seek other employment, or why

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should they not pursue higher studies? But I say, having undergone all this trouble, are they not entitled to wait for the result? They have to wait for the result not for months but for years. Sir, the selection for these posts was made very long ago; and yet in the last Public Services Commission Report circulated to us the other day, I found only a few dots placed against the column showing the final results. I want to know what the Government or the Commission has done in this matter. It is all a mystery so far as the public is concerned. This Member or that Member may know what has happened in the case of any particular candidate; but the people are entitled to know what the fate of these men is. I would therefore request the Government to be more prompt in such matters, taking into consideration the enormous trouble and misery to which the candidates are put.

"The next question I want to refer to is that of communal representation. It was only two or three years ago that the Hon. Minister in this Council made a promise that he would consider the claims of each and every community. So far as the Mussalmans are concerned, I am glad to say that the head of the department and the Hon. the Minister have been making sincere attempts towards that end, and I am thankful to them for the same. But I must confess, Sir, on behalf of the community that I represent, that judging from the results achieved, their attempts do not seem to have had any effect. Going through the statement supplied to us recently, I find that in 1933, out of 621 non-gazetted officers number was 39, and in 1931 it was 36. Even the present number, forty, does not give them their due representation. Taking my own district, North and South Malabar, in North Malabar alone, in 1932, out of 165 officers on Rs. 35 and above but below Rs. 100, there were only 8 Mussalmans and the same number continued in 1933. In South Malabar also, out of 202 such officers, in 1932 there were only 8 Mussalmans and in 1933, there was the same number.

4-45
p.m.

"Among the non-gazetted officers of less than Rs. 35, I find that in North Malabar out of 83 there were only three Muslims in 1932 and the same number continues. In South Malabar out of 86 such officers there are only three. I am really thankful for the sincere attempt that the head of the department and the Hon. the Minister have been making to give due effect to the claims of the Muslims. But I am afraid the result achieved is very poor and I would earnestly request them to see that their good intentions are translated into action. I would in this connexion impress upon the Hon. the Minister that Mappillas form a very considerable portion of the population of Malabar and that there are a very large number of educated young men. They are progressing in education and I am afraid if the Government do not take a sympathetic view there will be an army of educated unemployed in the near future and they will offer a problem for the Government to deal with. No doubt they have to deal with the question of illiterate Mappillas, who had given them trouble some years ago; but hereafter if they do not provide for employment to educated Mappillas, their

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will have to deal with an army of unemployed educated Mappillas. I hope that the Government will look into this question sympathetically and see that justice is done to them.

"Now, Sir, before I sit down I would like to mention one word about the office of the Inspector-General of Registration. There has not been in the whole history of this office a single Muhammadan appointed to it. Some years back there was a Muslim who had every right to get the appointment; but his claims were overlooked. I appeal to the Government to give due consideration to the claims of the Muslim community to hold that office, when next it falls vacant."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. Chairman, Sir, I would like to bring to the notice of the Government, first of all, the paucity of Depressed Class representation in the services. Unfortunately the selection to the Registrar's cadre and also of the subordinate staff is now entrusted to the Madras Services Commission. But if one goes through the figures, it is apparent that the quota of the Depressed Classes either on the population basis or on the literacy basis is not enough. I would like the Hon. the Minister to consider some means whereby we can get better representation.

"Speaking from a co-operative point of view, a few concessions that are now enjoyed by the Co-operative department at the hands of the Registration department cannot at all be considered as concessions. When a society wants to take an encumbrance certificate they are given at half fee concession. But if there is delay by the Co-operative department either for executing the decree or bringing the property for sale, the society is asked to produce another encumbrance certificate and then too a half fee has to be paid. The Co-operative department is not at all benefited by the Registration department. I think the Hon. the Minister who is in a happy position of having both of these departments in his charge I request him to do something for the Co-operative department. If the Hon. the Minister thinks that the Government would have to lose heavily in giving concession to the co-operative societies I would at least appeal to him that he may consider the position and the status of Depressed Classes Society both in the city and mufassal. Going into the records of the Co-operative department one finds that there has been a fall in co-operative societies belonging to the Depressed Classes. As such I would request him to give what all concessions he can possibly give to the Depressed Classes Societies."

* Mr. G. R. PREMAYYA:—"Mr. Chairman, Sir, a paper has just been handed over to me. I should say I am much surprised to see that children of the clerks, who are in this department, cannot recognize their fathers. The clerks go to the office early in the morning before their children rise up from their beds and return home late at night after the children have gone to bed. This is a grave grievance, which means very heavy work. I think the head of the department has children and he can very well sympathize with the children as well as the fathers."

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"Another point, Sir, the Christians get their marriages registered and extracts are sent to this department for being filed. If after some time the certificates are required, they cannot be traced. No one knows where the certificates are. They are not in the department. May be they are somewhere in the Bay of Bengal. I wish the Hon. the Minister to see that they are properly filed and are kept ready for reference at any time."

Mr. BASHEER AHMED SAYEED:—"Mr. Chairman, Sir, if I rise to speak on this motion, it is with a view to place one important aspect of the communal Government Order. The communal Government Order was first introduced in this department and the idea then expressed was that communal injustice and inequality should be removed as early as possible. It is five or six years since the Government Order has been in operation but the result has been very discouraging. I do not blame the Inspector-General of Registration or the Hon. the Minister in charge; but my only quarrel is with the very principle involved in the communal Government Order. No doubt very many people thought that so far as minority communities were concerned, injustice would be redressed by the Government Order. The principle of communal rotation has taken away what was given by the communal Government Order. The communal Government Order or any other Government Order which is intended for the levelling up of representation of minority communities should be worked in the same spirit as it was worked in the Punjab where the representation of various communities was brought up to the legitimate level to which each community was entitled. Now in Madras, in the name of the communal Government Order and in the name of doing so many things for the minority communities nothing substantial has been done to those communities. To-day in the Registration department, the representation of minority communities remains what it was some years ago. No progress—rather no substantial progress—seems to have been made in the direction. I would therefore urge upon the Government and the Ministry which has been originally responsible for this Government Order to amend the existing Government Order and also to put more spirit and sympathy in the actual working of this Government Order. The principle is really working havoc. It does not serve the purpose for which the Government Order was issued. The sooner this principle of rotation goes out, the better it will be for the minority communities. The principle of rotation requires several other precedent conditions and those conditions very rarely exist and even if they exist, the interests of the minorities are not served at all. In fact, what should be done would be not that we should apply the principle of rotation, but that whenever a vacancy arises, it should be filled up by appointment from those communities which are not represented or which are under-represented. Then only the grievances of the minorities will be redressed. Communal principle, namely, equal justice and equal opportunities to all, is not served if you say that out of 12 vacancies arising, however less represented a minority community may be, only one or two should go to a minority community. I would therefore urge that there is justice, there is

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reason behind the demand that the principle of rotation should not be kept in the communal Government Order. The principle of rotation must go and until the time when the minority communities get their due share of representation in the various offices, not only in the Registration department, but even in other offices, this rotation should be kept in abeyance. This principle will be helpful, will be reasonable and successful only when it is a question of division of offices amongst communities which are already properly represented and not for getting proper representation for unrepresented communities. Therefore, I would suggest that the rules of rotation may be suspended so far as the Muslims and other minorities are concerned. It calls for a revision. We shall strictly adhere to the principle of increasing the representation of Muslims, Depressed Classes and other minority communities to a reasonable proportion. Till that is done, we shall not be satisfied with 2 out of 12 and that too in the second and ninth ranks. This rotation has worked very perniciously against the interests of the minority communities. I want that that should be abolished as early as possible.

"There is another point I should like to advert to and that is the Statutory Rules and the qualifications that have been prescribed with regard to appointments and promotions. There are servants in the Registration department and other departments wherein people have entered with great hopes without any impediment in those days when they were appointed and confirmed. They were looking forward to their usual promotions and by the issue of the Statutory Rules fresh qualifications were prescribed. As for the Statutory Rules themselves, they have been issued under the orders of Government issued from time to time. In themselves they are so unintelligible to common people and the Government servants themselves do not understand what exactly the scope is of these rules. I wish these rules were simplified by the Chief Secretariat who are responsible for their issue. The question of their interpretation is always complicated and the problem difficult. That apart, Sir, the orders and the Statutory Rules themselves have imposed disabilities on people who are already in service."

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

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

[12th March 1934]

APPENDIX.

[Vide answer to question No. 772 asked by S. M. K. Beyabani Sahib Bahadur at the meeting of the Legislative Council held on the 12th March 1934, page 94 supra.]

Statement showing the number of beds in the various sections of the Government Indian Medical School Hospital and the number of patients admitted, cured and discharged during each month in 1933.

Year and month.	Section and number of beds.								
	Ayurveda—25 beds.			Siddha—15 beds.			Unani—15 beds.		
(1)	Admissions.	Cured.	Discharged (including number cured).	Admissions.	Cured.	Discharged (including number cured).	Admissions.	Cured.	Discharged (including number cured).
(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1933—									
January	70	30	57	23	3	11	35	8	29
February	37	21	44	31	13	30	22	8	23
March	48	24	49	15	4	17	28	10	29
April	53	18	45	24	8	20	21	10	23
May	55	20	56	31	6	19	29	13	25
June	47	15	41	19	15	32	36	17	34
July	57	23	59	21	7	17	33	15	39
August	43	18	42	25	3	21	32	10	28
September	47	14	34	22	9	27	29	12	26
October	72	20	59	25	13	26	26	6	25
November	48	21	57	28	12	28	28	13	34
December	44	13	37	33	10	24	39	13	41
Totals from January to December 1933.	621	237	580	297	103	272	358	134	345

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF
MADRAS.

Tuesday, the 13th 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. 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, A. M. 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. Birley, Mr. F. Devadasan, Mr. M. Dharmalingam Pillai, Rao Sahib V. Duraiswami Reddiyar, Mr. K. M. Ellappa Chettiyar, Diwan Bahadur S. Foulkes, Mr. R. Gopalaswami Ayyangar, Diwan Bahadur N. Harischandrudu Nayudu, Mr. A. Hood, I.C.S., Mr. H. M. Jagannatham, Mr. H. M. Jayaram Nayudu, Rao Sahib C. Kesavaramamurti Nayudu, Mr. K. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P. Kolanda Reddi, Rai Sahib C. Koti Reddi, Mr. K. Krishnayya Choudari, Mr. P. V. Krishnamurti, Rao Bahadur D. Krishnan, Mr. C. Kumararaja of Venkatagiri, The. 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.

Moses, Mr. P. C. 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. 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. Patro, Kt., Rao Bahadur Sir A. P. Pattabhiramayya, Mr. K. Pattagar of Palavakkottai, The. Peddi Raju, Mr. P. Pocker Sahib Bahadur, B. Premayya, Mr. G. R. Rajagopala Pillai, Mr. P. V. Raja of Parlakimedi, The. Ramakrishna Reddi, Mr. A. Ramalingam Chettiyar, Rao Bahadur T. A. Ramamurti, Rao Sahib Pandit Ganala. Raman Menon, Mr. K. P. Ramaswami Ayyar, Mr. T. S. Ramaswami Mudaliyar, Mr. V. M. Ranganatha Mudaliyar, Mr. A. Ranganatha Mudaliyar, Mr. G. Ranganatha Mudaliyar, Mr. M. D. T. Rangaswami Reddi, Mr. M. B. Ratnasabhapati Mudaliyar, Diwan Bahadur C. S. Sahajanandam, Swami A. S. Sami Venkatachalam Chetti, Mr. Shetty, Mr. A. B. Simhachalam Pantulu, Mr. G. Singam Ayyangar, Mr. K. Siva Raj, Rao Sahib N. Sivasubrahmanya Ayyar, Mr. K. S. 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. Syed Tajuddin Sahib Bahadur, Khan Sahib.

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PRESENT—cont.

Thangal, Mr. P. M.
 Thomas, Mr. Daniel.
 Thorne, C.I.E., I.C.S., Mr. J. A.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venkatarama Ayyar, Mr. K. R.

Venugopal Nayudu, Rao Bahadur R. K.
 Viswanatha Rao, Diwan Bahadur V. N.
 Yahya Ali Sahib Bahadur, Khan Bahadur.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Kirlampudi, The.

I.—QUESTIONS AND ANSWERS.

Law and Order (General)

Declaration of the Swarajya Asram at Polavaram as an unlawful association.

* 778 Q.—MR. SAMI VENKATACHALAM CHETTI: Will the Hon. the Home Member be pleased to state—

(a) whether the Swarajya Asram of Polavaram, East Godavari Agency, was declared unlawful in 1932; and

(b) whether such notification was since withdrawn; and if not, why not?

A.—(a) & (b) The members of the Swarajya Asram at Polavaram in the district of East Godavari were declared to be an unlawful association on 1st February 1932 under the Indian Criminal Law Amendment Act; the Asram was not itself notified as a 'place' or taken possession of by the Government. The question of relinquishing possession of it or withdrawing the notification in respect of it does not therefore arise.

MR. V. M. RAMASWAMI MUDALIYAR:—" May I know, Sir, in view of more settled conditions now prevalent in the country, what justification there is for the continuance of the notification? "

The Hon. Sir MAHOMED USMAN:—" If the hon. Member will read the answer to the question, he will find ' the question of relinquishing possession of it or withdrawing the notification in respect of it does not therefore arise '."

MR. V. M. RAMASWAMI MUDALIYAR:—" Arising out of the answer to clauses (a) and (b), the important question is, in view of the more settled conditions now prevalent, whether there is any justification for the continuance of the notification? "

The Hon. Sir MAHOMED USMAN:—" As far as I know, the notification is not in force now."

Declaration of the Polavaram Swarajya Asram and the Sitanagaram Gowtami Asram as unlawful associations.

* 779 Q.—MR. A. RANGANATHA MUDALIYAR:—" Will the Hon. the Home Member be pleased to state whether the Polavaram Swarajya

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Asram and the Sitanagaram Gowtami Asram in East Godavari district were declared unlawful associations; and, if so, why, when and in whose possession they are now?

A.—As regards the Polavaram Swarajya Asram, the attention of the hon. Member is invited to the answer to question No. 778.

As regards the Sitanagaram Gowtami Asram, the members of it were declared to be an unlawful association on the 9th January 1932 on account of their activities in furtherance of Civil Disobedience and the place was notified under subsection (1) of section 3 of the Unlawful Association Ordinance, 1932, on the 16th January 1932, on the ground that it was used for the purpose of the Sitanagaram Asram, the members of which were declared to be an unlawful association. The Asram has been returned to Mr. B. Subrahmanyam, the first member and President of the Asram.

MR. A. RANGANATHA MUDALIYAR:—" The answer states that the members of the Asram were declared to be unlawful association. I want to know, how can they be individually declared an unlawful association? "

The Hon. Sir MAHOMED USMAN:—" We had authority of our legal adviser to take action in the manner we have taken."

MR. P. PEDDI RAJU:—" May I know, Sir, whether the Asram was handed over to Mr. Subrahmanyam intact, or some articles were confiscated? "

The Hon. Sir MAHOMED USMAN:—" As far as I remember, I do not think there was confiscation."

MR. ABDUL HAMEED KHAN:—" May I know, Sir, if the association has been declared unlawful or the members? "

The Hon. Sir MAHOMED USMAN:—" It is stated in the answer."

MR. ABDUL HAMEED KHAN:—" No, Sir. I request the Hon. Home Member to read the answer. It is stated there, ' on the 16th January 1932, on the ground that it was used for the purpose of the Sitanagaram Asram, the members of which were declared to be an unlawful association. ' "

The Hon. Sir MAHOMED USMAN:—" All the members of the Asram were declared to be an unlawful association."

MR. ABDUL HAMEED KHAN:—" I want to know whether the members were declared unlawful collectively or individually? "

The Hon. Sir MAHOMED USMAN:—" I would request the hon. Member to draw his own conclusion by reading the answer."

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Mr. P. PEDDI RAJU:—" May I know if the Government have received any representation from Mr. Subrahmanyam that some articles in the Asram have not been handed over to him?"

The Hon. Sir MAHOMED USMAN:—" Notice, Sir."

Land Revenue Administration

Probation of clerks of the Settlement Department re-employed on the District Revenue Staff.

* 780 Q.—Mr. P. PEDDI RAJU: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have ordered that retrenched and disbanded clerks of the Settlement Department should be re-employed on the District Revenue Staff;

(b) whether the previous service of clerks so re-employed in the Revenue Department is taken into consideration for fixing the date of completion of the period of probation as required in rule 6 (b) of the general rules laid down in G.O. No. 712, dated 2nd July 1929; and

(c) whether it is a fact that certain Collectors in Northern Circars have taken the temporary service also in fixing the date of completion of probation of retrenched and disbanded Settlement clerks and are thus giving and have given them a preferential claim for retention or confirmation in service over the candidates who have been taken as probationers or who have completed their probation prior to the re-employment of the Settlement clerks?

A.—(a) The Government have directed that the subordinates discharged from Settlement parties as a measure of retrenchment should be distributed among the districts with a view to their being re-employed in the regular line in the districts. As regards Settlement subordinates discharged otherwise than as a measure of retrenchment, Collectors have discretion to appoint them in the regular line if they are qualified for such appointment.

(b) Yes.

(c) The Government have no definite information in regard to the action taken by the Collectors referred to. The orders of the Government on the point are that the seniority of men discharged as a measure of retrenchment should be fixed with reference to rule 6 (4) of the Madras Retrenchment and Re-employment Rules and that of men discharged otherwise than as a measure of retrenchment should be fixed with reference to the date on which they completed their probation and in the case of probationers with reference to the total period of probation undergone by each.

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Medical Administration

Alleged paucity of Telugu-knowing lady Sub-Assistant Surgeons.

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

(a) whether it is a fact that the Madras Services Commission could not appoint the required number of Telugu-knowing lady Sub-Assistant Surgeons though there were several lady L.M.P. candidates, simply because they had not passed their S.S.L.C. examinations;

(b) what the reasons are for the Government insisting upon their passing the S.S.L.C. examination when they are fully qualified L.M.Ps.; and

(c) whether there is any restriction for admitting only passed S.S.L.Cs. into the Medical schools; if not, why not?

A.—(a) & (b) The Madras Services Commission reported that a certain number of the applicants for appointment as Women Sub-Assistant Surgeons did not possess the minimum general educational qualifications laid down in the general rules relating to the subordinate services and suggested that the qualification may be made inapplicable to the class of Sub-Assistant Surgeons. The Government have accepted the suggestion and amended the Statutory Rules accordingly. The Government have no information whether any of the applicants referred to above are Telugus.

(c) Under the existing rules regulating admission to medical schools, only S.S.L.C. holders who are declared eligible for admission to a University course of study and have secured 40 per cent of the marks in English and have taken Physics or Chemistry or both as optionals are eligible for admission to medical schools.

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

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

The Hon. the PRESIDENT:—" I have to announce that the Madras Local Boards and the Madras Elementary Education (Amendment) Act of 1934 received the assent of His Excellency the Governor on the 10th March 1934."

III.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND V—REGISTRATION—TRANSFERRED.

* The Hon. the PRESIDENT:—" Mr. Basheer Ahmed will continue his speech."

* Mr. BASHEER AHMED SAYYED:—" Mr. President, Sir, I was speaking yesterday about the position of those employees of the Government who have already been in service and without consulting whose

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rights new statutory rules and orders have been brought into existence, affecting their cases in many respects adversely. There were several clerks and sub-registrars in the Registration Department who were entertained years ago. Some of them were given exemptions from Public Service Notification and in certain other cases they were exempted up to a certain stage entitling them to draw a certain scale of salary. In all those cases, it seems as though the rules are given retrospective effect. Such retrospective effect acts to the great detriment of those employees who never bargained for such things when they first entered service. In these cases, I urge that the Minister and the Member for Services will take into consideration the hardship that has been caused to those employees who have been already doing service under the Government with no expectation of any impediment being thrown in the way of their promotion and confirmation, so long as they were doing their duty to the satisfaction of the officers of the department and the Government. Particularly, Sir, there are a large number of members belonging to the backward communities who have been exempted at the time they entered service and those servants have put in fifteen or twenty years' service in the department; and when the question of their promotion as sub-registrars from clerks or from sub-registrars to registrars comes up, if the present statutory rules and orders are to be adhered to, then it is hardly just or fair towards the servants of Government who were naturally expecting to be promoted in the usual course without any such rules being made applicable to them. If the new rules are to be made applicable to Government servants, even as has been recently done in the case of revised scales of salaries and revised rules, that should apply only to future entrants and that the rights that have already accrued to the employees who were already in Government service ought not to be affected by any later rules and regulations. I therefore want, Sir, that the question of those persons in the Registration department who were entertained long before the new statutory rules and orders were passed, should be examined so as to enable them to get their promotion that is naturally due to them without any further impediments being thrown in their way. There are very many hard cases of that kind and, if required, the Inspector-General of Registration would place those particulars before the Government and, if the Government will be only doing bare justice to those persons favourably, they forward to some promotion or other having rendered faithful and loyal service to the Government for long years.

"Now, Sir, with regard to the fixing of a certain percentage of appointments for persons already in the department, there has been considerable delay. I am not yet certain whether the question has been settled and what proportion has been fixed for the people already in service in regard to future vacancies. I refer in particular to those clerks who have already acted or who are expecting to become sub-registrars by means of promotion. If there is direct recruitment to any and every vacancy, then the chances of those people who are already in service expecting promotion as sub-registrars or district registrars

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are lost for ever. I have learned—I do not know how far it is the case—that 25 per cent of the appointments are to be reserved for servants already in the department and that they would be filled up by promotion. I submit, Sir, that 25 per cent is not a very fair and just proportion. I would urge that something like 50 per cent of the appointments should be reserved for persons to be promoted from the department itself. If it is only 25 per cent, as it often happens that the number of vacancies in an office is only very small and if you stick to this percentage, it will not be possible for the Inspector-General to redress the claims of the several sections of the people in the matter of promotions. It is never the case that 100 or 200 vacancies arise all on a sudden, but on the other hand, there may be 10, 15 or 20 vacancies at the most at a time and, if you apportion only 25 per cent thereof for such promotions, the claims of the several communities will not be met and it will practically be impossible. Unless therefore the percentage of promotions from the department is raised, I think considerable hardship and difficulty will be felt, not only by the candidates who are entitled to promotions, but also by the Government in working it up. I therefore plead for raising the proportion from 25 per cent—if the Government have already reached this decision—to somewhere about 50 per cent.

"I do not want to take up the time of the House any more, but I would in conclusion like to refer to one point only. Reference has already been made that, on account of the introduction of photography, a large number of people have been thrown out of employment, particularly in the Malabar district. We should be very thankful if the Government would let us know how they propose to absorb all those people who have been thrown out of employment by the introduction and the extension of the system of photography. I know that only a certain proportion of them can be absorbed, but that will not bring about a satisfactory state of affairs. The reasonable thing for the Government to do would be to take steps to see that almost all these people who have been dislodged by the introduction of the photographic system are absorbed by some way or other, if not particularly in the Registration department itself, in some department of Government or other, in view of the fact they have already served Government and did not expect that their fate would be such. If Government bring in things which they did not contemplate at the time their employees were appointed, it is but meet and fair that Government should devise means and measures to absorb every one of those people who have been thrown out of employment."

* The Hon. Mr. P. T. RAJAN:—"Sir, very many cut motions have been moved raising points that have already been covered during the last year's Budget discussion. There are, I think, only two points which certainly require my explanation, which, I hope, will make the position clear. I may just deal with the question of delay in the selection of reserve sub-registrars. At the time of selection, the service as a whole consisting of direct recruits and clerks promoted as sub-registrars

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had to be taken into consideration in fixing the communal rotation. In the rules then existing there was no provision for a period of probation when a clerk acts as sub-registrar. This brought about a peculiarly difficult situation as explained below. It frequently happens that a sub-registrar has to be absent from duty on one ground or another often for a very short period at very short notice; but as, under the Indian Registration Act, 1908, a sub-registrar must always be available at every registration office, it becomes necessary to appoint as sub-registrar as a stop-gap arrangement a clerk available on the spot who would not have been selected for such appointment in the usual course. In the special rules governing certain other services there is specific provision for the appointment, as a temporary measure, in such emergencies of persons who would not have been selected for appointment in the usual course and such temporary appointment specifically gives no claim or right of future appointment to the persons so appointed. No such provision was made in the Madras Registration Subordinate Service Rules and in consequence every clerk appointed to do duty as sub-registrar, even as a stop-gap arrangement, had to be deemed to be a person selected for appointment to the Madras Registration Subordinate Service and become entitled to the benefit of the rules.

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“The result was that there was a large number of clerks most of whom would normally not have been selected for appointment to the Madras Registration Subordinate Service, who had become entitled to confirmation in it in the order of their appointment. Apart from the fact that it would be several years before these clerks could be absorbed in the Madras Registration Subordinate Service, their continued employment or re-employment as sub-registrars seriously affected the prospects of directly recruited probationers in the service and also of deserving clerks in the Registration department who had not had the luck to officiate for a few days as sub-registrar in a stop-gap arrangement. In the circumstances the Government felt constrained to amend the rules so that no clerk who had not been appointed a sub-registrar substantively prior to the date of issue of the amendments might have any claim to appointment in virtue of officiating service rendered. The Advocate-General had to be consulted on the advisability of amending the Service rules and also the Madras Services Commission on the draft amendments. The drafting of the amendments and their examination necessarily took some time. The amendments have now been issued—vide G.O. No. 164, Public (Services), dated 21st February 1934. The clerks who were appointed in temporary vacancies have now no claim for confirmation.”

Mr. BASHEER AHMED SAYEED:—“Has this Government Order been placed on the table of the House, Sir?”

The Hon. Mr. P. T. RAJAN:—“Orders have recently been passed and a copy will be placed on the table of the House in course of time. Now that the Government Order has been passed, the Commission will deal with the selection of persons for reserve sub-registrars. I think there would not be any delay. Persons who merely acted as a stop-gap

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arrangement would not have any claim; because that would cause hardship and there may be deserving cases of clerks in other districts to whom such an opportunity did not occur. That is the reason why the whole question had to be examined. Since the clerks had acted by mere chance, it was decided that they were not entitled to confirmation. In this connexion, Government had fixed 25 per cent of the vacancies to clerks. It used to be 12 per cent. When we found that a thousand and odd clerks had no chance, the percentage was raised from 12 to 25. (A voice: Why not raise it to 50.) If it is raised to 50, I am afraid it will seriously affect the efficiency of the department and direct recruitment will also be affected. I am sure members belonging to minority communities would say their community would have no chance.

“Then, another question which has been raised by my Friend, Mr. Pocker, refers to photo copying. I would just briefly refer to it. It was after a very careful examination of the question that the system of photo copying was adopted in 1930. In 1924, a committee consisting of the Secretary to Government, Law Department, the Inspector-General of Registration, and the Director of Survey was appointed to go into the question. This committee did not approve of the system chiefly for the following reasons: (1) the prohibitive cost of photographing the documents, namely, five annas ten pies a page exclusive of the cost for the transmission of the document as against As. 3-4½ per page for copying by hand, (2) undue delay in returning the documents to the parties, i.e., seven days as against two days under the ordinary system, (3) the smallness of the size of the photo prints and their possible deterioration through the influence of climate and chemicals and (4) the probable objection by the public as in the case of Bombay.

“But at the beginning of 1928 the Inspector-General of Registration reported that the photo-copying system was working satisfactorily in Poona and that the old system had been improved, documents being photographed much more quickly and at less cost by the new film process. The Inspector-General applied for permission to visit Poona to see the process for himself. This was granted and on his return the Inspector-General presented certain notes on the process as worked in Poona and also submitted proposals for the introduction of this system into this Presidency as an experimental measure. The Inspector-General considered the system to be more economical and it was advantageous both to the public and the department. The Government however decided that the question of introducing the system in this Presidency might wait for some time more. In July 1929, the Hon. the Minister in charge of Registration—the hon. Mr. Muthia Mudaliyar, who was in charge of the department then—visited the photo-zinco-graphic office at Poona and satisfied himself that the system was working well there. The photograph was taken in almost one second a page and the cost of one side of copy varied from 14 to 18 pies which was much less than the cost of the hand copy. The photo copies were quite distinct and occupied one-fourth space of the originals. If the genuineness of the documents were questioned, enlargements were found easily possible. It may

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also be observed that the unpopularity which the system had at the beginning had almost disappeared with the improvement of the process. It was therefore proposed to introduce the system as an experimental measure in the Madras-Chingleput district from the 1st August 1930. The advantages claimed for the system are mentioned below:—(1) It ensures the absolute accuracy of the copy unlike manuscript copying, which, in spite of the several safeguards of comparing and check, is not free from errors and omissions. (2) It represents a facsimile copy of the original with seal, signature, etc., whatever the language might be. (3) It is a permanent record not liable to fade with the lapse of time according to the quality of the ink used, which is the case with manuscript copying. (4) By having two copies, the negative in the photo office and photo print in the office of Registration, there is a double insurance against accidents by fire, flood and other causes. (5) The storage of future records will occupy much less space than is the case if the present cumbersome registers are continued, notwithstanding the fact that a negative and a photo are kept in two different places. (6) The cost of reproduction of a copy is estimated to be far lower than under the present system and when ultimately mechanical appliances are adopted for all incidental processes, the savings will be even larger. (7) There will be less publicity and less scope for forgery or interpolation. This system is worked by the cine-camera method. In 1931 the system was extended to the Registration offices of Guntur, East Godavari, Salem and Coimbatore. The system has resulted in economy in expenditure, in time, in the staff of copyists and clerks and in stationery and storage space. But a recent examination of the question revealed the fact that the cine-camera system is slow and requires a considerable number of men to work it. The process requires a day for making, developing, and drying 1,000 film negatives, two days for enlarging the film negatives, developing, fixing and drying them, a fourth day for sorting, comparing and sending them to the office of origin. Allowing three days for the transmission of the document to and fro, it takes more than a week for a document to reach back the office of origin after the first presentation. A delay of a week in the return of the documents is thus an inherent factor of the present photo system. The delay is at present even more than a week due to heavy receipt of documents to be copied beyond the capacity of the existing staff. This delay can be reduced only by strengthening the staff. The Inspector-General has, however, proposed the introduction, as an experimental measure, of the system of photo copying of documents by a photostat machine to avoid this delay and also to reduce expenditure. By this machine, a document is photographed directly on a sensitized paper and the photo is quickly developed and fixed in the machine itself. In the cine-film method the negative is first made and enlarged subsequently by the projection on a sensitized paper. The new method is quicker and cheaper. Hence, both are tried side by side, one in the Madras district, and the other in South Malabar. The photostat system has several advantages over the cine-film process and these are broadly the following:

- (1) the delay in the return of documents is minimised;

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- (2) it makes it possible to increase the size of printing; and
- (3) the quality of prints is ensured.

The Government examined the question and thought it desirable to try the experiment. If it proves a success, it would be possible to install similar photostat machines gradually in different districts with the consequent enormous savings in the registration offices. Until it is proved a success, the existing photo-copying system has to be continued alongside it, for perhaps another two years. The Inspector-General's proposal is that this should be done and that the photo-copying system should be extended to one of the registration districts of Malabar, which is at present running at a loss of Rs. 32,000 a year. He calculates that by so doing he should be able to dispense with, gradually before the end of two years, the services of 64 clerks, representing a charge of Rs. 48,028 a year including stationery economies. As the introduction of the proposed photostat system is expected to result eventually in a net saving of Rs. 14,369 a year and as the proposed system promises to prove decidedly more rapid and cheaper in cost than the present film method, its introduction in the district of South Malabar with effect from 1st March 1934 has been sanctioned as a temporary measure. As I said, these two systems are being tried side by side and, if the latter system is found to be cheaper and more economical and more effective, that will be introduced later on in other districts."

Mr. BASHEER AHMED SAYEED:—"How many years will it take to find it out?"

The Hon. Mr. P. T. RAJAN:—"I am told, Sir, according to the expert advice, it would be better to preserve in manuscript copies. Then it has been pointed out that a number of clerks have been thrown out of employment in South Malabar. I am afraid hon. Members seem to be under a misapprehension, because not a single clerk has been sent out on account of the introduction of the photo system. Sixty-four clerks would have gone out if the photo system had proved a success. As I said, we propose to try it for two years and in the meantime we do not send anybody. Even if it proves a success, these 64 men will be absorbed elsewhere. Then, apart from the introduction of the system, 32 clerks had to be sent out from the South Malabar district because they were in excess of the required number and even these men had been absorbed. So, you will find that not a single clerk has been sent out of the service."

"Then coming to the other points raised by hon. Members, my Friend, Mr. Shetty, said that the department was working at a surplus gain of lakh and odd. I am afraid he did not take into consideration the pensionary charges, and interest on capital outlay on buildings, etc. As such, I am afraid it cannot be said that the department is working at a profit."

"Then, Sir, my hon. Friend, Mr. Shetty, referred to the training of document-writers. That matter was referred to the Inspector-General of Registration and he, in consultation with the Inspectors-General of other Provinces, came to the conclusion that such a training would not be a success."

vide
Para
1 (2)
at p. 54
of
in law
1934
(K)

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"The Members of the Muhammadan community represented that the Muslim element was not to be found in sufficient strength in the Registration department. I may point out to my hon. Friends that, under the communal Government order, the different communities will get their due share in the services, though it will be some time before the different communities get their proper representation. If my hon. Friends could say that the communal Government order is not worked properly, I will look into the matter. But that it is not the case. Hon. Members have admitted that the department and also the Government are trying their level best to give the different communities their due share. (Mr. Basheer Ahmed Sayeed: Give up the principle of rotation.) The hon. Gentleman is saying that, instead of applying the communal Government order, the rule of proportion might be applied. If that is done, certainly, more members of the minority communities can be appointed. If the Legislative Council comes to the conclusion that the rule of proportion and not the communal Government order should be observed in the matter of appointments, it will be possible for the Government to examine the question further.

"My hon. Friend, Mr. Shetty, said that some sub-registry offices are undermanned. Some time ago, in reply to a question on the subject, I pointed out that, at certain periods when there is pressure of work in some of the offices, the practice for the Inspector-General is to relieve the pressure there by transferring men from the neighbouring offices. For want of funds, no other arrangement is considered possible.

"One other point that I should refer to relates to the appointment of a Muhammadan as the Inspector-General of Registration. If and when this post becomes vacant, I am quite sure the claims of the men in the department will be considered in the first instance and, if there are senior Muhammadan officers available, selection will be made from among them.

"There was a reference made to the number of sub-registry offices and it was mentioned that some offices have been abolished as a measure of retrenchment. I must here point out to hon. Members that not a single office has been abolished.

"Reference was made to the need for reducing the fees charged for attendance of sub-registrars at private residences. This question was dealt with at length last year. No new arguments have been advanced in support of the plea for reducing the fees on this account.

"Then, Sir, coming to the doubt expressed by Mr. Pocker about the courts refusing to accept as evidence records made under the photo-copying system, I may say, Sir, that so far we have not heard of such refusal at all. Hereafter also I do not think there is any likelihood of any objection being made on that score. (Mr. Abdul Hameed Khan: Selection of sub-registrars.) I have already dealt with this matter. As there was a doubt about the legality of the thing, the Advocate-General was consulted and the Government decided that those clerks

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who had acted for a day or two could not claim the right for confirmation. However, their interests were safeguarded by allotting 25 per cent of the vacancies to them and the rest 75 per cent for direct recruitment. This consultation and the consideration of the question took time and we have now asked the Services Commission for their recommendation on this basis. I think the list will very soon be in the hands of the Inspector-General who will make the appointments. This will be done in a month or so."

The cut motion was, by leave, withdrawn.

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

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

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—
'that the Government be granted a sum not exceeding Rs. 94,01,900 under Irrigation (excluding Cauvery-Mettur Project)—Reserved.'"

* The Hon. the PRESIDENT:—"In connexion with the discussion of the cut motions under this Demand, a large number of Hon. Members are anxious to speak. I therefore suggest that Hon. Members who get an opportunity to speak will try to accommodate the succeeding Members."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, irrigation is an important matter in which every Member would like to bring to the notice of the Government the difficulties that exist in his own district and the steps that should be taken early to remedy the same.

"Sir, to start with, I want to mention the irrigation requirements of the part of the Province from which I come. In doing so, I should first of all like to know the reason for the delay in starting work on the Lower Bhavani Project. Sir, this question has been hanging on for something like 70 years. I believe it was about the year 1860 that the scheme was originally investigated. Since then the matter has been under consideration. Luckily or unluckily, the Upper Bhavani Project was given up and there was a chance for the Lower Bhavani Project and it was taken up some years ago. The Government decided that it was a useful scheme and came to the Council for its approval. If I remember right, a token motion was moved in this Council for this purpose and the assent of the House was obtained. This was about two years ago. At this stage the Hon. Member for Irrigation thought that some legislation was necessary with reference to this before the work could be taken up. I suppose he felt nervous on account of his experience with regard to the Mettur Project. A Bill for the purpose was brought in and it was passed into an Act and, even after the coming into force of this Act, the work has not been started. We were under the impression that the work will be started very soon. It was specially

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mentioned by both the Hon. Member for Irrigation and by the Members of this Council that before the Cauvery-Mettur Project was completed this scheme might be sanctioned and work commenced so that the machinery and the skilled labour available at Mettur might be utilized for this. We were hoping, Sir, that in the interests of economy as well as in the interests of efficient working, the scheme will be ready before the Cauvery-Mettur Project was finished. But now we find that, although the Mettur Project is about to be wound up and the establishment employed on it is about to be disbanded, nothing has been done to start the Lower Bhavani Project. I want the Government to consider this aspect of the question once again and see that no delay takes place in sanctioning the scheme. Sir, some of the reports that appeared in the papers regarding this scheme were rather disquieting. It was said that the Irrigation Development Board had some difficulty in going forward with the scheme from the stage which it has reached, and that further investigations are going to be made. We are in the dark as to what exactly the difficulties are and what the Government wants. Sir, when the Upper Bhavani Project was investigated, several questions were raised with reference to the loss of water by evaporation and percolation in the channels and the arrangement of the different sluices. It was said at that time that sufficient data was not available with reference to these matters and with reference to the quantity of water that would ultimately be available for the ryots. That scheme was therefore dropped.

11-45
a.m.

“ Now with regard to the Lower Bhavani Project, I think we have had several difficulties in its way and we have been able to surmount them, and so we expected that the scheme would be pursued without any further delay. But from what we learn from the newspapers, it appears the matter has been held up. Now with regard to the hesitation of the Government in this matter, I wish to tell them this. In matters like this it is necessary that we should take some sort of risk; otherwise it would not be possible for us to carry out any scheme whatsoever. It may be that we shall have to learn by experience in the first two or three schemes, as we are starting such schemes for giving water for dry crops for the first time. Unless we make a start in this way, it is, I fear, impossible for us to carry out any scheme in the future. As a matter of fact we have ready at hand the necessary data, and the calculations with reference to evaporation and percolation are also complete, and it is only with reference to the channels and other minor details that the scheme is not complete. The plan to avoid the difficulty of simultaneously allowing water to all the lands is also ready. And so I would ask the Hon. Revenue Member whether, with these facts and figures supplied by his technical advisers and with the help of the Chief Engineer for Irrigation who carried out the estimates of the scheme and with the guidance of the present Chief Engineer, he cannot carry out the scheme without any further delay. I may also tell him this, that if there is no chance of this scheme being pushed through

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now, I don't think there is any prospect of this being taken up at least for several years to come.

“ Another thing that seems to be giving trouble with regard to this scheme, and apparently because of which, the scheme is not to be put into execution is this. With reference to the distribution of water and things allied to that, I may say that we need not wait until all the channels, even for blocks of ten and twelve acres, are aligned. It is enough if as hitherto we have the alignment and detailed estimates of the main channels. Otherwise we will have to wait too long, and not only that, it may be, the estimates may not be quite accurately prepared with regard to these details or it may be, that these minor things may have to be altered in the light of actual working of the scheme, and thus these estimates may not be of much use.

“ Then again with reference to the permits that are to be given to the actual cultivators, in those permits, the ryots are sought to be told within what distance they can get water supplied to them. I don't think any cultivator needs this information correctly. All that he wants is an uninterrupted supply of water to his lands. It may be that in some cases the distance from the sluice is 100 feet, in some others it may be 200 feet and in some others still it may be only 50 feet. So if Government are going to prepare estimates after examining all these details and then start the scheme, I fear we shall have to wait and wait for several years to come.

“ I hope, for these reasons, Government will not delay the execution of this scheme any longer but hasten to obtain the sanction of the Secretary of State and push through the scheme so as to be able to start in the course of the next financial year. I hope the Hon. Revenue Member will see that all the preliminary work done in this behalf is not allowed to run to waste by postponing the scheme, but will be able to turn the first sod before he lays down his office as Irrigation Member.

“ The next question about which we have on the floor of this House spoken at length several times is about the supply of water from the Siruvani channel. Sir, as it is, the wet ayacut under the Noyyal river does not get an assured supply. There is water available under the Siruvani scheme for the cultivation of 3,000 acres. I have been consulting the ryots of the area and the owners of land commanded by the Noyyal are willing even to pay Re. 1 extra, if necessary, for the purpose of getting an assured water-supply to their lands. I believe, Sir, several mahazars have been received by the Government to this effect. I hope they would favourably consider the proposal.

“ There is one other matter to which I should like to refer before I resume my seat. On previous occasions I have told Government that we have nearly reached the end of our productive schemes with regard to irrigation. If at all there remain any schemes, I fear, they are only small schemes. Such being the case, I have suggested to the Government in this Council, that in all these schemes they should pool together

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the resources of irrigation and then only determine whether they are remunerative or not. That is to say, Government should take into consideration the whole outturn from all the irrigation works, and they should not decide the matter piecemeal. Some small schemes are very beneficial to the people, and in many of them the ryots themselves are willing to contribute the outlay in case they will be allowed concession rates. So in the absence of any big schemes in this Province the only alternative on which the people can fall on are the small works and so I urge on Government the necessity for carrying out such works on the principle I have suggested.

"No doubt, Sir, there are several tanks throughout the Province, which irrigate generally from 40 to 100 acres of land. The tank restoration parties were doing some work and even those parties have been abolished. In some cases the people of the locality are willing to contribute a portion of the cost, but in some others, on account of poverty they are not able to meet any expenditure.

"Further, Sir, I would submit this point to the consideration of the Government. As I said a few minutes back we are now at the end of our big schemes; and these big schemes cater only to the needs of a few districts. Now may I ask Government, should the other districts go by default simply because they have no big schemes? So, I would ask Government to pool together all the irrigation resources and put into execution several small schemes in districts which cannot boast of any big schemes.

"Sir, I shall not take up the time of the House any more, but I shall conclude with these words. I wish the Hon. Irrigation Member gives a proper turn to the irrigation policy of the Government before he lays down his office. I should say he has been responsive to our representations and helping us as much as he can, despite the trammels put by the department of Finance. (Laughter.) Anyhow we are much indebted to them both, and as this is the last occasion perhaps when we may have him here at the time of the budget, I should like to take this opportunity of conveying to him the gratitude of the people for the help he has rendered them in irrigation matters.

"With these words, I move my cut motion, viz.—

'that the allotment of Rs. 94,01,900 under Demand VI—Irrigation (Excluding Cauvery-Mettur Project)—Reserved be reduced by Rs. 100.'

12
noon

* Mr. P. V. KRISHNAYYA CHOUDARI :—"Sir, Government are starting every year some new irrigation schemes. I do not know what principle or policy is involved in Government starting new irrigation schemes without considering about the schemes they have already started. The price of paddy cultivated under each irrigation scheme was very much lowered and we are not in a position to get a marketable price for paddy. There is no use of cultivating more paddy. So I request the Hon. Member to carefully consider over the matter if the Government are going

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to start any new irrigation schemes. If they start such schemes, they may prohibit the cultivation of paddy and introduce any other crop which will be suitable to the place and which will also be more beneficial and improve the condition of the people. In the interests of the Government also, it is desirable if they reduce paddy growing further so that they may not go on granting remissions for eternity. Therefore, I suggest to the Government that they may take notice of this remark and start some other crop in the place of paddy in places where they are going to start new irrigation schemes.

"About water-tax,—Government have already increased the water-tax in Repalle and several other taluks by raising it to Rs. 6-4-0, while the ryots were paying Rs. 3 and Rs. 4 previously as will be seen from the settlement report. We can also see from that report that the increase made by Government is 100 per cent and 50 per cent. When I put an interpellation some time back asking for information as to the total value of such excessive water-rates, the Government said that they would call for such information. I do not know whether they called for it. I request the Hon. Member to give me an idea as to the excess water-rate which is paid by each taluk.

"There are several drainage schemes which have not yet been taken up in Guntur district, though in 1902 at the time of resettlement, they enhanced the rate of land revenue with the idea of increasing drainage facilities. To one of my questions the Hon. Member said that there was no such understanding. Now I have got a settlement register and I will give that information for the Hon. Member. In three or four places of that report the Settlement Officer has reported that, before the Government thought of introducing increased rates, they must recognize the fact that there is scope for increasing drainage facilities. This is what he says—

'At all events if the proposals are accepted, I am convinced that the ryots will not be able to bear the increased rates. It is impossible to overestimate the advantages of having an assured crop.'

In another place he says—

'I beg to submit that in cases the Government approves the increase which I have proposed in wet assessment every facility in the way of funds may be given so that these improvements may be carried out as early as possible.'

"In another portion of the settlement register he has clearly discussed the usefulness of drainage schemes, but I do not want to take up much of the time of the House by going into those details now. I only request the Government to consider the promise that they made about 30 years ago. Now the Government are considering the promise that they have made a year or two ago leaving the promise to the winds which they made some 30 years back. Probably they think there should be a limitation bar to the promise they made 30 years back. If that is their case, I cannot argue the point further. I request the Hon. the Revenue Member to see the settlement report and provide for the drainage schemes immediately without proceeding further with new projects.

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"Last year I brought to the notice of the Government about the spring channels in Bapatla taluk. I have now to thank the Government that at least, after consultation with the Collector, they have come to the right conclusion and have seen their way to remove the tax. I must also thank Mr. G. W. Priestley who was then the Collector who investigated the matter carefully and reported it for the consideration of the Government. Though the Government objected to his proposal once and rejected it, still he maintained his position and made a further representation to the Government. The Government considered the justice of the whole case and yielded to his representation. I take this opportunity of thanking Mr. Priestley and the Government for doing this act, though it is legitimate.

"About Irrigation Advisory Boards, every year there is a conference of this board but nothing has been done practically. I happened to be the president of this board, and I know from personal knowledge that this board has become a regular blackboard. The officers of the Irrigation department do not care for the president or the members. They do not ask for any advice. They pass their own orders without consulting the Irrigation Advisory Board. I do not know the reason why the Government should constitute such an irrigation board if the officers of the department are not going to take any advice from this board. I have also mentioned the same thing in my annual report. I do not know what orders the Government have passed on the same. I have not received any communication from the Government about the same. Instead of having such blackboards, we can as well break them and relieve the people of the trouble of going and attending the conference and all that. We can leave the matter entirely in the hands of the Executive Engineers instead of nominating some non-officials to the board who if they put some inconvenient questions to the officers of the department regarding any matter will be dropped from the board, so that the officers might have a smooth sailing. So I request the Government that, if they want to constitute any such board, they must ask the district boards to elect their representatives to this board. Most of the district board members are now coming from several places to the district board. If the Government ask the district board members to elect the number of members required for this Irrigation Board from among themselves, such a board will be fully representative also. Now the Legislative Council is electing two representatives to the Railway Advisory Committee. The district board consists of many elected representatives from the agriculturist classes. If the district board is asked to elect one or two members to this Irrigation Board, it would be more desirable than entrusting the matter in the hands of the officials.

"Then as regards irrigation panchayats in Kistna Western Delta, though the Government have started this experiment some time back and it has been in force for the last two years, I am afraid nothing has been done. I put some questions to the Hon. the Revenue Member and he replied that the matter was entirely in the hands of the District Collector. I requested the Hon. the Revenue Member to ask the District

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Collector to try the experiment in one or two places and, if it proved successful, it might be extended to other places. Nothing has been done so far.

"Then as regards tenders, the Local Self-Government Department is insisting upon the non-official presidents of taluk boards and district boards, to accept the lowest tender. But this condition is not insisted upon in the case of Government officers. They use their discretion. I do not know how they are entitled to use their discretion. When the non-official is compelled to accept the lowest tender, I do not see any justification for the Government officers alone being allowed to accept a higher tender. The Government may give some reason or another and say that a particular man is not in a position to execute the work and so on. Although the Government may prepare a register of contractors and stipulate that the Executive Engineer must accept the lowest tender, still he exercises his own discretion and accepts a higher tender. If the Government are not aware of such things, I can give them several instances where they have not accepted the lowest tender.

"Next, about the administration of the Irrigation department I want to say one or two words. When Mr. J. Venkatanarayana was the Inspector-General of Registration, the Registration department was very efficiently managed, and there was no corruption there or anything of that kind. We have not such good officers in the Irrigation department. Irrigation department is one of the worst departments for corruption. I request the Hon. the Revenue Member to take note of this fact and do something to remedy the situation. If the Hon. Member is prepared to hold an enquiry, there are people who are prepared to let in evidence. But if the Government are not prepared to take drastic measures but simply shelve the case, nobody will be prepared to come out boldly and give evidence lest they should be harassed by their superiors. I request the Hon. the Revenue Member to enquire into the matter. I can give a concrete example. In a certain place the people did not pay the mamul of Rs. 400 and the department did not give water to the villagers. So also the water we have in the fields is not allowed to go into the canal. So much so, the crop of the ryot has suffered very much. There are very many practical difficulties and, if the head of department takes some active steps, I think this corruption can be put down. I do not blame lower people. Even the officers are not above such things.

"About the irrigation conference which they are conducting annually in each place, it is becoming a regular farce. Several people come from different taluks to represent their grievances. The Executive Engineer is presiding over such conferences. A number of subordinate officers are also present in that conference. If the ryots or their representatives put forward certain proposals, these officers at once say 'you can legislate for such things provided you have money.' Sir, if there is no money for carrying out our objects, why should we hold such conferences at all? Let not the Government hold such a conference at all and it will be a saving to the Government, because they need not pay travelling allowances to their officers who attend such a conference.

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"I request the Hon. the Revenue Member to consider the various points that I have brought to his notice. About the drainage system in Guntur, though the Settlement report contains certain recommendations, nothing has been done by the Government. If the Hon. the Revenue Member wants any enlightenment on this point or wants to refer to the Settlement report, I am prepared to give him the report which I have got in my hand, so that he may be able to give me a suitable reply when replying to my remarks."

12-15
p.m.

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I am going to speak on the general policy with regard to irrigation and not upon any individual matter though in the end I may talk about Cooum river. Sir, about 13 millions of acres of land that can be cultivated are lying without cultivation. At the same time we have got waters in our rivers flowing into the sea year after year without any use. So long ago as 1859, i.e., about 75 years ago, Col. A. T. Cotton of the Madras Engineers has in his reports on certain projects, stated as follows:

'On the regulation of the waters of a country, and especially of a tropical country, depends incomparably more than upon anything else, the material state of that country. That is, that money, skill and labour expended in regulating its waters, will produce incomparably greater results than any other way of applying those things.' (Pages 34-35.)

His view is that the rivers and canals of this country should be connected with one another—river to river and canal to canal—so that there may be a network of canals. By this means, we will be able to increase the produce of the lands and also bring uncultivated lands under cultivation by irrigating them with the water thus made available. Not only that, the network of rivers and canals can be used as a means of communication for carrying the produce of the land from place to place at rates which will be much cheaper than any that can be got at present. Again, Sir, it has been found by experts that our rivers have silted up with the result that although we are having the same amount of rain we were having some years ago, floods in our rivers have now become almost a normal feature. Our rivers are not as deep as they were and our engineering experts will have to find some means of removing the silt, so that the waters in our rivers, instead of inundating the surrounding parts, may be used for irrigation purposes. One of the ways of preventing floods is to construct more canals so that the waters of rivers may be diverted. Moreover, Sir, the digging of more canals will give employment to our labour and they will not be put to the necessity of migrating to other countries to waste their energies there for a lifetime in many cases for generations to be repatriated at the end to our country to face unemployment here. When more land is brought under cultivation in this way, there will be employment not only for our labourers but also for the many agricultural graduates and diploma-holders. Thus the improvement of our agricultural lands will be a means of relieving unemployment. In other countries they give seeds and other equipments to the unemployed so that they can get employment by cultivating the land. We should also do something in that direction.

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"With regard to the Tungabhadra Project, I want to ask the Hon. the Revenue Member whether the Government are going to take it up in the near future. I understand that the discussion with His Exalted Highness the Nizam has come to a close and I want to know whether the Government are going to take up the work immediately. The project is estimated to irrigate 1,500,000 acres of first crop and 400,000 acres of second-crop lands. I want to ask whether the Government are going to take up this project and relieve unemployment and increase the produce of the land.

"Various other schemes also have been mentioned by Mr. Ramalingam Chettiyar. I hope they will all be taken up. Sir, within 25 miles from Madras there are two rivers—Courtalliar and Aranyanathi. We find that the waters of these two rivers waste themselves into the sea year after year. They must be conserved in reservoirs and controlled by diverting them into canals and utilized for the benefit of the people. Of course a small portion of the waters of Courtalliar is being utilized by the Madras Corporation in storage in Red Hills lake, and a large quantity is being wasted. If what the engineer said 75 years ago has been followed all these years, this could have been avoided and our lands would be producing much more than they do at present.

"Coming to our Cooum, I am glad that the Government, most probably in the Local Self-Government or the Irrigation department, are taking some interest in our Cooum. On account of its being flushed, we get much less smell than we used to. But I would request the Hon. the Revenue Member to see that the silt is removed—the silt is marketable—the river will be made deeper and more navigable."

Mr. A. RANGANATHA MUDALIYAR:—"Any irrigation under the Cooum?"

Rao Bahadur C. NATESA MUDALIYAR:—"If the Tungabhadra Project is completed and if our Cooum is connected with the Tungabhadra system, I can assure him that our Cooum will be irrigating vast fields. But what I request the Hon. Member to look to is not to keep the Cooum in that miserable state. The banks of the river are not in the possession of the Corporation; they are in the possession of the Government. There are many excavations on the banks and water stagnates in the pits. Mosquitoes breed and malaria is the result. The people of the city have to suffer. Therefore I request the Government not to allow the city to suffer by their neglect. The Government will do well to hand over the banks of the Cooum and Buckingham canal to the Corporation. At present, they will not themselves do anything, nor will they allow the Corporation to do anything. That is not proper. These are the few requests I have to make to the Government."

* Diwan Bahadur A. APPADURAI PILLAI:—"Mr. President, Sir, I rise to move the 'cut' motion standing in my name."

* The Hon. the PRESIDENT:—"The hon. Member need not move his cut motion now, because it does not arise at present. He may

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speak on the general policy of the department as other hon. Members have done till now. After this motion is disposed of, if there is time, he may move his cut motion. For the present he can speak only on this motion."

* Diwan Bahadur A. APPADURAI PILLAI:—" Mr. President, Sir, I wanted to speak on the inadequacy of the provision made in the budget particularly for minor irrigation works. From page 11 of Appendix F to the Civil Budget Estimates, I find that the provision made for minor irrigation is over Rs. 15 lakhs for 1934-35, of which maintenance and repairs get Rs. 12 lakhs and works only Rs. 20,000. The districts which I represent in the Council are mostly dependent on minor irrigation for the cultivation of wet crops. It is needless for me to point out how irrigation is of paramount importance to the ryot. It is important not only to the ryot for the purposes of his cultivation, it is also important to the Government to realize the large amount of land revenue under Demand I. The major portion of the land revenue of Rs. 745 lakhs comes from wet lands which depend for their cultivation upon the proper maintenance, improvement and repair of irrigation works. In this connexion, minor irrigation works play no less important part than those of major irrigation.

" From the administration reports of the Public Works Department one finds that the area under irrigation has been somehow or other gradually decreasing. There seems to be a steady fall in this matter. From paragraph 98 of the administration report of the Public Works Department for 1931-32, we find that the area irrigated is 3,242,000 acres for 1931-32 against 3,395,000 acres during 1930-31. The average of the triennium ending 1930-31 was 3,269,000 acres. While the outlay on the works has been growing every year, the revenue realized has been declining. It is a matter of no small concern therefore not only to the Government but also to the ryot to see that the irrigation sources are maintained and improved. Not only that, steps should be taken to resuscitate some of the irrigation works which were once functioning efficiently but are now out of use.

" Coming nearer home, of the districts which I represent on the Council two—North Arcot and Chingleput—are badly hit on account of the cessation of the floods in the Palar. I remember that about 25 years ago there were floods in the Palar, but ever since the construction and consolidation of the Betamangalam tank in the Mysore territory, the floods in the Palar have ceased. Irrigation in the North Arcot district with which I have intimate knowledge is dependent entirely upon tanks and spring channels in rivers. The tanks are either river-fed or rain-fed. It is unnecessary for me to say that the river-fed tanks are more reliable than rain-fed tanks. The system of tanks is so beautifully arranged in the district that they form a continuous chain, the tank situated on the higher level receiving its supply and surplusing into a tank on the lower level. To fill these tanks therefore freshes are absolutely necessary in the river. When the river is in floods, the head

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sluices are opened out and the first tank receives its supply. When it is filled, it overflows, and the surplus water is allowed to flow into another tank lower down. In this way all the tanks in the district are filled. There are three river systems in the North Arcot district: the Palar, Poiney and Cheyyar anicut systems. I find that the Poiney and Cheyyar anicut systems are classed as productive works whereas the Palar system has been taken away from the productive class and put down under non-productive sources. Whatever that may be, looking into the Budget, I find that no provision has been made for any improvement to the Palar system. About four years ago, I understand that a committee was formed to go into the question of Palar irrigation. But for some reason or other, we find that correspondence is still going on between Madras and Mysore Governments and in answer to a question, the Government told us the other day that the Mysore Government have undertaken to supply some information with regard to the cost that will be involved in finding out whether the supply in the Palar is insufficient or whether it receives the same amount of water as before. I would request the Government not to lose further time to put Palar on its original basis.

" I find from the land revenue report for fasli 1341, i.e., 1931-32, that there has been no decrease in the matter of wet assessment.

" For the information of the House I shall quote from page 29 of the Settlement report of fasli 1341. The wet assessment of fasli 1340 was Rs. 17 lakhs; while for fasli 1341 it has slightly increased to Rs. 17.70 lakhs. In the area under wet cultivation also there has been a corresponding increase. I find that the area cultivated in fasli 1340 is 11 lakhs of acres; in fasli 1341 it was 1,139,000 acres. One is tempted to ask how, when the Palar river has not been functioning properly as complained by some hon. Members on the floor of this House or by the public, there has been rise in the area under wet cultivation as also in the revenue derived from that area. This circumstance is due to the fact that the ryots who have been deprived of the benefit of the Palar freshes have taken to well irrigation in the district to such a large extent as to push up the number of wells in the district to more than half a lakh. The number of wells in actual use according to the published report I have already referred to is 51,578. We find that North Arcot district stands easily first in the Presidency in the matter of well irrigation. The district that comes after the North Arcot district is South Arcot with only 28,000 wells. These 51,000 wells in the North Arcot district supplement the irrigation in North Arcot district for which the Government hold themselves responsible. This well irrigation largely supplements the irrigation from tanks or river channels. The mere fact that there has been no fall in the area under cultivation and in the revenue derived from such cultivation should not, I respectfully submit, make the Government forget that it is very necessary that immediate attention should be paid at a very early date for the resuscitation of the Palar river.

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"There is one point which I would like to bring very prominently to the notice of the House. The Palar is generally dry; it is not a living river; it is absolutely dry for several months in the year. Below the surface however there is fine spring of water which supplies a very large portion of wet irrigation of the North Arcot district. These springs are called kasam channels. When freshes in the river are frequent and adequate, it is easy for the ryots to dig up the sand a little and touch water, about 3 feet or 2 feet or even 1 foot below the surface of the river. A copious and steady supply of water, used to be found in the Palar during the days when freshes were frequent and adequate. Now circumstances have changed and people have to go down 10, 15, 20 and even 25 feet from the surface to touch water. The subsoil supply of water has been rapidly decreasing; it has been causing no little concern to the ryots holding lands under the Palar irrigation. If the kasam channels or spring channels are maintained so as to function properly, the ryots would be able to obtain water at very little depths. For this purpose it is absolutely necessary that freshes in the Palar should be absolutely assured. There is no doubt, Sir, that the construction and consolidation of irrigation sources in the Mysore Territory has affected the Palar river directly. The Mysore Government may say that it was not due to their action, that they are not denying the Palar basin more water than what was previously let down, by diversions for their own irrigation sources. But the proof of the pudding is in the eating of it. We know as a matter of fact that freshes have ceased; they are very few and far between. I knew that the highest freshes were in the year 1909; for the past 25 years or so we have not experienced such freshes in the Palar river. Consequently the spring channels in the river have become affected, and the system of well irrigation is also being gradually affected. If there are freshes in the river, the subsoil springs get enough supply. When there are no freshes, and no water standing on the surface of the river, the subsoil water goes down considerably. I have known cases of wells which have dried up merely for want of freshes in the Palar. I find that, in the Budget, provision has been made for maintenance and repair. I wish to refer the House to the detailed estimates given in Appendix F of the Budget Estimate at pages 26 and 27 and 29. At page 26 we find a provision for extensions and improvements to the Cheyyar Anicut system. The provision made for this purpose is only Rs. 200. The provision made for extensions and improvements to the Palar anicut system is Rs. 2,500. For maintenance and repairs no doubt adequate provision has been made. I must admit with thankfulness to Government that the Government have made adequate provision for the purpose of maintenance. But my contention is that maintenance alone in the present circumstances, would not meet the requirements of the ryots. Greater provision has to be made for extensions and improvements. The questions how best the usual supply which the district was getting from the Palar basin can be assured as in former years, and how best the Palar head sluices system can be resuscitated, have to be very carefully considered by the Irrigation officers. It is stated at page 9 of the

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report of the Public Works department that a division was constituted in another district mainly for framing of proposals and preparation of estimates for the following items of work:—

- (1) Remodelling of sluices so as to suit the conditions obtaining now; (2) provision of direct sources of supply for irrigated lands; (3) investigation of those channels which are at present unable to carry sufficient water to irrigate their ayacut and to remodel them so as to enable them to carry their required discharge; and (4) investigation of the discharges passing through regulators to ascertain if the discharges are proportionate to the ayacuts and, if not, to suggest alteration in the rules of regulation to remedy this defect.

"These are the lines, I respectfully submit, on which the Government should make enquiries in the matter of the Palar river. If I may recall to the mind of this hon. House a bit of history, there is the town of Arcot directly overlooking the river Palar situated on its right bank. It was here that the famous siege of Arcot took place. Clive gallantly held the fort with a handful of soldiers until relief came from Trichinopoly. The history shows that, when there was scarcity of rations, the Indian soldiers said; 'We do not want rice; it may be given to our British comrades; we will be satisfied with the gruel.' It was here that Clive laid the foundation of the Indian Empire. May I ask that that district which contributed to the foundation of the Indian Empire should not be starved? There is a serious apprehension that the subsoil source is fast receding and that it may not respond as readily as it has been responding in the past. If that danger is to be averted, it is quite necessary that an enquiry should be held, as I have suggested above. Such a scheme would certainly benefit the ryots and the ryots would indeed be very grateful to the Government.

"There is one other point which I wish to bring to the notice of the Government before I sit down. The Irrigation department has not taken to account the number of artesian springs and wells dug by the Industries department in connexion with its boring operations. An appreciable amount of work has been done by the Industries department in that direction, providing the ryots in dry areas or in places where they are less fortunate in getting sufficient water. The Industries department has been supplementing in its own way the small sources of water-supply by means of its boring operations and boring wells. Probably it will be within the knowledge of this House that no less than 42 artesian springs have been brought into existence by the Industries department. There are 29 artesian springs in the South Arcot district, 2 springs in Bezvada, 10 in East Godavari and 2 in the Vizagapatam district. I bring this point to the notice of this House, with a view to impress upon the Government the necessity of conserving the supply from these artesian springs. I find that in most cases there is a perennial supply of water brought up from the bowels of the earth. But unfortunately all that supply is not utilized for the

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purpose of cultivation. The cultivation season lasts for two or three months in the year. Water that flows without any effort is not properly utilized and in several cases it is allowed to run to waste without benefiting anybody. This information about these springs is given in a small book compiled by the Industries department. I know of an artesian spring which was tapped by a karnam; after feeding the karnam's fields, the surplus water from that spring fills the tank of the village and then flowing through a *punta*, it falls into the Kollair lake.

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"There are numerous instances of that kind where water unnecessarily runs to waste through dry water-courses without any use being found for it. I hope that the Irrigation department will kindly make a note of the artesian springs that have been found in various parts of the Presidency and see how far the perennial supply from such springs could be conserved not only for the benefit of the owner of the land where such springs have been found, but also for the owners of lands in the neighbourhood. After all, Sir, it may not be difficult for the Irrigation department to enter into some sort of contract with the owners of such springs—there are springs which give more than a thousand gallons of water per minute—in order to make those springs useful to the owners and to the others in the neighbourhood.

"With these remarks, Sir, I would commend once more the dry districts of Chingleput, Chittoor and North Arcot, which I have the good fortune to represent in this Council, to the sympathetic consideration of the Government in the matter of irrigation facilities."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I am sorry to note that my district has come in for a large share in the abandonment by the Government of irrigation schemes which would contribute to the prosperity of the people. The Ceded Districts Irrigation Committee recommended a number of schemes to be taken up by the Government for the benefit of Cuddapah district but the Government have not been kind enough to take up any of them. Their usual remark is that the scheme is not remunerative. The latest that they have rejected is the Kanchalamma tank project; another was rejected earlier, the Velligallu project; also the Pullampet project which would have benefited a portion of Rajampet taluk. I hope, Sir, the Government will revise their views on these projects. I would also impress upon the Government the necessity for revising their whole irrigation policy. The Government generally take too individualistic a view in these matters; they ought to take a broader and wiser view of the necessities of the country as a whole. The irrigation schemes cannot be placed on a par with the railway projects or electric schemes. Whereas such schemes contribute only to the comfort of the people, the irrigation schemes contribute to the production of wealth in the country and thereby increase the prosperity of the people. The view that the Government should take in regard to these schemes is not whether from the point of revenue it gets, they are remunerative or not but whether there will not be sufficient increase in the value of the produce that will result from

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carrying out any scheme that will compensate for the expenditure involved. It may be said, Sir, 'What does it matter if the increased value of the produce is not less than the interest on the capital and maintenance charges, if the Government are not going to get a return for the capital invested? Apart from that, it may be said that if there is going to be increased wealth, a portion of the additional wealth will go to the Government of India in the shape of income-tax.' What I say is—and I am sorry to find that the Hon. the Finance Member is not here now—it is for the Hon. the Revenue Member to go ahead with these schemes, if only they are not likely to involve the country in any loss and it is for the Hon. the Finance Member to tap such increased sources and make them yield revenue to the Government. By adopting, as I said, the broad view, viz., that all such schemes should be carried out wherever they are likely to yield increased produce whose value is not less than the interest on capital and maintenance charges, you will certainly contribute to the prosperity of the people without any loss to the country. Supposing there is an irrigation scheme on which you spend Rs. 1,00,000; and supposing at the rate of 4 per cent per annum, the interest works up to Rs. 4,000; and that the cost of maintenance, i.e., salaries and repair comes to Rs. 2,000. What I say is, so long as the Government does not get Rs. 6,000 as revenue it may be considered a loss from the Government's point of view, but it need not necessarily be so from the point of view of the country. For, if you compare the amount of produce before the scheme with that after the scheme, and if after deducting the cost of increased labour, Rs. 10,000, it will be found that the country has become richer by not less than Rs. 4,000, the increased value of the produce being Rs. 10,000. That is why I say that the question should be decided not on the ground whether a scheme is remunerative or unremunerative, from the point of view of Government's revenue, but whether it is likely to add to the wealth of the country without involving the country in any loss. As I said, the Finance Member will be in a position to tap this additional source of increased wealth in the country for its revenue. I hope, Sir, that the Government will consider this point of view—it is quite reasonable and sound—and revise their decisions on the schemes that they have already abandoned. I may say that every country has given up taking such a narrow view of the functions of Government. Even the Irrigation Commission of 1901-03, in paragraph 94 at page 27 of their report say:—

'But when the increase in the value of produce due to irrigation has been determined, it must be compared not with the capital cost of the work but with the actual net charge for repairs and maintenance which it imposed upon the State.'

"So, they took into consideration the increased value of the produce due to the irrigation schemes. It is often said—and it is quoted in many of the text-books on Irrigation—in British India and it is also considered to be one of the benefits of British rule in India—that the actual value of the yearly produce as a result of irrigation

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schemes is generally equal to the value of the irrigation schemes. In that case, I ask, where is the necessity for the Government to give up a number of schemes as unproductive?

"The great Tungabhadra project which has been promised for a pretty long time now in this Council for the benefit of the Ceded Districts has not yet been started; I do not know what its present fate is. Originally, Nellore was given up as a result of the recommendation of the Ceded Districts Irrigation Committee; they thought that Nellore would be much better benefited by another project, viz., the Sangameswaram project. Cuddapah and a portion of Anantapur were understood to be given up later on when Hyderabad came in; I do not know whether any other district or portion of a district has been given up now that Mysore also seems to be in the field. Sir, the present times are very opportune for starting such schemes. Capital can be had at a low rate of interest and labour and material are pretty cheap. If only the Government make up their mind, this is just the time for taking up not only the Tungabhadra project but also other schemes at once. In this connexion, I must say that Government ought not to spend on such schemes, whether big or small, from out of the revenues of the Province; they must always be ready to spend on them from out of capital account, because, as I said, most of these schemes are expected to pay in the long run.

"As regards minor irrigation schemes, I am sorry that Government do not show the same consideration for them as for the bigger schemes. Whatever may be the benefits of the bigger schemes to the country at large—and they are of course many—they cannot be expected to benefit the whole of the territory. The poor ryot mostly depends upon the small irrigation works and I hope that Government will allot more money for such schemes. No doubt about Rs. 10 lakhs are now spent on minor schemes; but I say that more money should be spent. There are a large number of tanks which were dug some fifty or a hundred years ago which once were useful but which are now breached. Those tanks require to be reconstructed. There is no reason why we should not take up small schemes at least in places which are not benefited by the bigger schemes.

"I do not want to take up more time; but I want to refer to the question of water-rates. Even in that respect, the Government are adopting a very narrow policy. I hope when that question is raised under another Demand later on, I will be given another opportunity to put forward my views. The Irrigation Committee recommended that in the case of the famine-affected areas, the Government should see that many schemes were taken up immediately. One of those schemes, Sir, was the Tungabhadra project. I trust the Government won't delay the matter any further. I hope also they won't consider this project unproductive. If they think so, it should be due to other reasons. For instance, the high salaries which the Government

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pay to their officials and secondly—my Friend, Mr. Krishnayya Choudari, has already referred to it—the system of mamuls in the case of the subordinate staff—the high cost of repairs or some such thing—are responsible even from the narrow point of view of the Government to make the projects unproductive. If the expenditure on maintenance and repairs is kept down and if stricter supervision is exercised over the salaries of the officials, I am sure the estimated cost of the scheme will come down and prove remunerative. In the case of the departments of electricity and railways, the larger interests of the country demand that they should be run on purely commercial lines, making profit, wherever possible, for the benefit of the general tax-payer. But in the case of irrigation schemes, the Government should take a broader view. The salaries of most of the officials could be reduced to a one-third or at least half of the present rates. If that is done, I am sure the charges to be incurred on the maintenance of these schemes will be very low. From that point of view, I again urge upon the Government the necessity of lowering the salaries of officials and of exercising a stricter supervision in regard to the contracts. I hope that the Government will see that instructions are issued to the Public Works department only to accept the lowest tenders. The other day I was speaking to the President of the District Board of Kurnool, Mr. B. P. Sesha Reddi, and he told me that by adopting the policy of accepting the lowest tenders, he was able to save about Rs. 38,000 in one year in his district board. Considering that the Government are spending vast sums every year, a large amount of money will be saved if this principle were adopted in the Public Works department also. The Government should see to it that under no circumstances should the lowest tender be rejected. If there is to be any exception to this rule, the Government should permit this being done in each individual case found necessary.

"I was referring to the existence of corruption among the lower ranks—mamuls in the shape of a percentage of the contract amount and such like things. Even in the higher ranks, I venture to think there is a lot which requires correction and one way of doing it will be to insist on the acceptance of the lowest tender.

"Sir, I fear I have taken much time. I shall close with a passing reference to the abandonment of the Kanchalamma Tank Restoration Scheme. A sum of Rs. 1,000 has been estimated for removing prickly-pear. This amount looks too much, in fact there does not seem to be any necessity for it now. Another amount of Rs. 25,000, the Government say, is required for compensation for land under submerision. This again is too much for a tank of that type, especially now. Again, the provision of Rs. 28,800 for automatic shutters may be reduced, if not done away with by adopting less costly means. If this is done, the scheme may be remunerative. Even, otherwise the Hon. Member knows that the taluk of Rayachoti is a famine-affected taluk and the restoration of this tank, as a protective work, will go a long

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way to alleviate the suffering of the people in that locality. Though the scheme may not give the prescribed percentage on the capital outlay as at present estimated, I do hope that if the work is undertaken as a protective work, it will prove an immense boon to the locality.

“ Sir, we have been looking forward to the time when the Tungabhadra scheme is going to be taken up. The Government should remember the fact that large extents of dry lands in the Ceded districts will be protected if this scheme were taken up. I also hope that as the present time is opportune for taking up fresh schemes, capital being procured at low rate of interest and labour and material being cheap, the Government will not lose time, but will immediately take up the scheme.”

Mr. A. RANGANATHA MUDALIYAR:—“ Mr. President, Sir, I bear in mind your injunction that each hon. Member who speaks should accommodate other speakers. I shall just remind the Hon. the Revenue Member of his assurance that before he lays down his office he would see that the Tungabhadra project is started. I would like to remind him further of the assurance that was definitely given by His Excellency the Governor during his tour in the Ceded districts that he would see that the scheme was set on foot before he lays down the reins of office. I should like to know where we are in regard to this matter. We are almost growing nervous, if I may say so, by the rumours that we are constantly hearing. Just for example we are told that there is a doubt as to whether there is land suitable for cultivation at all under the project. Investigations in regard to this scheme were begun some eight years ago and when after it has been under the consideration of the Government for such a long time, we hear of such things, we indeed fear we cannot take the professions of those who are speaking for the Government seriously. If water is available, certainly it can be used for either wet crops or it may be for what are called garden crops. That water could be used admits of no doubt whatsoever. It has been told, for example, that the black cotton soil may not benefit from irrigation but will suffer; but when we tell the officers that black cotton soil in Bellary, Cuddapah and Kurnool are actually under irrigation and have not been spoilt, we are told that the evil result would not be felt immediately, but after 20 or 30 years, this will show itself out. That is hardly a reason for the Government not to take up the scheme, for agricultural science is also developing side by side and at the end of thirty years, even if it be as is said, the science of the day would certainly be able to overcome the defect. Therefore, Sir, I would appeal to the Hon. Member to kindly see his way to expedite the matter, to push forward and see that a beginning is made. Let all that has been said by him be translated into action. Let it not be a promise made to the ear and broken to the heart.”

* Mr. P. PEDDI RAJU:—“ Mr. President, Sir, I do not also want to take up much time. With reference to some of my remarks at the

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time of the general discussion of the Budget, I was not able to get any reply from the Hon. Member. The Hon. Member has served in the deltas and he will quite well realize the difficulties in the Godavari delta to which I have drawn his attention. For instance, I put an interpellation in this Council regarding the improvements to the Nakkala drain, and the Hon. Member promised that, instead of the falling shutters, screw shutters will be put up; but nothing has been done till now. The Government should have got the information this year that about 15,000 acres of land have been completely damaged by the floods in the Godavari. Instead of the drainage water flowing into the river, the river water flowed into the drain and caused much damage to the lands. There are some other drains in the delta, i.e., the Bhaggewaram drain, the Nakkala drain and the Gonteru drain. Owing to the improper condition of these drains, there has been much damage to lands in the three taluks of Tanuku, Narasapatam and Bhimavaram. I have often drawn the attention of the Government; but they have not taken up any scheme for the improvement of these drains. We are told that the Government have provided a lot of money for the Yenamadurru drain in the Godavari Western delta. You will see from the Irrigation Budget of 1934-35 that this scheme has cost about 9 lakhs of rupees. It is well to remember that this scheme was started in 1906 and was only to be finished in 1935. These 9 lakhs have been spent over a period of quarter of a century. You will also find that no provision has been made for carrying out improvements to any of the important drains in the delta.

“ I would also draw the attention of the Government to the fact that so long as the Government get their revenue, they do not care for the welfare of the ryots howevermuch they may suffer on account of damage caused by floods or drainage water. No attempt is made to give any relief to the ryot. The old revenue officials of the district have been taking care to impress upon the Public Works department the need for keeping the drains in good order and have insisted on the preparation of estimates for their improvement. But nowadays no Collector in any district asks the Public Works department to prepare estimate for the improvement of drains to give succour to the ryots. So far as the drains are concerned, this is the chief complaint.

“ My next point is with regard to the remodelling of channels. The House remembers that the Government have collected an amount of 14 lakhs as inclusion fees with a promise that the money will be utilized mainly for the remodelling and the improvements of channels and irrigation sources. The main point that was trotted out in this Council, on behalf of the Government, was that most of the irrigation channels require remodelling and much money is required for remodelling them. What is the amount of money that has till now been spent? I am sorry to see that only Rs. 1,500 has only been provided for improvements in the delta this year which irrigates about 7 lakhs of acres of land.

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"At the time of the Budget speech I raised the question of higher shutters over the Godavari anicut. That scheme was sanctioned, if I understand aright, some years ago and a provision of one lakh and odd was made in the previous year and now, this amount has been cut down to Rs. 18,000 and no provision has been made for the next year. I do not know what happened to this scheme—whether the work is going to be taken up or abandoned. I see from the statement given by the Finance Department that this scheme has been put under Class III.

"I see from the manner in which the Cauvery-Mettur Project is being worked that the Government have been providing bridges and roads wherever it is necessary as part of the estimates. It has been brought to the attention of the Government that so far as the Godavari and Kistna deltas are concerned, several bridges are to be constructed almost near every village. The local bodies have been asking the Government to provide an amount for this purpose. Of course, the Government give it under the Local Self-Government Department so far as first and second class roads are concerned. But every village has no first or second class road. The question has often arisen as to the admissibility of a grant in case the road to be bridged is neither a first or second class road. I may now quote, Sir, that the present Secretary, when he was the Inspector of Local Boards, was able to get a grant in aid of a panchayat bridge in the delta. For a bridge that cost Rs. 40,000, the Government were pleased to give a contribution of Rs. 5,000. My point is that, as in deltaic areas the pathways are interrupted by the deltaic system, the Government is bound to give at least half grant, whether it be local bodies or villagers who contribute the other half. Another important factor that I wanted to bring to the notice of the Government is that so far as the Yenamadurru drain is concerned, they have made certain improvements, but I would like to point out that, though the drain has been improved, the banks have not been properly maintained, that is to say, all the earth removed from the drain is put up on the slopes there. All I want is that the bunds may be properly sectioned and arranged instead of keeping openings here and there.

"With these words, I earnestly appeal to the Hon. the Revenue Member to see that a definite policy is laid out for the improvement of the drains. It is no use always saying that we have been improving the delta or bringing water to the lands, but the question is whether water can be properly utilized and whether it will benefit the ryot or not. If you bring more water and do not allow the water to be taken to the sea, crops will suffer. So, drainage is more important. I therefore commend this to the Hon. the Revenue Member."

* Mr. G. R. PREMAYYA:—"Mr. President, Sir, recently a Government Order was issued and that Government Order is going to work great hardship on the ryots. Up to now, unauthorized cultivation in the upper reaches of any water-supply channel, was charged at the rate of Rs. 8 per acre, but in the lower reaches only Rs. 3 or Rs. 4.

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Now, as the Government find it difficult to collect the money, they have proposed to levy a flat rate of Rs. 6-4-0. In the upper reaches, water is generally supplied to lands in proper time and the lands yield a lot of produce, but in the lower reaches water being supplied late in the season and the lands being poor, they do not yield as much produce as the lands in the upper reaches. Now, this flat rate of Rs. 6-4-0, instead of the old rate of Rs. 3 or Rs. 4 on lands in the lower reaches, will certainly work hardship. The result will be that people owning lands in the upper reaches gain some advantage over those owning lands in the lower reaches and the latter find it difficult to pay these taxes. Though Government do not lose any money, yet the ryots find it very difficult to pay this flat rate of Rs. 6-4-0 instead of the old rate of Rs. 3 or Rs. 4. That is one difficulty.

"Then, as regards the projects, the department proposed some time back to start some projects in the Guntur district, namely, Kondaleru, Nagaleru and Mellavagu. These three projects have been abandoned and the main reason given in the report of the Chief Engineer for Irrigation is:

"That as regards the organization of a storage reservoir, the Superintending Engineer is of the opinion that since the greater portion of the rainfall occurs only in September, it is not advantageous to have a reservoir as the ryots do not cultivate paddy if the storage is made so late in the season, that is, in the month of September."

"Sir, I admit, that six months' crop cannot be grown under these conditions. If water can be supplied in the month of September, short season paddy can be grown from September to January. So, there is no reason why these projects should be abandoned. I understand that the Appapuram project is going to be taken up for examination and I do not know how long it would take them to examine the proposal—it may after all be dropped after some time.

"Coming to the question of drainage, in answer to a question of my hon. Friend, Mr. G. Simhachalam Pantulu, the Hon. the Revenue Member stated that there are two drains in the Bapatla taluk. One is called the Kollimerla basin and during the time of rains, about four villages will be flooded, and they are Vallabharaopalem, Upparapalem, Nandur and Bodipalem. The other drain is Appikatla basin and this drain washes off two villages completely. In the appendix to the answer, some amounts were remitted, that is, in 1930, Rs. 1,293; 1931 Rs. 3,000 and in 1932 Rs. 900 were remitted. Then, Sir, if the Government themselves remitted these taxes, what would be the loss to the houses, cattle and other properties of the poor villagers. If the Government are not going to find other sources for the people living in these villages, how can these people live there year after year under such conditions? When there is heavy rain in the Guntur, Kistna and Kurnool districts, all the rain water will run into Bapatla taluk which is a shallow place. In such circumstances, Government should not only try to help the people in land assessments, but also to endeavour to improve the drainage sources giving the village a great relief.

[Mr. G. R. Premayya]

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"Then the other point I want to bring to the notice of the Hon. the Revenue Member is, about the Rompuru drain in the Bapatla taluk, about which he knows. This drain is situated very near the Bapatla town. About 35 years ago when the Public Works Department officers went to Bapatla, they found a big sheet of water in the rainy season and so they ordered that there should be no cultivation within six furlongs of this drain. Subsequently, they started improving the condition of this drain. The first improvement they effected was to connect this drain with sea water by opening Perali drain at two lakhs of rupees. The second improvement that they effected was to connect the Nallapada stream with the sea, thus making a big outlet for the water of the stream to flow into the sea. Having made all these improvements and spending about 15 lakhs of rupees within a period of ten years, they still insist on having these six furlongs limit wherein no cultivation should be undertaken. Now, within this area, there are not only ryots, but several members of the Depressed Classes who own lands. The Revenue Department have been good enough to grant lands to the Depressed Classes in this area and they also granted them pattas. In the year 1927, I put in an interpellation in this Council and the answer given on that occasion was that if the cultivation is detrimental to the ryots, then it must be stopped. If the Government remain adamant and refuse to yield to the wishes of the people, what are the poor ryots to do? They have been owning these lands for the last 60 years. The reports show that they have been cultivating these lands for the last 60 years and to-day they are sent out saying that they have no patta. Sir, if the Government themselves think like this in regard to the poor landless labourers, how can the Hon. the Finance Member say that he has sympathy for these landless labourers. About 1,200 Depressed Class ryots are living in this area and though they do not have the pattas, yet they have been cultivating these lands for the last 60 years. If the Government have any sympathy for the landless labourer, here is a case. Recently Government ordered that their crops should be sold in public auction and they are penalized. If the Hon. the Finance Member has any genuine sympathy for the landless labourer, here is a case. I think the Hon. the Revenue Member will have some sympathy for these people and try to do something for them."

* The Hon. the PRESIDENT:—"The Hon. the Revenue Member may reply after lunch."

The House will now adjourn and meet again at 2-30 p.m.

After Lunch (2-30 p.m.)

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, hon. Members have roamed over the whole Presidency in dealing with this Demand and in the time allowed, it is not possible for me to deal with all the points that have been raised. If there are any points

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to which I do not refer to in my remarks, I will have them examined later.

"There is some difference of opinion as to whether we ought to undertake any further large irrigation works. Some hon. Members give it as their opinion that, in view of the present prices of paddy, it is not desirable to proceed with further irrigation works; while there are others who want to do much more than we do at present or desire us to encourage schemes of irrigation of dry crops. At the present moment, Sir, we have always in mind these considerations and as hon. Members are aware, the Bhavani project which we are investigating is a scheme for the irrigation of dry crops. We do not actually prohibit irrigation of wet crops, but under the scheme the amount of water supplied will not be sufficient to rear an ordinary crop of paddy; therefore, unless there is some supplemental source of irrigation, only dry crops can be raised. At the present moment, the position is that we have completed the preliminary investigation of the Bhavani project and have passed the necessary legislation with regard to this irrigation project to enable us to proceed with its further investigation. The complete investigation is now going on. Mr. Munro, the Deputy Director of Agriculture, has submitted a report on the investigation regarding the irrigation of dry crops in that area and that report is now under examination of the Director of Agriculture and with the Chief Engineer for Irrigation, and until it has been examined by those officers and the Irrigation Board, it is not possible for us to say what effect that report will have in the carrying out of this project. Mr. T. A. Ramalingam Chettiyar said that these very detailed investigations are somewhat unnecessary. I submit that it is most essential in these days that we must be quite certain that our projects are likely to be a success, both physically so to speak as well as financially. In the past, it is true we have allowed our irrigation projects to develop in a very haphazard manner and this fact leads hon. Members coming from those districts to complain about them. The result of haphazard development is that land is irrigated in various places without any regard to drainage facilities, without economical distribution of water and without regard to communications and we have afterwards proposals brought forward for remodelling channels, for the provision of drainage, roads and bridges. Then these proposals naturally do not find favour with the Finance Department because they will not be remunerative. So, our system at present is to have all these questions carefully examined in advance to see that the estimates actually provide for all these matters to start with, so that these objections may not arise when the projects subsequently develop. I am most anxious to push on with the completion of the investigation as soon as possible for it would be undoubtedly of advantage if we were to take some of the machinery from Mettur and transfer it for use on this project. But, Sir, at the rate at which the investigations are going on, I do not think it will be possible to complete them in time to enable us to make use of the Mettur machinery. We cannot expect the Tanjore

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ryots to pay for looking after the Mettur machinery on the cost of which interest charges will be accumulating, in the hope that some time later it may be of advantage to take it to the Bhavani project. Nor can we leave the machinery lying untended or it will rust, as soon as the Mettur project is finished. There does not seem to be much chance of Bhavani project coming into execution soon. At the same time, I can assure hon. Members that I shall do my best to expedite the investigation that is going on.

“ Dr. Natesa Mudaliyar and Mr. A. Ranganatha Mudaliyar both referred to the Tungabhadra project. The position there is, as hon. Members are aware, that we are confronted with at least two other Governments, namely, Mysore and Hyderabad. We have first of all to settle the distribution of water available in consultation with these two Governments and also the Bombay Government. The Bombay Government's demand however is so small that it does not affect the scheme materially. The question for decision is how the water available in the Tungabhadra is to be distributed between the various Governments. We have received communications from the Bombay and Mysore Governments and the matter is now under examination by the Hyderabad and Madras Governments. When their examination is complete, we intend to have a conference to settle this matter. Before this is done, it is not possible to know how much water will be normally available for storage in the proposed reservoir. Meantime, the Madras and Hyderabad Governments are proceeding with the preliminary investigation of the project assuming that certain amount of water will be available in order that we may make up our minds whether it is worth while to proceed with the detailed investigation. As has been stated by my friend, Mr. Ranganatha Mudaliyar, the investigating officers have raised certain doubts as to the suitability of the soil for irrigation and unless and until those doubts are resolved, it will not be wise to proceed with the project. I trust that we may find that it is possible to use the water for the benefit of Bellary and other Ceded districts in some way or another. The question as to what crops can be most profitably grown is also under investigation. At the present time, Mr. Priestly and Mr. Parameswaram Pillai are studying the question of the irrigation of dry crops in Bombay and Hyderabad. I have not heard what the results of their enquiries are.

“ Mr. Ramalingam Chettiyar referred to Siruvani water and suggested that instead of using it for a new scheme, a more profitable and remunerative project might be devised by improving the irrigation of land already irrigated under the Noyel and he informed us that the ryots will be prepared to pay one rupee more for acre than at present for an improved supply. I am not sure whether any proposal of that kind has been examined, but I am willing to send it for examination by the Irrigation Development Board. At the same time, I may inform the House that we have sanctioned the investigation of a scheme for the extension of irrigation of sixteen hundred acres in the

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Noyel valley. But I will have the alternative scheme now proposed also examined.

“ Mr. Peddi Raju drew attention once again to the inadequate drainage of the West Godavari Delta. A great deal has been done in the past few years towards the improvement of drainage and some lakhs have been spent on the Yenamadurru drain. At the present time, we are completing certain works in the neighbourhood of Duvva which will greatly improve the drainage of a certain portion of the delta. This is a matter which we have constantly before us and we hope that in connexion with a big scheme which is under investigation, it will be possible not only to bring 90,000 acres under irrigation but also to improve the drainage in certain respects as well as to provide higher shutters over the Dowlaishweram anicut and arrangements for lifting them. The project is under investigation and I am very anxious to see that the investigation is finished as soon as possible. I understand that it will probably be a remunerative undertaking.

“ As regards the Nakkala outfall sluices to which the hon. Member 2-45 also referred, I may say that as they have not been working satisfactorily, the question whether any remedies could be adopted has been investigated and provision has been included in the Budget for certain experimental improvements. p.m.

“ Mr. Peddi Raju also complained that large sums were collected as inclusion fees, but that nothing has been spent out of those sums. From the figures that I have obtained I see that up to June 1931 the inclusion fees collected in the Godavari Western Delta amounted to nearly Rs. 6½ lakhs. As against this sum, the cost of the special establishment amounted to Rs. 1¼ lakhs and the cost of remodelling the channels up to that time amounted to over Rs. 9,32,000. So it will be seen that the amount spent on the special establishment and on the remodelling of channels has exceeded the amount collected as inclusion fees.

“ Mr. Peddi Raju referred to a bridge for which the district board obtained a grant of Rs. 5,000 from the Government and desired that that system should be extended further. The principle on which contributions from the irrigation grant for the construction of bridges are made is this: if there was already an existing roadway when the irrigation work was constructed, then the cost should fall on the irrigation work; if it is a new means of communication, then no contribution should be made from the irrigation grant. In the case mentioned by my hon. Friend, I believe the grant was not made from the irrigation grant, but from the ordinary grants made by the Local Self-Government department for roads and bridges.

“ Mr. Krishnayya Choudari quoted from the settlement report of the Guntur district. I shall be glad if he will show me in that report the basis for his statement that the settlement rates had been raised on the assumption that certain drainage works would be carried out. I have not been able to find it myself. I would only point out that

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in forwarding the settlement officer's report, the Board of Revenue stated that allowance had been made for defective drainage in classifying the irrigation sources.

"Both Mr. Choudari and Mr. Premayya complained that no amount has been spent on the drainage in the Kistna Western Delta. A good deal has been done in the last 30 years on the improvement of the drains. But this is a question which is very difficult of solution and the matter is still receiving attention. Again, it is a matter of finance very largely. As the improvements generally cost very large sums of money, it is difficult in these days to find money for these purposes. (Mr. P. V. Krishnayya Choudari: 'Why not keep the promise made 30 years ago?') A great deal has been done. (Laughter.) Several lakhs have been spent.

"I will look into Mr. Premayya's complaint regarding patta lands within the six-furlong limit in the Romperu drain and see if anything can be done in the matter.

"Mr. Appadurai Pillai raised again the question of the Palar. The Palar Committee asked us to obtain from the Mysore Government statistics as to the capacity and the ayacut of all tanks, Palar catchment in Mysore in 1892, 1897, 1902 and the present day. The Mysore Government informed us, they have not got some of these statistics and that it would involve considerable amount of labour and expense to complete those which could be obtained. As I have already informed the House, we have arranged with the Mysore Government that they should give us an estimate of the cost of compiling the available statistics and we are awaiting their estimates. On receipt of the estimates the matter will be further considered.

"Mr. Koti Reddi complained once again that the Cuddapah district is neglected. He said that all the projects relating to that district have been turned down as not worth carrying out. I may inform the House that we have had all these projects re-examined recently to see whether it is possible to carry out any of them. As regards the Kanchalamma project the Chief Engineer reported that it will give a poor return and said that the following aspects also make the scheme undesirable. In the first place the availability of water for storage was doubtful in many years; secondly there was the possibility of the new tank prejudicially affecting the supply to the spring channels, lower down and also the supply to the Matlaraju tank; and thirdly the foundations for the bund in the river bed would not be very good. Considering these circumstances as well as the present condition of our finances, the Government had decided that the project must be abandoned. I can assure my hon. Friend that I should be very much pleased if I could find any project which could be suitably carried out in the Cuddapah district even as a protective work. In this connexion I may say that we classified areas liable to scarcity so as to provide criteria varying with the circumstances of each tract which are to be applied in considering whether a given work proposed in the area is to

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be treated as a 'protective' work and financed under the rules applicable to such works. We have laid down that an irrigation project should ordinarily be a paying proposition, and the criterion for this has been laid down as a net return of at least 6 per cent on the sum at charge ten years after its completion. That is the usual rule. (Mr. T. A. Ramalingam Chettiyar: 'That is too high for the present days?') In special cases the Government may, if a project is beneficial even indirectly both to the Government and to the people, undertake it as protective irrigation work though it may yield a smaller return. That meets the hon. Member's point. We do take into consideration the needs of the people. One hon. Member wishes to know what return we expect in such cases. What we have done is to consider the conditions of each taluk in the presidency and reduce the percentage criterion suitably. For this purpose we classify the taluks into four classes. In class A the criterion is a return of not less than 3 per cent; in class B a return of not less than 4 per cent; in class C a return of not less than 5 per cent and in class D a return of not less than 6 per cent. In the Cuddapah district, no taluks are in class D; the northern half of the Cuddapah taluk falls in class C, the criterion being 5 per cent; the Rajampet and Prodattur taluks are in class B, the criterion being 4 per cent; and the rest of the district is in class A, the criterion being 3 per cent. Works can be proposed within these limits as protective works and part of the cost can be met from the balances in the Famine Fund. (Mr. T. A. Ramalingam Chettiyar: 'If a classification list of this sort is published, it will be very useful.') I will consider the hon. Member's suggestion.

"Rao Bahadur Natesa Mudaliyar referred to the Cooum. That is a very difficult question. On the reclamation and improvement of the Cooum, we have spent a considerable sum of money. Here again it is not easy to find funds for further improvements. But, from my own experience, I can say that the Cooum has lost much of its offensive smell, on account of the improvements carried out in recent years.

"Some hon. Members referred to the somewhat unsatisfactory way in which Advisory Boards are functioning. At present their functions are to make recommendations on questions of policy and other important matters affecting the interests of particular irrigation system as a whole but they have nothing to do with the remedying of individual grievances. They are expected to meet once in a quarter and keep themselves in touch with the executive engineers. The question of revising the rules regulating their working and of issuing more detailed instructions is now under the consideration of Government. The suggestions made by hon. Members will be considered in that connexion. (Mr. P. V. Krishnayya Choudari: 'Better give the franchise to the district boards instead of having the members nominated by Collectors.')"

"With regard to irrigation panchayats, a suggestion was made that the Collectors might be asked to hand over to irrigation panchayats select irrigation works. I am sure the Collectors will consider any suitable suggestions that may be put before them. We have directed

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the Collectors to see what can be done. (Mr. P. V. Krishnayya Choudari: 'The Collectors may be advised to try one or two panchayats in every area.') I will consider the hon. Member's suggestion.

3 p.m. "Then, Sir, it was said that there is corruption among the staff of the Public Works Department. I am sorry to hear this complaint; but I don't think that any reduction in the salary, as proposed by one hon. Member, would tend to reduce the corruption. On the other hand, a reduction in salary would only aggravate the corruption, if there is any. I am afraid it is very difficult to deal in a matter like this unless public opinion comes to the assistance of the Government. In the absence of any definite complaints I do not think the Government can do anything in the matter. I am quite sure the superior officers of the department will do what they can to stop any corruption, if there is any.

"As regards tenders, we have recently issued orders to the effect, that the Superintending Engineers and Executive Engineers during their inspections of the division and subdivision offices should examine every case in which a tender other than the lowest tender has been accepted and bring to the notice of the higher authorities cases in which the rule about the acceptance of the lowest tender has been departed from without sufficient justification.

"A complaint has been made by Mr. Appadurai Pillai that sufficient money has not been allotted for the expansion of and improvements to minor irrigation sources. We have allotted thirteen lakhs for maintenance and repairs of minor irrigation tanks but expenditure on original minor irrigation works is an item which varies from year to year and is the sort of expenditure that has to be reduced in times of financial stringency. I may however mention for the information of the hon. Member that this year we have provided a sum of Rs. 20,000, and out of this, we have provided Rs. 6,000 for the Chingleput district and Rs. 4,755 for the North Arcot district, to which districts Mr. Appadurai Pillai made special reference.

"Mr. President, Sir, I think I have answered most of the points raised in this debate. I regret that I have exceeded my time-limit and I apologise for doing so."

The cut motion was, by leave, withdrawn.

The Demand was put and carried, and the Grant was made.

DEMAND VII—IRRIGATION—CAUVERY-METTUR PROJECT—RESERVED.

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

'that Government be granted a sum not exceeding Rs. 13,93,500 under Demand VII. Irrigation—Cauvery-Mettur Project—Reserved.'"

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* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Mr. President, Sir, I beg to move—

'to reduce the allotment of Rs. 13,93,500 for Irrigation—Cauvery-Mettur Project—Reserved by Rs. 100.'

"Sir, this is the one big project that has been practically completed after the new Council has been brought into existence. In the first place we have to congratulate ourselves on the fact that the estimate for the work has not been exceeded, as is not generally the case in all Public Works Department works. As a matter of fact the actual expenditure is well below the old estimate, and it is said that we will have a balance of nearly 70 or 80 lakhs as per the original estimate. But I should like to know, Sir, what these savings really represent. Do they represent a short expenditure, due to low price of materials and cheap labour, or is it due to any changes in the work that was originally proposed? And if it is due to change in the work, may I know whether it involves a reduction in the acreage of cultivation that is going to be brought under the scheme?

"Secondly, I should like to know whether this revised estimate took into consideration the sale-proceeds of the machinery utilized in the project and also the cost of the township of Mettur, which has been constructed at such a vast expenditure. I should like to know what arrangement the Government are going to make with regard to the town of Mettur. Sir, when we were all expecting this Government to utilize the machinery employed in the Mettur project in some other big project, it was a surprise and disappointment to us to hear the Hon. Revenue Member this morning announcing that it is not possible to utilize the machinery in any other big project, because there is no other big project ready at hand for execution. So, I should like to know what Government are going to do with the machinery. And if they are going to sell it, what amount they propose to get out of it?

"Then, again, Sir, with reference to the final figure of expenditure on the scheme, may I know whether in view of this, Government will reconsider their proposals as people complained that the rates originally fixed are too high? In the first place Government would have to consider the present level of prices, as otherwise people would not be prepared to take water. May I know whether Government are in a position to reduce the water rate?

"Then there is the fact that we have all along been expanding the cultivation of paddy in this Province from year to year, and probably the time has come when we should think of stopping any further extension of this crop. So have Government considered the question of giving water under the scheme to crops other than paddy? I am glad the question of utilizing Mettur water for dry crops has been raised by the people of the Tanjore district themselves. If so, what is the Government's conclusion?

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"Then there is also this question. When the scheme was first started it was proposed that the people of Coimbatore and Salem districts should get some benefit out of this scheme, by running two channels from the project, one running into the Salem and the other into the Coimbatore districts. Now if the people of Tanjore are not willing to take water at the present high water-cess, if Government are willing to give water for dry crops, may I know whether it would be profitable to Government to let water to the Coimbatore and Salem districts for cultivation of dry crops? I should also like to know how many acres in the Tanjore district are being irrigated at the present moment out of the water from Mettur? And how many acres are likely to be brought under cultivation afresh within the current year and the next? Sir, we have been of late reading in the newspapers that the people of Tanjore are not able to take water at the rate prescribed by Government? Is it a fact, Sir, that many of the owners of land have declined to take water, or are not likely to take water as was originally expected? These are matters on which I expect the Government to give us some information: and in case it is found necessary to reconsider the scheme on the lines I suggested. It is with that purpose I gave notice of this cut motion."

* Mr. A. Pl. N. V. NADIMUTHU PILLAI:—"Mr. President, Sir, as a representative coming from the area for which the project is said to be intended, a special responsibility is laid on me, and I also have a special mandate from my electorate. The Government have not taken any steps to repay the Government of India loan by either raising fresh loans in the open markets at a lesser percentage of interest, or by conversion of the same when cheap money is available. The Hon. the Finance Member has said that the Government of India have agreed to the repayment of a crore. Then, what about the balance of 5 crores and odd? Why pay more than what is necessary? The Government may save 15 lakhs of rupees in interest charges, if these loans are converted, as suggested by me.

"In the project area, the old irrigation sources have been disturbed. The Cauvery water gets into the private tanks without the request or even the knowledge of the owners, and water-cess is now being demanded for the entire ayacut. Leading channels are left open like blind alleys in the middle of a big plain without any definite course, so much so, the whole area is flooded, and water flows out into all depressions and heavy damages are caused to the fields. Protests from the ryots are not heard by the authorities. Permits for the supply of water have not yet been given to all, and the ayacut register is not open for inspection in the village. The village officials charge as they please and use this new weapon as a lever for illegal exactions. The Government guarantee that they will not interfere with the existing sources, and supply of water is not respected at all. Ryots are ignorant of what would have to be paid, and whether they would be charged at all for use of the water that was going to waste along the side drains of roads for wetting the lands to harvest the groundnut.

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crops. They are being charged Rs. 5 an acre. Due to lack of seasonal rains and the low price of groundnut, the ryots have very little, and so to extort a levy of Rs. 5 per acre for wetting the lands is nothing but bleeding them to death. The rules, whatever they may be, have to be interpreted in a sympathetic manner.

"Regarding the improvements to the communications in the project area, the Pattukkottai-Tanjore railway line has not yet been expedited. It still seems to be only in contemplation. My present information is that the railway line is to be stopped at Enadi, 4 miles from Pattukkottai. The line must go through to Pattukkottai, and the Government of India should be addressed by this Government for taking up and finishing the construction of the railway line before the end of 1935, to facilitate the movement of goods and passengers.

"As regards the development of cultivable waste lands irrigated by this project, a net extra profit of Rs. 15 lakhs will be available to Government, if large scale model sugarcane research stations, farms and factories are established by Government. I am not satisfied with the present policy of the Government, of selecting a small plot of 30 acres of patta lands in Pattukkottai taluk for the purpose of this experiment at a heavy cost. Large tracts of Government lands are available in Pattukkottai and other taluks. I ask why Government are not making use of them.

"In Revenue Board's Standing Order No. 88-B, the Gov- 3-15
ernment expect a return of 6 per cent on the total outlay, p.m.
during the first ten years. In accordance with the Irrigation Commission's Report of 1901, it is enough if the Government is satisfied in the days of continued depression with a return of 3 per cent only and thus reduce the water-rate to the ordinary simplified system of Rupees 6-4-0 per acre for first crop and Rs. 3-2-0 for second crop as in Tholudur project.

"For the purpose of forming new roads in the Mettur project area, Government have sought the help of the Tanjore District Board and have asked them to carry out those works. But the district board is called upon to bear the entire cost of the works. The money that Government have till now advanced to the district board is being treated as a loan and not as a contribution. I have to enter my protest against this. These roads are being laid for the express benefit of the Government. But it is strange that the district board should be called upon to meet the cost of the same. Therefore I request Government to treat the one lakh of rupees already advanced as a contribution and not as a loan."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I am glad that one of the biggest projects in the world and also the biggest project in Southern India has almost come to a state of completion and it is to be opened very soon by His Excellency the Governor. Though my district has not got any benefit and though so far not even the slightest hope that she will get some benefit from that reservoir has been held out, I must

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congratulate the Government on having successfully completed this big project. It is really a great achievement to the Madras Government, and I congratulate Sir Archibald, our Revenue Member, for having completed this monster construction during his tenure of office. Sir, though the Government have showed their material sympathy to other districts, they have not shown any real sympathy, i.e., sympathy in action to my district. For all the trouble we have taken and agitation that we made, the Government have spent a few thousands in investigation as a result of which they have issued a Government Order covering fifteen pages which we all have the opportunity of going through at our leisure hours and by this Government Order, they console themselves that every possible thing has been done to my district. But I cannot rest satisfied and console myself that the Government have done every thing to help my district. I wish to put forward a new proposal before the Government which I hope they will be pleased to give their earnest consideration and this is the providing of irrigational facilities to Salem district from Mettur Reservoir by means of pumping. I hear, Sir, that, about this proposal, some prominent gentlemen of the district have also interviewed the Collector and the people of Omalur taluk have also convened a meeting and gave expression to their feelings that Government should explore this scheme, namely, the scheme of pumping water for irrigating an area of more than 15,000 acres from Mettur Reservoir. I have every hope, Sir, that this scheme is worth trying and can be successfully worked out at a small cost and without undue burden to the ryots. At Mettur, we have got every arrangement for the achievement of a hydro-electric scheme. The Government have invested a lot of money at Mettur in doing all the preliminary work of laying by putting the necessary pipes and making other arrangements with regard to this hydro-electric scheme and very soon this scheme will be an accomplished fact if the Government have the desire. They have got a large amount of water stored up at Mettur and they will have to allow this water gradually down the river for irrigation in Tanjore area and in so doing they have got ample scope for generating a large quantity of electricity at a very low cost. I am sure the quantity of electric power they will have at their disposal will be more than what they need and that power may very well be used for pumping water at Mettur. Since the portion of Salem district adjoining Mettur is a hilly tract for about 3 or 4 miles, this process of pumping is to be resorted to. If the water is taken to the distance of 3 or 4 miles through pipes by means of pumping, then we have got the advantages of gravitation. The probable height to which the water is to be pumped up will be about 400 feet. By this process we can conveniently provide irrigation facilities during primary paddy season, viz., from July to October. During this season, we will have freshes in the river. The dam will be full and a large surplus quantity of water will be flowing down the river. So, without any loss or extra trouble, we will be able to have enough water power to generate a large quantity of electricity, a portion of which we can utilize, for pumping up the water for irrigation. Since this question has been taken to the

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notice of the Collector as I said before, I believe, the Collector in his turn ought to have made a report of it to the Government and the whole matter may be before the Government now. If they have not got it, I will be quite glad to submit a memorandum to the Hon. the Revenue Member in this behalf. So, I request that the Government will do well to explore this possibility also and provide some facilities for irrigation in our district. If they undertake this scheme and accomplish it, I am sure about 15,000 acres of land can be brought easily under cultivation. I am also told, Sir, that this sort of irrigation system by means of pumping the water is existing in Kistna district and I am further told that it is working there very successfully. So I think they may do the same thing here also, with benefit both to themselves and the poor ryots of the Salem district. The Government have got every thing at their command and if they have got the will they can certainly do it. It is not at all a big or an impossible thing for them. The process is very simple. They have to force up the water by means of pumping to a distance of about 3 or 4 miles and to a height of about 400 feet, and then they have got the advantage of gravitation and it will be very easy for them to bring the water up to Salem and divert it in all ways. I shall place a memorandum in this behalf before the hon. Member soon. I hope the Government will take up this question, consider it in detail, make a thorough investigation and allow the people of the Salem district to have some benefit from this reservoir which is built at their very border rendering many of them homeless.

“With regard to the people who were employed in the various offices at Mettur, I am furnished with figures, in reply to an interpellation of mine, that there will not be many who will be thrown out of employment. I am glad to have this information from the Government. All along, I was thinking that a large number of people would be thrown out of employment, if the various offices at Mettur are closed, and hence they would be put to much suffering. But, now, Sir, I am glad to note that only about three clerks, excluding the unpassed hands and twelve copyists and some peons would lose their jobs.

(A voice “What about labourers?”)

“With regard to the labourers, they will have to be inevitably thrown out of employment. But I wish the lower Bhavani and Tungabhadra Projects would come to their rescue. Since the people without any lien on other appointments are only in very small numbers, the Government may easily provide for them in future vacancies that may come up in their various departments.

“Then, Sir, with regard to buildings and other structures at Mettur, it has been suggested to the Government, time and again, that they may very well start a technological institute or some such thing there. I believe the Government are now considering this question with all seriousness, since the project is nearing completion and work is to be wound up soon. I think Government will come to some definite conclusion ere long. Since our country is far backward in

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industrial development I think the Government will not lag behind to come up with material proposals to make use of these buildings for some industrial purposes. They have got electricity at their door to help them in any operations that they may undertake.

“ With regard to easy approach to this lovely dam, from Salem and other places, I am aware that there is a proposal to take the trunk road from Thopur to Mettur and then to Bhavani, which is being worked out, now. I do not know how far that work has progressed now. As far as I am aware the proposal was to lay the road from Mettur to Mecheri which is about 8 or 9 miles and then take it to Thoppur to connect it to Madras-Calicut trunk road. To an interpellation of mine put some time back, I remember to have got an answer that the work was not progressing. Now I wish to know definitely how far the work has progressed. If the Government have not completed the work, I request them to see that the work is completed and the road well laid out up to Mecheri, at least. Then, it will be easy for people to reach Mettur from Salem. There is another road which connects Mettur from Salem. That will be a shorter route for the people who go from the southern parts and south-western parts of the district. That road passes through Nangavalli. Up to Nangavalli we have got district board road. From there the distance to Mettur is only eight miles out of which the district board has undertook to set right about four miles. The other four miles were looked after by the Mettur authorities. I do not know if they have abandoned that portion now, because they are linking up at Mecheri by means of another new road. I want that Government should maintain the former road, also, because it would be very inconvenient for people in the south if they do not do so. After all, they will have to maintain a road only for four miles, which has already been formed. So I hope the Government will keep this road under their maintenance and thus allow facilities to the people of the southern parts to have easy access to the famous Mettur Dam.

“ With these few words, I once more appeal to the Government to give their best consideration to the proposals I have made.”

* Rao Sahib V. I. MUNISWAMI PILLAI:—“ It is a matter for congratulation that Government have been able to bring this project to a successful completion. Sir, a large amount has been involved in this scheme and it is up to the Government to find out ways and means as to how to pay interest towards the loan taken for this project.

“ There are very few points which I would like to advance. I hope the Government will be sympathetic in considering those points. During last year when a similar demand was taken up in this House, my hon. Friend, Mr. Siva Raj, brought to the notice of the Government and requested them to lease large tracts of land which are lying waste at Mettur to the Depressed Classes so that they may form colonies there and thus make a living. In pursuance of this I understand that the Government made a recommendation to the Board of Revenue to that effect but unfortunately they have not accepted it. But they have gone to

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the extent of asking the Depressed Class people to form co-operative societies and if the members of the Depressed Classes were to become members of that particular co-operative society, they would be prepared to give the land at the rate of one acre per head. Now that restrictions have been placed upon tea by a resolution passed in the Assembly, a large number of estate coolies that were employed in tea plantations in South India have been asked to go away. Salem is a very important labour centre for these estates and I know personally that in the Attur and Namakkal taluks a large number of these estate labourers are idling away their time without any work. In addition to this, on account of the low prices obtaining for rubber large labour forces have been sent away from the Federated Malay States and such other rubber growing areas. The Government have to see whether they cannot go to the rescue of these people who have a very low status in life by granting them lands for cultivation in areas where there are plenty of lands cultivated. I request the Hon. the Revenue Member to see whether he cannot kindly take up this matter and give lands to the Depressed Classes without insisting on their forming themselves into co-operative societies even in the very beginning. As these people have not got any capital to invest in co-operative societies if they are given lands first and at a later stage asked to form themselves into co-operative societies, I am sure they will readily do so.

“ Secondly, Sir, I want to bring to the notice of the Government one point with regard to the officers and servants employed on this Project. More than 90 per cent of the people employed are drawn from one community and one community alone. Even the very watchmen who are supposed to be watching the canals, sluices and the shutters are drawn from the higher castes. Therefore what happens is this. These people are asked to do the domestic work of the officers under whom they are serving. The watchmen have to be near the canals throughout the day and night, of course on a shift system; but if they are taken away for domestic service with the officers, I think it will be dangerous. Therefore, I suggest that these small appointments at least may be given to members of communities who deserve some consideration at the hands of Government. These are the two points which I wanted to bring to the notice of the Hon. Member and I am sure he will give some sympathetic consideration to this matter.”

* Mr. K. S. SIVASUBRAHMANYA AYYAR:—“ Mr. Chairman, I rise to support this cut motion in order to urge on the Government the necessity for reducing the water-rate in the Mettur area. My hon. Friend, Mr. Nadimuthu Pillai, has dealt with all the aspects of the question very elaborately. In urging on the Government to reduce the water-rate to Rs. 3, I am only voicing forth the views of the ryots concerned. As a matter of fact, I know and the ryots also have been making representations to the Government to that effect, that it is not at all paying to take water at the present rate and that they are put to much loss. Of course, it is usually argued by the Government that the ryots are not compelled to take water if they have no mind to do so. But

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on account of the percolation from the channels which run across the villages in those areas, the dry lands have become unfit for the cultivation of dry crops which they have been raising for a very long time, so much so, the ryots have only either to cultivate wet crops or leave their lands fallow and pay the kist.

"Some hon. Members of this House seem to think that Tanjore has been favoured by this Government undertaking this Project. It may be, Sir, that a large sum has been spent on constructing this dam, and it may be that a large area of dry lands has been brought under wet cultivation in the Tanjore district. But, Sir, I must tell this House that because of this Mettur Project, we, in Tanjore, are going to be crushed and crushed once for all and that the ryot population will have no existence in future on account of the heavy taxes that the Government propose to levy. Government Order after Government Order violating even the principles of settlement are being issued levying new water-rates. G.Os. No. 1238 of 14th July 1933 and No. 474 of 15th March 1933 are instances in point. The latter Government Order directs the imposition of a flat water-rate of Rs. 7-8-0 per acre on second-crop lands and other additional rates and cesses and the former reclassifies the irrigation sources in the Tanjore district and increases the rates of land revenue on wet lands in the old delta by more than rupee one per acre. In answer to an interpellation of mine on this subject some time last week, the Government have said that they had received several representations from ryotwari landholders' associations and individual ryots protesting against these arbitrary levies but that they see no reason to cancel the Government Orders. Sir, already we are groaning under heavy taxation and the ryots are in a precarious position. It is a matter well known to the members of this House that even the little yield we were able to get after the failure of the north-east monsoon, on account of the cyclone havoc and the heavy and the untimely rains in January, we are not able to dispose of. We are in a dilemma not knowing what to do even to pay the Government kist. When such is the state of affairs, this Government Order threatens us in our very face. The Government say they are not prepared to reconsider the matter and they see no reason to cancel their orders. May I ask the Government whether they are right and just in raising the classification and thus raising the taram and consequently the assessment without making any crop experiments? The tarams were settled at the time of the settlement only with reference to the average yield got from the various tarams and now how could they raise the tarams without definitely knowing whether the yield has increased or not? It is a doubtful question. Because the Mettur Project has been completed and that more benefits are likely to accrue to the ryots, is it right on the part of the Government to increase the assessment without making even crop experiments? I do not think, Sir, it is proper on the part of the Government to do that. So, I would appeal to the Government to reconsider this matter. It may be said that a greater area than was expected has now been brought under cultivation under the Project.

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The main reason for that is that the propaganda officer and several other officers of the Government as well as several Mirasidars' Associations in the district were giving out freely to the ryots concerned that in these new areas, the assessment would be reduced to Rs. 3 per acre for the first few years. It is on account of that that a large area, much more than was expected, at the beginning of the fasli has been brought under cultivation this year. Therefore unless the rate is reduced to Rs. 3 an acre, there will be no escape for the ryots and they would be put to great difficulty. I once more appeal to the Government to reduce the rate to Rs. 3 an acre.

"It may be argued that if the project is to be a success, the water-rates charged must be sufficient to enable the Government to pay the interest on the loan raised for financing the project and that the present rates are calculated on that basis. In reply to that, I may say, as has been pointed out by my hon. Friend, Mr. Nadimuthu Pillai, that the loan may be repaid by raising another loan either from the public or from the Government of India at the present rates which are much lower. The Government of India themselves may be persuaded to lend the money at a lower rate of interest so that this Government may be enabled to charge lower water-rates and give some relief to the ryots. As has been pointed out by me on a previous occasion the scheme should not be treated solely as a productive one but it should be treated partly as productive and partly as protective. The scheme was mainly undertaken at first to ensure regular water-supply to the old delta and to save it from the vicissitudes of season and only secondarily to bring under wet cultivation the dry lands and to uplift the Kallar community in those areas. This is a relief to which Tanjore ryot is entitled and the Government are not justified in expecting a return for the whole amount spent.

"Sir, I have more than once urged on the Government the necessity of providing adequate drainage facilities for the new Mettur area. Recently the engineering officers of the Government summoned a conference of the ryots of these areas and told them that there was no need for any drainage facilities, but as one who knows the locality and who lives in their midst, I may say that even during the recent rains many houses collapsed and extensive damage was caused to cattle and property. The only argument that these engineering officers are able to put forward is that the drainage facilities which existed prior to the introduction of this scheme have not been altered and have been kept in tact. That is their only argument. Now, Sir, when dry lands are converted into wet it is within the knowledge of all that they take more water than wet lands. When there is a heavy rain, the rain water adds to the water stagnating in the wet lands and the drainage channels are not able to drain both. The result is considerable damage to lands even in the old area. For instance, in my own taluk of Mannargudi the river Pannaiyar has breached for the last three years consecutively owing to the inflow of a larger volume of water from the project area. This was brought to the notice of the authorities several times but it had no effect and the proposal to cut open the Korayar and take it directly to

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the sea, so that both the rivers Pamaniar and Korayar may be easily drained is still a proposal. I am afraid it has not been sanctioned and is kept in abeyance. So much so, landholders in these parts have only to be praying to God to save them in future years from heavy flood damages. I request the Government to take early steps to see that the already inadequate drainage facilities of the existing delta are not made more inadequate by allowing the new delta water to swell the old drainage channels.

3-45
p.m.

"I am glad that there is a proposal of the Government to open a farm at Pattukkottai for trying sugarcane and other garden crops. I would request the Government to open another farm in Mannargudi taluk also. It may be a little costly; all the same I urge the same for the reason that the soil of Pattukkottai is quite different from that of Mannargudi. If a farm is opened at Mannargudi and demonstrated, it will help the ryots very much; people can be induced to grow these crops and the Government may be able to collect their revenue very easily.

"Before I conclude I wish to say a word about our dilemma in this matter. This Government have been urging on the ryots to try garden crops of the type of sugarcane and other things. On the other hand, in introducing the present Imperial Budget Sir George Schuster observed as follows:—

'The total production of sugar from Indian factories at the present level is likely to be more than India's consumption of white sugar. There is real danger of over-production; sooner or later it may lead to very serious reactions both on the manufacturing industry and on the cane-growers who rely on it.'

If this is the case I submit that even with regard to sugarcane we may have to suffer the same consequences as we are suffering by growing paddy. So, I would urge on the Government that the only thing they can do to help the ryot population at the present moment is to reduce the water-rate and thus save them from utter ruin."

The cut motion was, by leave, withdrawn.

* Mr. K. KOTI REDDI:—"Sir, I beg to move the following motion, viz :—

'that the allotment of Rs. 13,93,500 for Irrigation—Cauvery-Mettur Project—Reserved—be reduced by Rs. 100.'

In doing so, I want to raise the question of the policy that is adopted by the Government with regard to the water-rate. I have been here in this Council for some time hearing complaints from districts where there have been big irrigation schemes that the water-rate imposed by the Government is very high and that they cannot pay this high rate. This complaint has been very insistent for the last two years because the Tanjore mirasidars particularly have held a large number of conferences and published a number of leaflets where they have made similar complaints. My Friend, the hon. Member for Tanjore says the Tanjore people will have to migrate if same conditions are to continue. On the other hand the Ceded Districts from which I come have been complaining that the Government have not done their part of the duty of constructing big irrigation schemes for these parts.

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There is something wrong somewhere. The question is, whether it is necessary to construct big irrigation schemes, if the irrigation systems do not pay and if the present rates do not pay, can the ryots pay more and why should more irrigation schemes be started? On the one hand there is the complaint in this Council that the water-rate should be reduced; and on the other hand there is insistent demand for extension of irrigation schemes. To me it appears that the Government do not pay any regard for any principles in the imposition of water-rates. Happily or unhappily the Government have adopted a very intelligible principle with regard to taxation of land. I think they may follow the same principle with regard to irrigation also. What is the policy behind the Government in imposing a certain water-rate for water the Government may supply to the ryot? Is it the cost of water to Government? Or is it the utility of the water for the ryot? If the water-rate depends upon the utility of the water to the ryot, one can understand it. Or, is it the ability of the ryot to pay? Is that taken into consideration when imposing this rate? I do not know what principle the Government are adopting in this matter. It seems to be a jumble of two or three principles; they follow one principle in one place; they follow another principle in another place. That is why they have landed themselves in such an unhappy position, giving rise to various complaints from various parts of the Presidency. I do not think the Government attach much importance to the principle that they should tax for the water according to the amount it costs them. When it is advantageous to the Government, they adopt that principle; when it is a disadvantage to them, they do not adopt it. Let me illustrate my point. If they think that a scheme is not productive, they ask the ryot to pay a certain high rate for water; otherwise they say it does not pay them to take up the scheme. They sometimes even say 'let the people contribute half or one-fourth of the capital expenditure; then only we will take it up.' If their principle is based on the cost of water, what about the Godavari or Cauvery schemes which are not costly as I think what the Government gets from the ryot is very much more than the cost of water to the Government. If the cost of water is Rs. 2 they demand from the ryots, Rs. 10.

"There is another test which the Government may apply and that is the ability of the ryot to pay. Personally I think that is very difficult to apply. Perhaps this principle cannot be given effect to in the Irrigation department. The sound principle, the intelligible principle seems to be the utility of the water to the ryot. The rate which a ryot can and will be willing to pay will depend upon the utility of the water to the ryot. If that principle is adopted, there will not be much complaint, because the Government are bound to go into the question in detail whether a particular rate for the water is going to benefit the ryot or not and to what extent. That question should be seriously investigated before they impose a particular rate. It may be a very difficult principle to follow; it requires a lot of investigation; but it seems to me that it is a very sound principle, instead of having as at present a uniform rate for all lands. For example take two separate fields under the same channel. The utility of water to the ryot varies

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according to the fertility of the soil; what is good for a particular ryot in a particular area may not be good for the very same ryot in another area, owing to the variation in the fertility of the soil. The ryot may be prepared to pay a higher rate in a soil which is more fertile than another which is less fertile. Then there is the other question also. In certain places the ryot will have facilities for having green manure. If you charge the same rate to the same ryot in another place, he will not be able to pay it, because of the high cost of cultivation or of the utility of the water at that place to a less extent. It is not advisable to demand the same rate for all places. I think the Government should adopt this principle, though it may be somewhat difficult to adopt it. Instead of imposing a uniform rate, the Government should consider the question of the extent of usefulness of water to the ryot. If they adopt this principle it will be to the interest of the country and to the interest of the ryots. The Government should consolidate the charge both for land and for water. If the ryot is making a profit, even half of the net value can be taken by the Government. The Government will then be taxing the ryot according to the profit he will be making. The rate should vary from field to field, from place to place. The Government should not have a uniform rate throughout.

“Take the Tungabhadra Project for instance. The Government say, ‘unless you pay Rs. 15 or so an acre, the scheme will not be remunerative.’ You should not have the same rate of Rs. 15 for the whole district or districts. It will be easy for a ryot in a particular place to pay Rs. 15 and it will not be easy for another ryot in another place to pay the same rate. It depends on various considerations, cheapness of labour, cheapness of other materials for irrigation purposes. All these things ought to be taken into consideration before the Government charge a particular rate for water. The very same principle is applicable both with regard to small schemes and with regard to big schemes. It will be a very sound principle to take into consideration the benefit which a particular project will confer on the people. I hope the Government will take into consideration these points. They should not impose a uniform rate for all fields under a particular irrigation scheme. They should adopt the principle of utility of water to the ryot which is more intelligible, more reasonable, more justifiable and more equitable. I would impress on the attention of the Government the necessity to go into the question thoroughly, because we have been hearing complaints from districts where there are big irrigation schemes, that they cannot afford to pay the present rate. If that is the case, there is no use of taking up big schemes in other parts of the Presidency. You must take into consideration the utility of the water to the ryot. The cost of an irrigation may be very high but the ryot will not be able to pay a very high rate, because the utility of the water to him will be very much less.

4 p.m. “So, when considering the question whether a particular scheme is to be taken up or not, I hope the Government will go into the question

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of the utility of water in the various tracts and then come to a conclusion as regards rates. If the cost is prohibitive, they may of course drop the scheme altogether; but if the cost of the scheme is not prohibitive and if the utility of water can be assessed at a reasonable rate, I do not see why the Government should not carry out the scheme and gain thereby. If this is done, I am sure the present system of the Government demanding contributions from ryots in particular areas will go; and in regard to the Ceded districts especially where whenever we demand that something should be done, the Government say ‘we cannot undertake a scheme; you had better give half the cost or one-third.’ Recently in my district, I think in two places, they demanded a percentage of the cost from the ryots in regard to certain channels; and the ryots did contribute a portion of the expenditure. I do not see why it should be so. I hope, Sir, that the Government will in future adopt the policy that I have put forward. There is the agricultural department, and it would not be difficult, with all the experience that it has had in various places, for that department to find out what will be the utility of the water in particular tracts. My friend, Mr. Nadimuthu Pillai stated that under the Cauvery-Mettur Project, there are at present tracts of land which are neglected and which can be colonized. He said that the Government should open up big farms in such areas. To my knowledge of course Government undertakings in various departments have not been really fruitful and I therefore feel sceptical about the success of these farms; but still, I would ask them to make this experiment, because sometimes these experiments may prove profitable. Other countries, especially Russia, are making such big experiments in many directions; and I do not see why our Government—though not on the same big scale—should not start farms on a suitable scale. I think, Sir, it is rather unhappy that although other districts like Salem and Coimbatore have many a time stated that they would be prepared to pay for the water from this project, they have not been given the benefit. The whole water is practically going to be used by the mirasidars of the Tanjore district; and yet we find them complaining that they cannot pay the water-rate. Even now, I think it is not too late for the Government to reconsider the whole question and give the benefit of the water to the Salem and Coimbatore districts, at least partially.”

* Rao Bahadur Sir A. P. PATRO:—“Mr. President, Sir, after hearing the clear logic and the forcible language of the hon. Member from Cuddapah, it is very difficult for any one to be able to rise in the House and put in a concise form what he thinks on any subject coming before the House. But I have on this occasion only two points to raise, one is revenue and the other is financial. I quite sympathize with the position of the mirasidars of the Tanjore district when they complain that under the present circumstances it is impossible for them to pay the rate of Rs. 15 which when framing the scheme, the Government thought the mirasidars would be able to pay as the wealth of the Tanjore district would be improved and that it would be

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flowing with milk and honey. We have had to wait and see what the result would be. My first question to the Revenue Department is: As the Mettur Project is to begin to function this year, what is the additional extent of cultivation that was brought about anew, and what is the rate of assessment agreed to as between the Government and the ryots for the water given to the taluks? If that is known, we would be in a position to understand not only the original policy but the present policy also and also whether all the water of the project would be utilized by the mirasidars and cultivators to such an extent as to make the project remunerative. What is the acreage under cultivation and what is the acreage that will come under cultivation hereafter?

“ The second point, i.e., the financial point is more important than the grievances of the Tanjore mirasidars, and it relates to the financial policy of the Government of India. They have, in their benevolence, given relief to other Provinces than Madras. To Bombay, recently, they have given relief; to Bengal they have given relief; but to Madras they have denied even the piece of bread that Madras is justly entitled to. It is very gratifying to note that the Madras Government have made every endeavour to press on the attention of the Government of India its claims for relief, that as a very careful and prudent manager of the financial affairs, this Province is entitled to more ready and more willing assistance than has been given to other and more extravagant Provinces—Provinces that have been not so provident and have not been able to manage their affairs as carefully as Madras has been able to do but which have received the benefit of the relief which the Government of India have distributed. Sir, what is the crime that Madras has committed that it should not be given its legitimate share of relief? I am really glad that two of the leading dailies of this Province, the *Hindu* and the *Mail* raised the question and asked why in the distribution of relief to all the Provinces, the legitimate claims of Madras have not been satisfied. The Madras Government are already hard-pressed to it in regard to the conversion of loans from a higher to a lower rate of interest which the Government of India have been charging in respect of loans for big projects and for development schemes in this Province. This Government asked that the rate of interest on such loans should be reduced to the present rates prevailing in the market. Not only that. They even said legitimately that out of the Provincial balances, this Government would be prepared to pay the loans outstanding in the Provincial Loan Account, or in the alternative, that they might be permitted to raise loans locally in the market at a lower rate of interest, so that they might be in a position to discharge the liabilities which are standing against them. Sir, what have the Government of India done? Public opinion in this Province is strong that the Government of India have been very partial and unjust in this matter. Therefore, I have risen to-day to press this matter on the attention of the Government, that this Government should not slacken their efforts in this matter, that they should put up every argument before the Government of India and see that this Province gets the very same generous treatment that has been accorded

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to other Provinces. Sir, the details given at page 78 of the Finance Secretary's Memorandum show in what cases the Government of India have given loans, how much they have given, at what rates and for what purposes. In regard to the Cauvery-Mettur Project, we find that in the year 1931-32 loan was taken on which the interest has been reduced from 6.25 to 6 per cent from the 1st October 1933. Is this the relief to be given to a Province which has been managing its affairs carefully and efficiently, while at the same time the Government of India has rushed with relief to the Provinces which have been extravagant, which have never been able to develop their resources? Why should Madras be treated in this manner? In regard to item 3 at page 78 again, we find at the bottom of the page the actual reductions made in the interest payable, shown by an asterisk. We find therefrom that the rates of interest are very heavy and that the concession given is very inadequate. This clearly shows that the burden of interest which this Province has to bear is very great, very considerable; and if the principle adopted in the case of other loans is adopted here also, we would be able to save probably half of the interest, i.e., about Rs. 42 lakhs. I therefore think that this House should unanimously press on the Government the necessity for renewing their efforts in asking the permission of the Government of India to raise loans in the local market, so that we may ourselves lower the rate of interest from 6.25 or 6 per cent which the Government of India are now charging on the loans we have taken from them; or even that they should allow us to pay the loans from out of the Provincial Balances, so that a portion at least of our debt may be wiped out. These two points are very essential to be considered, if the finances of the Province are to be set right and any large sum of money is to be relieved either for what hon. Members of this House have been asking, i.e., for remission of land revenue—or for the purpose of developing the nation-building departments. I think there is no use of asking for remission of land revenue when we have got these old heavy debts hanging on us, bearing heavy rates of interest.

“ As regards the Cauvery-Mettur Project, my views have always been clearly stated. Ever since 1926-27, I have not been one of those who looked on this with great confidence, because, as I said, we did not have the necessary data before us, whether the ryots of the Pattukkottai taluk were willing to pay the high rate of assessment on which this project was based and on which basis alone it was declared remunerative. Member after Member and successive Revenue Members have assured us that there was such great demand on the part of the Pattukkottai taluk ryots for water, even for supplementing the present water-rate, that it was absolutely necessary for carrying out the project, at a cost of Rs. 6 crores. I have always placed a discount on that statement, and to-day we find that circumstances have so transpired that it is impossible for the Pattukkottai ryots to pay at the rate of Rs. 15 per acre, nor any rate for the additional water supplied to them for dry cultivation. The whole purpose of the Mettur Project was to supplement the existing

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irrigation in the Tanjore district and to bring new land in the Pattukottai taluk under wet cultivation. The Tanjore mirasidars themselves say that they would rather abandon wet cultivation and the production of wet crops and take to dry crops, if necessary, to enable them to make both ends meet, than have to pay the high water-rate of Rs. 15 per acre. Under these circumstances, Sir, it seems to me that it is a matter of considerable speculation as to how far this project will pay and for how long this Province will have to bear the burden of a heavy interest on the loans taken for this purpose. I hope, however, that in the course of a few years greater wisdom will dawn on the mirasidars of the Tanjore district and that they will agree to pay Rs. 15 per acre as water-cess. In the general interests of the tax-payer it is highly necessary that we should request the Hon. the Finance Member that he should represent to the Government of India that the rate of interest is very high and it should be reduced by taking conversion loans. Or in the alternative this Government may request the Government of India to pay these debts off from out of our balances. I hope the Hon. the Finance Member will take early steps even before the present Budget Session comes to a close to see that the concession which has been accorded to other extravagant Provinces is extended to us."

4-15
p.m.

* Mr. T. S. RAMASWAMI AYYAR:—" Mr. Chairman, Sir, I rise to intervene in this debate to draw the attention of the Government to the need for reducing interest charges in respect of the loans under the Cauvery-Mettur Project and other projects. The point has been ably dealt with by previous speakers. As has been pointed out by my hon. Friends some relief has been given to this Province by the Government of India with regard to the interest charges on loans raised by this Government from the Provincial Loans Account. But enough relief has not been given, and it is up to this House to strengthen the hands of the Government, when they go up to the Government of India again for relief. This is not a matter of interprovincial jealousies. We are not asking for special favours. It has to be remembered that this Government's Loan Account is not very much. It will be seen that with regard to the Pre-Reform Provincial Loan Account under devolution rule 23 almost the whole amount has been paid and it may not be necessary for this Government to ask for any relief with regard to that. But with regard to the loans under devolution rule 24, in the case of loans up to the end of the financial year 1916 to 1917 the rate of interest has been fixed at 3.3252 per cent. With regard to loans after 1916-17 the rate of interest goes to as high as 6 per cent. I find that with regard to the loans raised in 1931-32 for the Cauvery-Mettur and other projects the rate of interest which originally stood at 6.25 per cent was reduced by the Government of India to 6 per cent to take effect from 1st October 1933. I think, Sir, even this 6 per cent is a high rate even for individuals to pay and for a Provincial Government like Madras with a good credit to pay interest at 6 per cent to the Government of India at a time when money is available at cheaper rate of interests is not a fair bargain. I find that the interest on the loan of 1930-31 which was fixed

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at 6.25 per cent has been reduced to 5 per cent. As I said the question is "Has enough relief been given?" Our debt position as explained in the Budget Memorandum is expected on 31st March 1935 to amount to 11½ crores of rupees. As against this liability the expenditure on remunerative projects financed by these loans comes to about 15 crores, so that really the Madras Government is in a very good credit position. Therefore I feel that it is not right that the Government of India should continue to drive a hard bargain with this Government. I would request the Government of Madras to apply to the Government of India for power to raise loans in the open market under Local Government Borrowing Rules framed under section 30 (1-A) of the Government of India Act. I find that the Punjab Government has obtained from the Government of India permission to float a loan in the open market. I think it was a 4 per cent conversion loan. The Punjab Government has a project similar to the Mettur Project—the Sutlej Valley Project, and this cost them something like 940½ lakhs. Again their Hydro-Electric Project has cost them something like 6 crores of rupees. During 1931-32 which was a very bad year for the Punjab, they had to take an advance of about 28½ lakhs from the Government of India to meet a deficit of 68 lakhs which was expected on account of loss of revenue. The rate of interest which was charged by the Government of India was so high as 6½ per cent. To decrease the interest charges, the Punjab Government has taken power from the Government of India to raise loans in the open market and they have been able to get loans at 4 per cent interest. I feel that Madras will be able to get loans on similar, if not, easier terms. The Bank of England rate is now only 2 per cent and even the Imperial Bank rate stands only at about 3½ per cent. I don't see any need therefore why the Government of Madras should pay interest at such a high rate as 6 and 5½ per cent. I feel strongly that there is a case for this Government to go to the Government of India for relief. If the Government of India are not prepared to reduce the interest on loans advanced by them, this Government should get power to raise loans in the open market under the Local Government Borrowing Rules. As a matter of fact conversion loans are the order of the day throughout the world. It is not confined to the West alone. Australia recently raised a conversion loan and the Government of India has also floated conversion loans but the Government of Madras is not given relief. I feel that the House should support the Government in their attempt to reduce interest charges, for if the interest is reduced the high water-rates that are sought to be levied in the delta areas may not have to be levied. If the Cauvery-Mettur Project is treated as a purely commercial concern the reduction of interest charges will enable the Government to give relief to the Cauvery landholders. This House should help the Government to go up to the Government of India for relief in this matter."

* Subadar-Major S. A. NANJAPPA Bahadur:—" Mr. Chairman, Sir, I rise to speak on the motion given notice of by me, viz.—
'to reduce the allotment of Rs. 13,93,500 for Irrigation—Cauvery-Mettur Project by Rs. 100'

[Mr. S. A. Nanjappa Bahadur] [13th March 1934]

to ask the Government definitely as to when drinking-water will be supplied to Salem town from the Project. Hon. Members are aware that the Cauvery is running on the border of Salem and Coimbatore and it is also known that Salem is a dry place where good drinking-water could not be got. There is a tank there called Panamaruthupatti tank and this too goes dry at times. Then it will be very difficult for the people of the town to get drinking-water. There are wells but the water is briny. The Government have been giving some excuse or other in this regard. Even though the Government could not supply water from the project for irrigation purposes they must see to the supply of at least drinking-water for Salem town. This question has been before the Government for the last seven years and a survey in respect of the lands lying between Mettur and Salem town has been carried out. The Hon. the Revenue Member has so many times stated that the matter is under the consideration of the Government. But it is not known when the supply of drinking-water could be got. It was said that this may cost about 22 lakhs. The Government will have to spend something and the municipality also. What I want is a definite reply from the Hon. Member as to when a supply of drinking-water from the Mettur Project to Salem town will be made. Though the matter has been pending for the last six or seven years, everything seems to be at a standstill and I do not know what the reason is for the delay."

4-30
p.m.

* The Hon. Sir HOPETOUN STOKES:—"Sir, several hon. Members who have spoken have raised the question of reducing the rate of interest. I think, Sir, Mr. Sivasubrahmanya Ayyar touched upon it very briefly and Mr. Ramaswami Ayyar dealt with it at greater length. I would like to reply to that quite briefly. The Government of Madras about six months ago raised with the Government of India informally the question as to whether they might be allowed to meet certain of the Government of India loans which carry rather high rates of interest, either from their balances or by floating a loan in the open market for that purpose and at that time they received an unfavourable reply. Since then, we have not pressed the matter again, but I am quite willing, in view of what has fallen from hon. Members, to go into the question again and see whether we could not make out a good case to reopen that matter with the Government of India and to press them further on it. We shall also have to go into the question as to whether it will pay us to raise a loan in the open market and the terms on which we can raise such a loan. All these particulars, I am quite willing, having had the support of the House in this matter, to examine further and if we think we have a good case, to press it on the higher authorities."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, Mr. Ramalingam Chettiyar wished to know what are the sources from which savings have been effected in the construction of the Mettur Project, as compared with the revised estimates. I gather from his speech that what he wanted to know was, whether the savings are due to alterations in the design or to savings in the cost of labour and materials. The savings are mainly due to reductions in the cost of materials."

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various kinds and in the cost of labour. The Engineers in charge have effected a great deal of economy at every possible stage and have taken advantage of the fall in prices whenever it was possible for them to do so. I have here the deviation statement submitted in May 1933, that is to say, nearly a year ago, by the Engineer-in-Chief in which he reports that the original provision was for a dam contents of 48 million cubic feet at an average rate of Rs. 41-4-0 a unit of one hundred cubic feet. The present provision of 201.50 lakhs includes a sum of about 1.50 lakhs for the cost of parapets and roadway on top of the dam, the balance representing the cost of the contents of the dam proper. Due to deeper foundations the contents of the dam have increased to 54.4 million cubic feet. This increase is almost counterbalanced by the economy effected in the rate per unit in actual execution so that in spite of the 13.3 per cent increase in the total quantity, the cost of the dam proper has remained almost the same.

"The savings under the head 'Head Works' altogether were expected to amount to Rs. 21,82,500 and the savings expected under the head 'Canals' amount to 36½ lakhs. The works are not yet finished, and we cannot be quite certain yet that we will realize all the savings under the head 'Canals' that were anticipated a year ago. On the other hand, we hope to finish the dam by next month, and probably the anticipated savings will be realized.

"Mr. Ramalingam Chettiyar wanted to know whether there was any provision in the estimates for recoveries on account of the sale of machinery. Upon an examination of the estimates, I find there is a sum of 10 lakhs provided which includes recoveries on account of the sale of machinery and materials. I do not find any mention of any recoveries on account of the sale of the township, but it is possible that the item I have mentioned may have covered this too; I have, however, not got the details here. It may perhaps be possible to recover something on this account. The position in regard to this matter is this. A list of surplus stores and machinery has been drawn up and it is now in the Government Press; the list has been drawn up under suitable heads and I understand it may fill sixteen volumes. When this has been printed, it can be circulated to various firms and other persons who are likely to be interested in the purchase of the stores or machinery. Some of the stores and machinery has been sold from time to time. As hon. Members are aware, we issued about two or three years ago, I think, a pamphlet regarding the industrial possibilities of Mettur. That pamphlet was widely circulated and the question whether we should take any further measures to advertise the township is under the consideration of the Government and we are doing our best to accelerate the matter. There have been one or two enquiries made regarding the opening of industries at Mettur, but it is premature to say at present whether they will mature or not. Mr. Ramalingam Chettiyar also suggested that possibly we might get more profit by extending the area to be irrigated and providing facilities for irrigating dry crops instead of wet crops. Unfortunately, we cannot extend the area to be irrigated on account of our agreement with Mysore, by which the new ayacut must not exceed 25,000

[Sir Archibald Campbell] [13th March 1934]

acres. But, we are quite ready to provide for the irrigation of other crops besides paddy to meet the desires of the ryots but no suggestion has so far been made to us by the ryots for growing other crops. If the ryots of a block of land state that they want to grow irrigated dry crops and do not require such a large supply of water to be sent down particular channels as would be necessary for the cultivation of paddy crops, I am sure that arrangements can be easily made accordingly by the Public Works authorities.

"Some hon. Members suggested that something should be done to encourage the growing of sugarcane and other crops. That is a point more for the consideration of the Agricultural department and the Minister who is in charge of the department, but I know that the Minister and his department have been giving this matter their earnest consideration for some time. At the present time, sugarcane research work is carried on not only in Coimbatore but also at Anakapalle and Samalkot and at Palur in the South Arcot district. Varieties of sugarcane are being grown in almost all the agricultural stations where facilities exist for their propagation. The successful cultivation of sugarcane on wet land at the Aduthurai research station will it is hoped help to spread its cultivation in the Tanjore delta. It is not possible, primarily on financial considerations, to establish a sugarcane research station in Mannargudi, Pattukottai or Tanjore taluks. However, the Government propose to open a farm somewhere in Pattukkottai taluk to demonstrate the growing of garden and commercial crops in substitution for paddy. The question of the possibility of providing another station in Mannargudi will, I am sure, be considered by the Minister. Attempts have been made in several sub-circles in the Tanjore delta to introduce sugarcane cultivation in small areas for cultivation in rotation with paddy. It is hoped that these trials will help to spread the cultivation of sugarcane in the Tanjore delta. And with the farm in the project area to be opened next year, the possibility of growing of sugarcane in the Tanjore delta would be amply proved and even the manufacture of sugar by means of the open pan method and centrifugals demonstrated. At present, owing to the financial conditions of the province, I am afraid we cannot do anything more.

"Mr. Ramalingam Chettiyar wished to know whether Mettur water can be supplied to the Coimbatore district. That is a matter that has been thoroughly investigated on former occasions. If it is possible, it would mean the levy of a very high water-rate, which I am sure the Coimbatore ryots would not be willing to pay. Moreover, the lands likely to be affected thereby will probably be benefited by the Bhavani project now under consideration.

"My hon. Friend, Mr. Ramalingam Chettiyar, wished to know how much area has been cultivated this year under the Mettur Project, and how much we expect to be irrigated next year. The forecast for the current fasli was 32,870 acres of first crop in the new area and 5,000 acres of second crop in the old delta area. Reports show that the area irrigated in the new delta amounts altogether to 30,685 acres, a difference of about 2,000 acres as compared to the original forecast. The second crop in the

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old delta for the current fasli is 1,969 acres as against a forecast of 5,000 acres. For the next year the forecast is 81,170 acres of first crop in the new area and 6,000 acres of second crop in the new area and 15,000 acres of second crop in the old delta. We do not know what prospect there is of these forecasts proving accurate. But I must say, the results, as they stand, are encouraging considering the prices at the present time and the organized attempts that have been made to prevent project water being used. I trust that these attempts will now cease.

"Mr. Nadimuthu Pillai objected to the district board being called upon to pay for the opening of roads in the new area. In the old days, Government, no doubt, provided roads, but they have now delegated their duty in this respect to the local boards and municipal councils and with that delegation of duty they also have given the right to certain taxes. The revenues of the district board will be materially enhanced by the Mettur Project and it is only reasonable that they should contribute towards the success of the project by providing roads. I do not think, therefore, that there is any reason for asking the Government to treat as a grant the loan that is being made for constructing these roads. 4-45 p.m.

"Mr. K. A. Nachiyappa Gounder put forward a new proposal that water should be pumped from the Mettur reservoir itself to irrigate a new area in the Salem district. We have had various projects in Salem, but all of them on investigation had to be abandoned, because they involved a levy of a very high rate of water-cess—sometimes over Rs. 30 or Rs. 40 an acre. It is unlikely that the ryots would be able to pay such a water-rate. If, however, my hon. Friend will give me a copy of his scheme, I have no objection to having the matter examined by the Chief Engineer.

"With regard to the supply of water to Salem town, I am afraid that is not a matter which is under my immediate cognizance, but it is under the control of the Hon. Minister for Local Self-Government. So far as we are concerned, the Irrigation department have no objection to water being taken for drinking purposes though we may expect some payment for the water as a contribution to the cost of the dam. I suggest my hon. Friend should raise the question at the proper time.

"Mr. Nachiyappa Gounder also referred to the Toppur road. That road is under construction now and it is likely to be completed as far as Mecheri by about July. The completion has been held up owing to slowness in the acquisition of land. I hope that the whole road will be completed within the next financial year. As soon as the road to Mecheri is complete, there will be direct connexion by road between Mettur and Salem. My hon. Friend suggested a shorter route to Nangavalli by the construction of a road from Nangavalli at about the fourth mile to Mettur-Mecheri road. I do not know if my hon. Friend has been over it recently. I cannot recommend it for motor cars. It is very rough and has not been really made as a road in the usual sense; I was warned on my last visit by car not to go by it. The road would really be a new construction. It is a suggestion which the district board might consider but it is hardly a matter which affects the Mettur Project.

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“ Mr. Muniswami Pillai desired that some provision should be made for the settlement of members of the Depressed Classes in the area to be newly irrigated by the project and referred to the fact that there were the estate coolies coming back from the tea and rubber estates in South India and the Malay States. In the first place, I must point out that one of the biggest handicaps in the development of the Mettur Project is said to be—and I think it is probably true—the difficulty of obtaining the necessary labour for carrying on wet cultivation on the several thousands of acres to be newly cultivated with paddy. There is therefore plenty of scope for work for the labouring classes who have returned from the Malay States to this Province. But if any members of the labouring classes combine together and form a co-operative society as Mr. Muniswami Pillai himself suggested, no doubt we will consider the question of allotting some land to the society on suitable conditions.

“ Mr. Sivasubrahmanya Ayyar objected to the water-rate and to the reclassification of water sources. On previous occasions I have pointed out that the rates were approved by the Legislative Council when it originally approved of the estimates of the project. I may read a quotation from the remarks made at the time when the estimates were before the House. The question was raised in the House whether the people would be ready to pay so high a rate as Rs. 15 an acre. Mr. Rajappa who was a Member belonging to the Tanjore district said:

‘ I want to tell something about the Tanjore district. Especially this year, some portion of the district has sustained considerable loss owing to the floods and some taluks suffered loss because they did not have a sufficient quantity of rain in proper time. Moreover, the Tanjore people, especially those in the non-deltaic parts, have been for the last so many years anxiously expecting the early execution of this Mettur Project. As far as Pattukkottai and Arantangi taluks are concerned, I may say that the people will be very glad to see an early completion of the work, and they will be prepared to pay the proposed water-rate of Rs. 15 or even more per acre under the existing conditions. As a representative of my community, which numbers about 2½ lakhs, I feel that it will go a great way for the improvement of their lot, as it will do good also to other communities, who are now very anxious to see that the project is carried out as early as possible. So I think the Hon. the Law Member will have every support from this House for this motion.’

It seems to me, Sir, no Member from Tanjore has any right to go back on the solemn undertaking made in this House on behalf of the people of Tanjore. Whether we are actually able to reduce the rate or not is another matter. We may be able to do that after we have completed the work. I am not prepared to make any statement on the subject to-day. It is well known there has been considerable opposition to the development of the project in Tanjore itself. In spite of that, we see that this year a considerable area has been irrigated. It is too early to say whether our forecasts of the development of the project will be fulfilled or not. Until we know the final accounts of the whole project after finishing the dam and canal system and disposing of the machinery, etc., it is impossible to say what the actual cost will be. At the same time, we are not able to say whether the project will be developed rapidly or not. If the project is developed rapidly, say in two or three years, there may be a considerable reduction in the amount of interest charges which

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will have to be taken into consideration. If we can develop the project rapidly, then I think we can safely say that some reduction in the water-rates will be possible. But it is quite impossible to make any definite promise of any kind at the present moment.

“ One hon. Member referred to the necessity of providing drainage facilities. The opinion of the engineers has always been that as the area which has to be newly irrigated is very undulating, there is therefore no necessity to make any special drainage arrangements. We have had a few representations from ryots about the difficulty in getting water from their fields to the streams, which drain the country over land belonging to other ryots and we may have to assist the ryots by acquiring lands for them for that purpose. One hon. Member referred to the breaches which occurred in the Paminiyar and the urgency of improving the drainage in the old delta. As a matter of fact, we have been undertaking measures in recent years to set right the drainage of the old delta, but owing to the economic situation and the condition of the provincial finances, we have had to reduce our expenditure in various directions including that on drainage works in the Tanjore delta. We shall not be able to do much this year, and until the Government has more money at its disposal we cannot undertake works on a large scale.”

Mr. K. KOTI REDDI:—“ So far as I am concerned, for the question that I raised, there is no answer. I wanted to know the general policy that was followed by the Government with regard to these rates. However, I will withdraw with the hope that at least in the future Government will consider the question.”

The cut motion was, by leave, withdrawn.

Subadar-Major S. A. NANJAPPA Bahadur:—“ I have not got proper reply from the Government as to whether they are going to supply drinking-water to Salem town or not. The Chief Minister is not here. Anyhow, I will withdraw my motion.”

The cut motion was, by leave, withdrawn.

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

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.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 14th March 1934

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

PRESENT:

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|---|--|
| Usman Sahib Bahadur, K.C.I.E., The Hon. Khan Bahadur Sir Mahomed. | Moses, Mr. P. C. |
| Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M. | Muniswami Nayudu, Diwan Bahadur B. |
| Campbell, K.C.I.E., C.S.I., O.B.E., V.D., I.C.S., The Hon. Sir Archibald. | Muniswami Pillai, Rao Sahib V. I. |
| Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun. | Muthiah Chettiyar, Mr. M. A. |
| Raja of Bobbili, The Hon. the. | Nachiyappa Gounder, Mr. K. A. |
| Rajan, The Hon. Mr. P. T. | Nadinuthu Pillai, Mr. A. Pl. N. V. |
| 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. | Narasimhaswami, Rao Sahib D. V. |
| Alamelumangathayaramma, Mrs. K. | Narayanan 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. | Pattabhiramayya, Mr. K. |
| Bayappa Reddi, Mr. P. | Pattagar of Palayakottai, The. |
| Beyabani Sahib Bahadur, S. M. K. | Peddi Raju, Mr. P. |
| Birley, Mr. F. | Pocker Sahib Bahadur, B. |
| Davis, Mr. J. A. | Premayya, Mr. G. R. |
| Devadasan, Mr. M. | Rajagopala Pillai, Mr. P. V. |
| Dharmalingam Pillai, Rao Sahib V. | Raja of Parlakimedi, The. |
| Duraiswami Reddiyar, Mr. K. M. | Ramachandra Padayachi, Mr. P. K. |
| Ellappa Chettiyar, Diwan Bahadur S. | Ramakrishna Reddi, Mr. A. |
| Foulkes, Mr. R. | Ramalingam Chettiyar, Rao Bahadur T. A. |
| Gopalaswami Ayyangar, Diwan Bahadur 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. |
| Jagannatham, Mr. H. M. | Ramaswami Mudaliyar, Mr. V. M. |
| Jayaram Nayudu, Rao Sahib C. | Ranganatha Mudaliyar, Mr. G. |
| Kesavaramamurti Nayudu, Mr. K. | Rangaswami Reddi, Mr. M. B. |
| Kolanda Reddi, Rai Sahib C. | Sami Venkatachalam Chetti, Mr. |
| Krishnayya Choudari, Mr. P. V. | Sesha Reddi, Mr. B. P. |
| Krishnamurti, Rao Bahadur D. | Shetty, Mr. A. B. |
| Krishnan, Mr. C. | Simhachalam Pantulu, Mr. G. |
| Kumararaja of Venkatagiri, The. | Siva Raj, Rao Sahib N. |
| Ladden, Mr. W. W. | Smith, C.I.E., I.C.S., Mr. E. Conran. |
| Lakshmana Reddi, Mr. G. | Sreshta, Mr. M. S. |
| Madanagopal Nayudu, Mr. R. | Srinivasan, Rao Bahadur R. |
| Mahmud Sohamnad Sahib Bahadur, Khan Bahadur. | Sriramulu, Mr. G. |
| Manikkavelu Nayakar, Mr. M. A. | Subbarayan, Dr. P. |
| Methas, Mr. J. K. | Subrahmanya Chetti, Rao Sahib P. |
| | Subrahmanya Bhatt, Mr. U. C. |
| | Syed Tajuddin Sahib Bahadur, Khan Sahib. |
| | Thangal, Mr. P. M. |

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PRESENT—cont.

Thomas, Mr. Daniel.
 Thorne, C.I.E., I.C.S., Mr. J. A.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venkatachala Reddiyar, Mr. K. C. M.
 Venkatarama Ayyar, Mr. K. R.

Venugopal Nayudu, Rao Bahadur R. K.
 Viswanatha Rao, Diwan Bahadur V. N.
 Yahya Ali Sahib Bahadur, Khan Bahadur.
 Zamindar of Kirlampudi, The
 Zamindar of Mirzapuram, The

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Protests against the proposal for the inclusion of the Ceded Districts in the territorial area of the Andhra University.

* 782 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the Local Government have taken or intend taking any action on the resolution of the Syndicate of the Andhra University, dated 21st January 1934, wherein they expressed their desire to bring in the Ceded Districts within the Andhra University;

(b) whether the question of the inclusion of the Ceded Districts within the Andhra University was considered by the Government at any time before this; and

(c) if so, whether it is a fact that at that time the Government received several protests from the various parts of Karnataka including the Kanarese districts of Bombay?

A.—(a) The resolution contained only an expression of the Syndicate's views on a private Bill introduced in this Council and did not ask for any action by the Government.

(b) The question came up before the Government in 1929.

(c) Some protests were received.

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know, Sir, if at any time the Government find it necessary to take a decision on this question, whether they will consult the wishes of the people? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I cannot give any undertaking. I shall consider the hon. Member's suggestion.”

Mr. U. C. SUBRAHMANYA BHATT:—“ Will the Hon. Minister consult the wishes of the people before he decides to affiliate the Ceded Districts to the Andhra University? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I cannot understand what the hon. Member means by ‘ the wishes of the people.’ I cannot make a referendum. I will try to consult the representatives.”

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Proposal for the restoration of the Fixed Travelling Allowance System in the case of Deputy Inspectors of Schools.

* 783 Q.—Mr. R. K. VENUGOPAL NAYUDU: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) the average monthly travelling allowance drawn and the average number of days spent on tour in a year by each of the three grades of Deputy Inspectors (i) before and (ii) after the discontinuance of the fixed travelling allowance system; and

(b) whether there is any proposal before the Government to restore the Fixed Travelling Allowance System to these subordinate officers?

A.—(a) I am sorry I cannot furnish the information desired by the hon. Member as I do not consider that the amount of labour involved in compiling these figures is commensurate with the result: nor would any purpose, public or otherwise, appear to be served by working out these figures.

(b) No such proposal is before the Government.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I ask whether it is not a fact that the other departments also are granting only fixed travelling allowance after the Finance Committee's proposals? ”

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

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Is it not a fact that, on account of this system of fixed travelling allowance, the Deputy Inspectors of Schools, who have to inspect 100 schools within a radius of five miles in a place like Guntur, do not get any travelling allowance? ”

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

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether it is a fact that the Deputy Inspectors have already addressed the Director of Public Instruction in the matter and, if so, whether, when the matter comes up before the Government, they will reconsider the question? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ When the matter comes up before them, the Government will consider; but I cannot say that the Government will consider the matter favourably.”

Public Health

Treatment of leprosy.

* 784 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 trained compounders are allowed to give leper injections whereas L.I.Ms. are not allowed to give such injections;

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(b) whether the Government have passed any Government Order to the above effect and if so, whether they will be pleased to place a copy of the same on the table of the House;

(c) whether the Government would be pleased to place on the table of the House a statement showing for each year from 1930—

(i) the number of injections given,

(ii) the number of patients to whom injections were given,

(iii) the number cured completely and discharged and the dates of such discharges;

(d) whether the Government are contemplating to abandon the present injections and to investigate for a better one to replace the same;

(e) whether any amount has been sanctioned to enable research work to be carried on in this direction; and

(f) whether the Government have ever consulted the heads of Unani section and deputed a competent man to make researches?

A.—(a) & (b) A few trained compounders called inoculators are giving injections under the direct supervision of medical officers in some local fund hospitals and dispensaries in the Salem district. This is done in a few leprosy clinics having a large attendance of cases of leprosy with a view to giving assistance to the medical officers who will otherwise be overworked.

No orders have been issued prohibiting L.I.Ms. from giving injections for leprosy.

(c) (i) & (ii) A statement * is appended giving the information required.

(iii) The treatment provided aims at arresting the progress of the disease, preventing mutilations and deformities, removing infectiousness and checking the spread of the disease. Many patients persevere in the treatment till these objects are achieved. The majority of cases however do not attend the out-patient leprosy clinics for a sufficiently long period to permit of a complete cure being possible although they show considerable improvement by the treatment. Information regarding the dates of discharge of cases of leprosy after a complete cure is not available since the majority of patients discontinue the treatment before a cure is possible.

(d) Researches are being conducted and the best methods are adopted from time to time.

(e) & (f) No.

Leprosy clinics in South Arcot and Salem.

* 785 Q.—MR. BASHEER AHMED SAYEED: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) how many leper clinics have been established in the district of South Arcot and how many more are proposed to be started;

* Printed as Appendix I on page 290 infra.

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(b) what the places are where these leper clinics are located and to be located;

(c) what the qualifications are of the doctors in charge of these clinics and what the remuneration that is paid to each one of them is;

(d) what the number is of patients that attended each one of these clinics during the period they have been in existence;

(e) what the nature is of the treatment that is given to the patients and what the period for which the patients are treated;

(f) whether any report has been called for or will be called for as to the progress made and the number of patients cured in the various centres; and

(g) what the total expenditure is that has been incurred by the Government for leper relief in South Arcot and Salem?

A.—(a) to (g) A statement* showing the information is laid on the table.

Religious and Charitable Endowments

Relief to the destitute poor.

* 786 Q.—MR. K. KESAVARAMAMURTI NAYUDU: Will the Hon. the Minister for Local Self-Government be pleased to state what action has been taken by the Government with regard to the resolution moved by the Maharaja of Pithapuram and passed in the Council in 1930 for affording relief to the destitute poor?

A.—The attention of the hon. Member is invited to G.O. No. 4122, L. & M., dated 3rd November 1931, which was placed on the table of the House at its meeting held on the 26th January 1932.

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

II.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND VIII—HEADS OF PROVINCES AND EXECUTIVE COUNCILS—RESERVED.

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

'that the Government be granted a sum not exceeding Rs. 3,72,900 under Demand VIII. Heads of Provinces and Executive Councils—Reserved.'"

* Dr. P. SUBBARAYAN:—"Sir, I move that we now take up for consideration first, cut motion No. 364 given notice of by the Kumara-raja of Venkatagiri, Khan Bahadur Yahya Ali Sahib Bahadur, Rao Bahadur A. T. Pannirselvam and the Raja of Mirzapuram so that there

* Printed as Appendix II on page 295 infra.

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may be a discussion of the Joint Memorandum submitted by the Indian Delegation to the Joint Parliamentary Committee on Indian Constitutional Reforms. (Mr. Abdul Hameed Khan: 'I have also given notice of a cut motion to the same effect.') As the time allotted for the discussion of this Demand is only two hours and as this is the only opportunity that we will get to discuss this important question before the Joint Select Committee submit their proposals to Parliament, I submit that this matter may be taken up first and debated."

Mr. K. R. VENKATARAMA AYYAR:—"I second it."

* The Hon. Sir MAHOMED USMAN:—"I have no objection to that course if that is the desire of the House."

The House agreeing to this course the motion was adopted.

* Khan Bahadur YAHYA ALI SAHIB Bahadur:—"Mr. President, I move—

'that the allotment of Rs. 3,72,900 for Heads of Provinces and Executive Councils—Reserved—be reduced Rs. 100.'

The object I have mentioned in the printed paper is to discuss the need for supporting the Joint Memorandum submitted by the Indian Delegation to the Joint Parliamentary Committee on Indian Constitutional Reforms.

"Sir, hon. Members are aware that in the month of November last, the Members of the Indian Delegation presented a Joint Memorandum to the Joint Parliamentary Committee on the question of Reforms embodying their views on some of the more salient questions covered by the enquiry. That document is a historic document entitled to the greatest amount of consideration both by this Government and by the other Governments of this country. It is a sober and well-reasoned statement of the case of India with reference to most of the burning questions of the day. It is a matter of no small satisfaction to this country that practically all the interests represented on the Delegation have come to an agreement with reference to all the most vital questions affecting the problem. Sir, except in regard to one or two points with reference to which Colonel Gidney and one or two other Members have expressed dissent, there have been on every question agreement and unanimity reached. That is a significant fact which has to be kept in mind in considering how far His Majesty's Government should allow any agitation in the ranks of the die-hard elements to influence them in the matter of whittling down or modifying their own proposals submitted to the Joint Parliamentary Committee.

"Sir, the memorandum has very clearly analysed the various objections that have been raised with regard to the granting of the full measure of freedom or independence that is offered in the White Paper Scheme. To meet the attacks of Mr. Winston Churchill and some other personalities who are indulging in a tirade against the grant of Reforms to Indians, facts and figures have been put forward, which, I submit, are all unanswerable. On the question of progress achieved by the

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Ministers to whom powers have been delegated under the Montagu-Chelmsford Scheme, the memorandum has conclusively shown that under the regime of Indian Ministers the progress achieved is not only proportionate to the extent of the scope they had having regard to the limitations that were placed upon them, but that the results appear to have been indeed marvellous. On the subject of communications, it has been shown how the road policy of the country has improved in recent years and how with the advent of the motor bus and the motor traffic the innermost parts of the country have been opened up. The question of education has generally received a great impetus and there has been admirable expansion in the direction of elementary education. So far as collegiate education is concerned it has been shown, with reference to facts and figures, that the proportion of persons having higher education is comparatively higher in this country than in most of the western countries. In the matter of medical relief and preventive medicine also sufficient progress has been made. These have been achieved in spite of the extraordinary difficulties in the matter of finance.

"Sir, it has been conceded in the Montagu-Chelmsford Report that no responsibility could be real unless there has been a proportionate devolution of financial responsibility also. I believe His Majesty's Secretary of State for India in the course of his evidence before the Joint Parliamentary Committee also stated that by the transfer of responsibility His Majesty's Government meant transfer also of financial responsibility. No Minister can really wield any amount of responsibility unless a certain amount of financial responsibility is also given. We were attacking our own Ministers constantly in this House for their not showing sufficient progress in the field of Agriculture, in Industries and in various other directions. But we are aware, Sir, how they are unable to do much on account of their having no control over the finances of the Province. With all this, the memorandum has clearly furnished the proof that, in spite of these handicaps placed on them, our Ministers have achieved substantial progress. Therefore the objection taken to further advance is unfounded.

"One other point I wish to mention and that is with reference to the simultaneous introduction of Federation with the grant of Provincial Autonomy. That is one feature on which too much stress cannot be laid. The three conditions pointed out in the White Paper, are firstly the formation of the Reserve Bank, secondly the accession to the Federation of a certain number of Indian States and thirdly the issue of a Proclamation which has to be acquiesced in by both Houses of Parliament. With reference to the first point, the Reserve Bank is a *fait accompli*. The difficulties adumbrated in the White Paper as regards the balancing of the budgets in the various Provinces and as regards the reduction of short-term loans and other financial obligations, have been surmounted. So far as the debt position is concerned, we are now assured that of the total debt of Rs. 1,212 crores that India owes, more than five-sixths is covered by productive assets and that only one-sixth remains covered by unallocated funds. But this amount is

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really not so great as to stand in the way of the grant of Federation. Anyhow the Reserve Bank has almost been established. Then, with regard to the accession of the Princes, we have an assurance from them that it would be possible within a year from this date to secure the adhesion of the number required in the White Paper. So that there is practically no difficulty in meeting the conditions laid down in the White Paper for the introduction of a system of Federation at the same time as the grant of Provincial Autonomy.

“ Sir, stress has been laid on the possible psychological effect of a settlement like this. But a certain amount of apprehension is entertained in Indian circles that possibly the introduction of Federation will be put off indefinitely. That, at all events, has to be removed. And in view of the fact that certain elements are working against the Indian Reforms, it is but fitting that the Reforms should be introduced as early as possible.

11-15 a.m. “ One or two other matters also I have to refer to, but I shall be brief in view of the fact that other hon. Members are desirous of speaking on this subject. I wish only to state one fact and that is that as many as five out of twelve of the signatories to this Joint Memorandum are Muslim Members of the Delegation. They have joined hands with the other Members of the Delegation, even though with reference to some questions the All-India Moslem League and the other bodies have come forward with special terms for their own communities seeing that the White Paper proposals do not go far enough to safeguard their own rights. It is significant that practically all the Muhammadan Members have given their assent to it. That being the case it is but natural that nothing more should be cut down from the privileges conceded to the Muslim community under the communal award. In conclusion I wish to impress upon His Majesty's Government that the most vital necessity of the occasion is that there should be no further delay in the granting of the Reforms. It is important that if at all we are to have any Reforms they should be given as early as possible, as otherwise if they come very late they may not be relished at all owing to the sickening feeling arising from hope deferred too long. With these words, Sir, I move the cut motion.”

Mr. ABDUL HAMEED KHAN:—“ Mr. President, Sir, I second the motion made by Mr. Yahya Ali supporting the Joint Memorandum of the Indian Delegation with regard to the White Paper proposals. Sir, it is an admitted fact that in this country the White Paper proposals have not been received with any appreciation, or rather, they have not been accepted by the people. The party which could have delivered the goods has stood out entirely and is opposed to the White Paper proposals *in toto*. They have found these proposals not only unsatisfactory, but in some cases retrograde, and on that account they have regarded the proposals not only as unfavourable to the interests of India but an obstacle and a source of danger to the freedom of the country and to its economic stability.

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“ First of all, even with regard to the question of the Federation, as has been adumbrated in the White Paper, general opinion is against it and it regards it as only a hotch-potch of democratic Provinces and Indian States, which are nothing better than autocratic governments. Therefore the result is bound to be not democracy, but something which will be worse than the present form of Government, or at any rate, a form of Government as bad as it is now. Sir, the Joint Memorandum has been signed by the Liberal Leaders of the country, who co-operated with the Government, who attended the various meetings of the Round Table Conference, who believed that instead of standing aloof they would try to see whether the Government would not agree to so formulate proposals as to enable this country to achieve Dominion Status in a definite period of time. The White Paper proposals have not satisfied these conditions. The Delegates, amongst whom are included members of all communities and leaders of Hindus, Muslims, Christians and even Europeans and Anglo-Indians as well, have signed this Joint Memorandum, and they have made their own counter-proposals, so that, if the Joint Select Committee accepts their proposals, it will be possible for a very large section of people to accept the Constitution when it emerges from Parliament. Sir, it is a well-known fact that the Prime Minister of England, the other Ministers of His Majesty's Government, the Secretary of State himself and even the several Viceroys of India, times out of number given pledges and assurances to the people of India, that what is aimed at in the new Constitution ultimately is Dominion Status. They have in so many words promised, and even in the Message of His Majesty the King that reference was made, and the assurance was given that ultimately the Constitution will result in the establishment of Dominion Status and in the award of freedom which is enjoyed by the several Dominions within the British Empire. But I am afraid, as I have stated once before, that if one peruses the White Paper proposals from the beginning to the end, one cannot come across even the mention of the words ‘ Dominion Status.’ Somehow or other those words are very carefully and sedulously kept out of the proposals. And this is due to the opposition that Government have met with from Mr. Churchill and his party. Thus Government have, in a way, given way to the agitation and protests of the Diehards. And so what is sought to be given by these proposals is only truncated democracy.

“ So far as Federal Legislatures are concerned we know that there will be representatives of the people in them both from British India and from Indian States; the latter will form in no small measure a block which will stand in the way of democratic advance. I hope, Sir, that the safeguards that have been sought to be made by the proposals of the Indian Delegation, will be accepted by the Joint Select Committee, namely, that there should be several restrictions on the rights and powers of the representatives of the Indian States with regard to voting, when ever subjects particularly pertaining to British India come up. If freedom is given to the representatives of the Indian States to vote side by side with the representatives of the British provinces on questions

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affecting British India alone, I am afraid, Sir, that the interests of British India will not only not advance, but to a very large extent be jeopardized. I am sure the Joint Parliamentary Committee will give its best consideration to the proposals contained in the Memorandum, that the powers of the Indian States representatives will be restricted so far as subjects affecting British India alone are concerned.

“ Even with regard to election to the Federal Legislature the Memorandum makes the proposal that direct election should be resorted to, instead of allowing indirect election as is proposed in the White Paper. They have very elaborately and very cogently argued in favour of direct election as opposed to indirect election adumbrated in the White Paper. With regard to the question of the powers of the Provincial Legislatures also, they have very definitely stated that there is no need for giving extraordinary powers to the Governors of Provinces even with regard to the minorities or the services. Sir Abdur Rahim in his note states emphatically that it is absolutely unnecessary to give Governors of Provinces any special powers or extraordinary powers for safeguarding the interests of the minorities and services, if those interests are safeguarded in the very Constitution itself.

“ With regard to the powers of the Ministers and with regard to the question of the transference of Law and Order, there is the danger of the Government and the Parliament succumbing to the protests and the agitation of the Diehards in England. I am afraid there is the danger of the Government making some distinction between Province and Province. It may be that there is some sort of terrorism in some parts of Bengal, and it is possible that because of that, in the new Constitution, Law and Order might not be transferred to the popular Ministers. I dare say that will be a dangerous thing for the Government to do. This will result in certain departments of the Government being regarded as antagonistic to the popular opinion and in being considered as an alien element in the administration of the Province. Therefore it is not advisable that the Joint Parliamentary Committee or Parliament itself should make an invidious distinction between Province and Province. I am sure that, when power is once transferred to the popular Ministers, it will be possible for them to control any movement which may be regarded as terrorist. We have seen in other Provinces, as well as in this Province, how Dyarchy has worked successfully; there has been perfect harmony in the Cabinet all along. So I fail to see any reason why this unity in the Cabinet should be disturbed.

“ So far as Federal subjects are concerned, unless financial responsibility is transferred fully to the people, I do not think any Indian would regard any transference of power as a real one at all. Unless we have fiscal responsibility transferred to the people of the country, I do not think any Constitution would be regarded as satisfactory. Sir Samuel Hoare himself in the course of his statement has said that no transfer of power can be real unless fiscal responsibility is transferred

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to the people. Such being the case I hope that it will be possible for the Parliament to see that fiscal responsibility is transferred to the people.

“ Then the suggestion is to appoint a Financial Advisor. I hope it will be possible for the Parliament to see eye to eye with the Indian Delegation with regard to this matter, namely, that the Financial Advisor should be an Indian, and that he should be appointed from among the elected Members of the Federal Legislature. It seems the idea is to appoint a non-Indian and that too one who has not been elected to any of the Legislatures. If any such Financial Advisor is appointed, I am afraid there will be no real responsibility. Sir, as I said before, without financial responsibility, the responsibility that is sought to be given will be only a truncated responsibility. One other question that has been agitated by a very considerable section of the English people has been with regard to commercial discrimination. The Joint Memorandum has satisfactorily replied to that position. The signatories to that Memorandum have clearly stated that there is no need for any fear of that nature. When once real responsibility is given to the people of this country, the people will certainly recognize the necessity for continuing the friendship between England and India because the people of India believe that it will not be to their interests to break their friendship with the British people either politically or commercially. Therefore any such fear on the part of the Diehards has no foundation. But any safeguards in that respect will certainly not help to bring about that feeling and understanding which alone will be responsible for bringing about the result which is sought to be brought about by the Diehards themselves. In this connexion I may say that even in the Nehru Report, which is the report of the people belonging to the Nationalistic school of thought, it has been clearly stated that nobody in this country is anxious that anything should be done which will be prejudicial to the British commercial interests who are carrying on their business lawfully in this country. Nothing will be done to seriously prejudice the interests of the commercial community, whether Indian or European.

“ Now, Sir, I shall conclude by suggesting that it will be in the interests of both England and India if at least the recommendations of the Indian Delegation consisting of Hindus, Mussalmans and other communities, were accepted by the Joint Parliamentary Committee, as that is the minimum, the lowest minimum that any section of people of this country will be able to accept. No doubt, when once any Constitution is brought into existence, the people will come forward and try to work it; but, if the Government of Great Britain are anxious that the Constitution which they are anxious to introduce in this country should work satisfactorily and successfully, it should be the endeavour of the promoters or the persons who are concerned in the making of this Constitution to see that all those elements of friction which at present exist in the proposals contained in the White Paper are removed. If they are not removed, to the extent they continue to exist, I am afraid a very

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large section of the people of this country, the very large vocal section, will certainly not stand by the Constitution, but will continue to agitate as the introduction of a Constitution of this nature will not achieve any result which is sought to be achieved by its introduction."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, in supporting the Joint Memorandum submitted to the Joint Parliamentary Committee by the Indian Delegation, I should like to begin with to urge the necessity for expediting the progress of Reforms. Sir, it is well over six years since the Simon Commission came over to this country. Since then we have been taken through various stages. We have had the Simon Commission, we have had the convening of the Round Table Conference, three sessions of which we have already had, and lastly we have had the Joint Select Committee, with the Indian Delegation. Agitations have been carried on in this country for all these six years, certain people in India always proclaiming that they were not satisfied with whatever proposals were put forward. Well, there has been an equally insistent section in England which has been agitating against the progress so far foreshadowed. There has been there what is termed the Diehard section which has availed itself of every possible method for educating public opinion in England as to the unfitness of this country for any sort of Self-Government, at least in the near future with the result that we here have been left in a very uncertain state of mind, uncertain as to exactly when the Reforms would come, uncertain again as to what those Reforms would be, whether those Reforms would be such as to satisfy the Indian opinion, whether they would be such as to induce the Indian people including the extreme section to satisfy themselves at least to the extent of giving a trial or whether even after the advent of the Reforms India will be kept in the same state in which there will be different warring sections among Indians themselves, the section which is for co-operation and the section which is against co-operation and so on. I am urging for a speedy disposal of the business, so that we might be sure as to where we stand, and the uncertainty which has been protracted for the last six years may come to an end. I should also like to urge in support of the Memorandum one other point and that is the necessity for the incorporation in the Statute itself the further stages of Constitutional progress of India. My object in doing this is that they should not have this doubt and hesitation through which we are now passing every time when Reforms are to be given, and that we may not have the same ordeal of another commission, another enquiry and a series of Round Table Conferences probably throwing everything into the hotch-pot and leaving us in absolute uncertainty as to the future and blocking progress in the meantime. That is why I think it is necessary to urge the need for a provision for future progress, so that we may be quite certain as to what our ultimate goal is, viz., Dominion Status or Self-Government.

" There is just one other point which I should like to refer to in regard to this matter and that is regarding the rights of minorities. I know that the White Paper has been very solicitous about the interests

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of minorities and that His Excellency the Viceroy and His Excellency the Governor have been invested with special powers of protecting the minorities. That comes in as one of the various safeguards on behalf of the minorities. I doubt if this will be the best method of securing the interests of minorities. Would it not have been better if the rights and privileges of minorities had been declared in specific and definite terms in the Act itself so that they may have no doubt as to their position and rights. I therefore suggest that their rights should be declared in the Statute itself and these must be protected by the Governor in cases where they are transgressed or invaded. I ask whether this would not be a proper course, instead of leaving the matter in the hands of the Governor and hoping that he will, on every occasion, rise equal to the occasion and put a stop to any invasion of those rights. Personally I should say that I would prefer these rights being incorporated in the Act itself by reason of the experiences which we of the minorities have had under the present Constitution. With the very best of intentions towards minorities, I believe that it would not be always possible for the Governor to come to their rescue. Even under the present Constitution, when the Governor is invested with much larger powers, the minorities have been driven to the necessity of ventilating their grievances, on more than one occasion, either in the Council Hall or outside. The trammels of office of the Governor and the defects of the Constitution may probably prevent the Governor from taking any personal action which he might otherwise like to take in safeguarding the interests of the minorities. I feel, Sir, that under the coming Reforms, with an autonomous Province and with a Ministry which is responsible to the House, the position of the Governor will be more a constitutional one and he will be less inclined to interfere with the activities of the Executive. Therefore, I feel, Sir, that the protection which is afforded to minorities in the nature of Governor's special powers will not give them the same guarantee which they would otherwise have, if their rights were incorporated in the Statute itself.

“ There is just one point on which I should like to express my dissent from the Joint Memorandum, viz., the necessity for Second Chambers in the Provinces. Personally I feel that any autonomous State would be better off for a Second Chamber and in the future Provinces which are to be autonomous and whose Governments are almost uncontrolled except by the advice of the Legislature, the need for a Second Chamber becomes all the greater. The usual arguments advanced in favour of a Second Chamber are too well known to need repetition. The need for well thought out legislation, the need for a revising chamber and the need, in fact, to act as a break on certain occasions is always felt. Talking of our own Province, without the least desire to cast any disparagement on the work of this Legislative Council, can we not recall instances of legislation, even under this limited Constitution, instances where, not long after the Act was passed, we had not regarded it as our own Act? I will only refer to the Local Boards and District Municipalities Act. It is only as recently as 1930 we went through a

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wholesale process of revising the constitution of municipalities and district boards. We inserted in it a provision whereby the president and chairman could be removed from office by a vote of no-confidence passed by the municipal council or the district board. Not very long after we found that that was a faulty piece of legislation and by an amending Act we took away those untrammelled powers from the hands of local bodies and vested them with restricted powers. Recently we have found the necessity of once again recasting the Local Boards Act and the Municipal Act. Again, Sir, with regard to tolls, we thought we had reached the millennium when the Bill abolishing tolls was passed, but almost since the Act was passed, we have been regretting the abolition of tolls. I am referring to these instances merely to show how even under this limited Constitution where we have to obtain the previous sanction of the Governor or the Governor-General for our Bills, we have passed hasty legislation. When such is the case, what would be the position under the new Constitution when the Provincial Government will be autonomous and free from outside control and therefore can pass any legislation it pleases at a moment's notice? The need and urgency for a Second Chamber which will act as a check on hasty legislation, revise it, if need be, or remit it back to the First Chamber, are very great. A Second Chamber of the description I have given, it seems to me, will not be a superfluity at all. Therefore, with this one reservation on the question of a Second Chamber, I lend my whole-hearted support to the Joint Memorandum submitted to the Parliamentary Committee by the Indian Delegation."

* Mr. DANIEL THOMAS :—" Mr. President, Sir, there is one point about which all sections of opinion in this House as well as outside in the country are unanimous and that is the urgent need for the early introduction of the new Reforms Scheme. There is a proverb that hope deferred maketh the heart sick. I may say, Sir, that the heart of the Indian peoples are growing very sick indeed at the delay and the tardiness with which the new Reforms Scheme is being worked out in England. I am told by my hon. Friend here that the nominated Members may not agree with me, but I am sure that the nominated Members have a keen sense of progress and are truly patriotic enough to agree that there is urgent necessity for the speedy introduction of the Reforms Scheme. I am confident there is not one nominated Member in this Council who will not be able to win the suffrages of the people when all the seats in the Council are thrown open to election.

"The next point on which I should like to say a few words is the 'dual policy' of the Government of India. Over and over again the Government of India have said that their object was to do everything in their power to maintain Law and Order and put down the Civil Disobedience movement on the one hand and on the other hand to promote the progressive realization of responsible Government in this country. I may say, Sir, that during the last two years the first part of this policy of the Government has been eminently successful and at the present time Law and Order has been supremely vindicated throughout the

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country. But at the same time, the Government should not be forgetful of the other policy which has been asserted with equal fervour and that is the progressive realization of Self-Government, Dominion Government for this country. I am afraid that, of late, the tendency in this direction as can be gathered from the trend of events is not quite reassuring. It appears—I hope and trust it may not be true—that the Government of India having secured the success of one part of the policy is not now so keen or so enthusiastic as it was at any rate, as regards the other part of the policy, namely, the early introduction of the new Reforms.

"With reference to the actual proposals in the White Paper and the Memorandum submitted to the Joint Parliamentary Committee by the Indian Delegation, I want to say a few words. If in the new Constitution there is going to be any reservation with regard to the transfer of Law and Order, I am sure, Sir, that the country as a whole would rather prefer to go back to the pre-Reform days rather than have a Constitution with Law and Order reserved. Because that would mean that, in spite of all these years of Dyarchy, the people of the country and the statesmen of the country are so backward as not to be entrusted with the administration of Law and Order. It would be a blot on the Indian escutcheon and rather than have such a stain on us, we would prefer not to have any Reforms at all with the reservation of Law and Order. As has been pointed out in the Memorandum to the Joint Parliamentary Committee, Law and Order is not a thing which can be separated and isolated from the other departments of the Government. It is not like a thing which a scientist can analyse and separate into various parts. It is not capable of being dealt with by a microscope in isolation. The subject of Law and Order is intimately connected with all the other subjects. As has been pointed out, in Bengal and in the Punjab and may be in other Provinces, any action taken in connexion with Law and Order has its reactions and repercussions on all the other subjects which are transferred to Ministers. This is an additional reason why the subject of Law and Order should not be reserved.

"I want to say a few words with regard to the institution of a Second Chamber in the Provinces. This question has been receiving very great attention and has been discussed at length in the country. I believe the large majority of people are against a Second Chamber. We have the history of the English people before us and we know that time and again there have been many conflicts between the House of Lords and the House of Commons. Such conflicts and crises have been got over only by the innate good sense and the spirit of compromise of the Englishman. After all the compromise between the House of Lords and the House of Commons has been effected only by making the House of Lords for all practical purposes an absolutely powerless body. It has been called a gilded Chamber of invalids and therefore for all practical purposes the House of Lords is not playing any real part in the evolution of English political life. We do not want such a mistake to be repeated in India. On the other hand, if the Second Chamber is to be a really effective and powerful body, there is likely to be friction between

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the two Chambers. Especially at a time when we are going to launch a new scheme of Reforms, the success or failure of which will be keenly watched by friends and foes alike, we should carefully avoid adding anything to the Constitution which is likely to create friction and conflicts. It has been said that the First Chamber might pass hasty legislation which would require revision. It has been pointed out that even in this very Council there have been occasions when we have passed hasty legislation, which in the light of after-events had to be revised. In such cases, it is open to the single Chamber itself to judge whether revision is necessary or not in the light of subsequent events. Just as this Council revised its own measures when occasion required it, the future Councils also may be trusted to do the same. It would be much safer to leave this revisionary work also to the Chamber which passes the original legislation, if in the light of after events it thinks that revision is necessary. The tendency will be for a responsible body like the Provincial Council not to readily agree that revision is necessary merely because the defects are pointed out by an outside body, although later on it may be willing to agree that revision is necessary. That is nothing but human nature: things done by oneself are taken to be correct and one is not too ready to listen to directions from outside sources. I think therefore that in the interests of the future political development, harmonious working is necessary and it would be much safer to have a single Chamber especially for Madras. Of course conditions in other Provinces may be different, and whether Second Chambers are or are not necessary in the other Provinces, I am sure the people of those Provinces and the responsible statesmen there will discuss and decide for themselves. But so far as Madras is concerned, this is a Province in which we have been priding ourselves as being the vanguard of political progress and we can surely set an example of a single Chamber Constitution working satisfactorily.

“ I want to say a few words with regard to the representation of the Indian Christian community in the new Councils. During the last budget session, the Council, on the motion of Mr. Sreshta passed an almost unanimous resolution with regard to the inadequacy of the representation of Indian Christians in the new Legislatures. I hope and trust that the authorities will give due consideration to the claims of the Indian Christian community in this matter.”

* Mr. M. S. SRESHTA:—“ Mr. President, Sir, I shall not deal with the three questions involved in this cut motion as they have been ably discussed by other Members and as I do not wish to tax the patience of the House. I shall confine my remarks to the question of the representation of the Indian Christian community in this Council. It has been a great grievance of the Indian Christian community that they have been ignored both by the majority community and by the other minority communities in this matter. Whereas the Muslim community has got an increase of about 300 per cent and whereas the Depressed Classes are getting similar increase, the Indian Christian community is

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not getting much of an increase in the new Council. Our present number is 7, 5 elected and 2 nominated; but the two nominated Members happen to be members of the Depressed Classes. But from the time when the Depressed Class members have been nominated to this Council, two at least have been Indian Christians. But in the new Constitution no member of the Depressed Classes would be Christians. The result would be that we shall have to depend entirely on election for proper representation of our community. At the present moment we have 7 Indian Christian Members in this Council. This number has been increased to 9. I think it will be quite clear from the figures I gave in my speech made on the 23rd March last year, that the number allotted to our community is quite inadequate. How it has happened that our community has been given this small number is very difficult to understand. It has been recognized that minorities should have weightage given to them. Whether it is right that minorities should be given any special representation or not, whether they should be given weightage or not, is not a matter which can be reopened and decided. In the old constitutions of the world there was no special representation for minorities. The Great War demonstrated the necessity for giving proper representation to minorities in various countries. But since the Great War and since the League of Nations has been constituted, minorities are given special consideration. In the States of Czechoslovakia and in the other new States formed after the Great War, it has been recognized that racial, religious and linguistic minorities should be given not only proper representation but also weightage. They are given special consideration not only in politics but also in the matter of education. In these States I have referred to, wherever forty pupils of a minority community require a separate school to be established for them it is established as early as possible. Not only that; when an application has been made and if no decision has been given within a certain period, say, one or two months, an appeal lies to the League of Nations. It will be seen therefore how the rights of minorities have been conceded after the Great War; and it stands to reason that the same principle should be applied to minorities in this country. That this should be so, is not denied; this principle has been applied in the case of Muslims. I am not envious of them; this principle has been applied in the case of the Depressed Classes. But this principle has not been applied in the case of Indian Christians. It may perhaps be due to the fact that only two Indian Christians were at the Round Table Conference and as they held entirely opposite views on many matters they were not able to achieve anything. But it is a great credit to the Indian Christian community that they ignore themselves as a minority community and think of bigger questions. It is rather a hard lot that our community—because we want to be cosmopolitan or liberal—is entirely ignored. According to the recommendation of the Madras Franchise Committee, the number allotted to the Indian Christian community is 11; the Madras Government reduced it to 10; when it went to the British Parliament, this number was reduced to 9. Whereas the Muslim community at every stage got an increased number, whereas the

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Depressed Classes also got increased representation every time, our community got less and less number each time. Whatever error was made with regard to the Muslim community was corrected by the Communal Award. In the case of the Depressed Classes also, they did not at first get the number wanted but this was corrected by the Poona Pact; but in our case neither the Government nor a Poona Pact came to our help.

“ This question was raised on the floor of this House on the 23rd March last year; then I pointed out that our community had not been properly and equitably treated. I shall not repeat all the arguments I then gave; but to the great credit of this House there was a unanimous resolution passed that we should get the number we wanted, namely, eleven at least. One Member of the Indian Christian community said that the number should be 15. There was no objection raised to this resolution. As I said, it was unanimously passed. In the Communal Award it was stated that the decision arrived at by that Award should not be varied except with the consent of all communities concerned. That is the reason why the number of representatives of the Depressed Classes was increased as a result of the Poona Pact. I should like to point out that the unanimous resolution of this Council is equivalent to the consent of all the parties and interests affected. I think the Members of this House feel that they should not stand in the way of justice being done to the Christian community. I should like to point out to the Government in all earnestness that they should consider this resolution as equivalent to the consent of all the interests affected to increase the number of representatives of the Indian Christian community. I believe representations were made by the Indian Christians to various bodies, to the Round Table Conference and to Parliament. Many of these representations were sent through the Madras Government. I should be glad if the Hon. Member in charge will in his reply state what exactly the Madras Government did in this matter.

“ I wish to bring home to the Members of this House to-day the desirability of supporting my motion. Muslims have now got 29 members as against 13 they formerly had. That is much more than double the present number. As against 11 which the Depressed Classes have now got they are going to get 30. But we are only getting an increase from 7 to 9 members. Is it possible for the Indian Christian community to be properly represented with only 9 members? I wish to refer to another point in this connexion. I think it is the policy of the Government to see that the electorate is small. If the whole Presidency is to be represented by 9 members of the Indian Christian community, a number of districts will have to be represented by one man. The result is the member has to go to many districts to find out the needs of the people and it is a very difficult matter. I think there should be a minimum. Nine members for the large number of districts we have got is absolutely inadequate. That is another consideration that has to be taken into account. I trust the Hon. the Revenue Member will kindly consider the arguments adduced by me now and on the last occasion I spoke on this matter and see that justice is done to our

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community, and that every possible step is taken to get out representations considered favourably. No doubt we want the new Reforms to be expedited. I am at one with hon. Members in urging that the new Constitution should be given to us as early as possible. But what is the advantage of a new Constitution with an act of injustice at the very start? I say, ‘ let the Constitution come.’ You know, Sir, what power we have in this House. We, the Members of the Indian Christian community, feel that we are an utter minority and that we have no voice whatever in any important matter. Whatever we want, we cannot claim as a matter of right; we have to beg for them. Even under the new Constitution we will be in the same position as we are now. Therefore, I trust that, while the new Constitution is expedited, steps are taken to remove this blot from the new Constitution and to see that our community gets justice which it requires.”

Mr. BASHEER AHMED SAYEED:—“ Mr. President, Sir, the question with which we are concerned to-day is not the details of the White Paper proposals, nor the details of any other Constitution that is going to be given to us by the British Government. We have already discussed at great length the proposals contained in the White Paper and we have expressed our view that in many respects they are very unsatisfactory. Particularly with regard to the safeguards we have stated unequivocally that they are not consistent with the best interests of India; nor are they consistent with the real transference of power from the British tax-payer to the Indian tax-payer. But what we are directly concerned with to-day, particularly at this stage after the three Round Table Conferences and after several sessions of the Joint Parliamentary Committee, is the delay that is caused by the Constitution-Makers. Six years have already elapsed ever since the programme began. Now our interest is to make the Government realize the danger in further delaying the new Constitution. There are instances where Constitutions have been brought into existence within a shorter time than what is taken now by the Government in the present case. We have before us the example of the Ceylon Constitution; how quickly it was conceived and how quickly it was given effect to need not be reiterated now and here. If the Government are really serious and sincere that the discontent must be allayed, there should be no more delay and no more suspense in the minds of the people; they should usher in the Constitution very quickly. There is one great impediment which seems to trouble the Government. But I submit that we are not concerned with that impediment very much. What we urge now is ‘ let the Government give us Provincial Autonomy thereby meaning complete Self-Government so far as the Provinces are concerned; then the idea of Federation may be considered at a later stage. The idea of Federation seems to be a great obstacle; that is the main cause, I believe, for the delay in ushering in the new Constitution. I do not think the idea of Federation has been well conceived so far as this country is concerned. I would therefore reiterate on this occasion that the idea of Federation between the British Provinces and the States must be given up and that a Federation should be started so far as the British Provinces are concerned. To-day in the

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Provinces there are circumstances and factors which go to make up for a Federation; it is open to the Government to bring about a Federation of the British Provinces; there are circumstances which will justify the speedy organization of a Federal Constitution so far as the British Provinces are concerned. In short, my point is that the British Government should try here and now the experiment of Federation of the British Provinces and then leave it open to the States to have a Federal Constitution for the British Provinces and the States. That is an easy way of solving the problem. I am sure the report of the debates here on this point will be sent to the Secretary of State and that the Government themselves here will take some steps to expedite this matter. What I am anxious to know on this occasion is whether the Hon. the Revenue Member, who is in charge of this subject, is in the know of anything at all, whether this Government are in a position to say anything with regard to the programme which the British Government have in view with regard to the new Constitution, at any rate with regard to the question of Autonomy to be given to the Provinces; that is what we are concerned with vitally to-day. We want that, whatever might be the position so far as this Province is concerned, so far as the main issues of the Indian Constitution go, something definite should be known to us as early as possible. Already the life of this Council has been extended by one year, and we understand that the Assembly is going to be dissolved in the month of April. If that is true, it is not really in the interests of the public and the tax-payer, nor is it in the interests of the Government. It is not proper that a Council that was constituted for a period of three years should be extended indefinitely and that things should be so adjusted that one or two more elections are to take place before the new Constitution comes into existence.

"There is another factor which seems to be in the way of the new Constitution coming into existence early. That is: there has been no agreement between the majority and the minority communities in the country. If only the old experiment of 1919 had been tried and if the majority and minority communities had come to an understanding on that basis and submitted a scheme, probably all this delay could have been avoided. I would therefore appeal to the majority community that, having already lost enough time, they should not lose any further time, but come to some understanding with the minority communities, and put forward before the Government a joint scheme which will not give room to the British Government to make any further delay.

"As for the claims of the Christians which have been so ably advocated by my Friend from South Kanara and the Member for Central districts (Christian), I do not have any objection at all. It is open to them to agitate and get whatever they want. But the proportion that has been given to them shows that they are sufficiently represented. So far as the Indian Christian community is concerned, I think their representation is enough and more than required. So far as the Christians are concerned, we have the European Christians, we have

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the planters and so many others; if all the Christians are taken together, I am sure they will outnumber the Muslims; there is no doubt about that. But historical events and historical facts cannot be ignored. All the same, I have the least objection, and my community will have the least objection, to the Christians getting an equal proportion with us or even more. It is all left to them to get whatever they want.

"I shall refer to one more point and be done. I want to know from the Government in a definite and categorical manner whether they have been taken into confidence by the British Government, whether they know of any programme which will give us an idea as to when we can reasonably expect the new Constitution to be brought into existence, and what the form and shape of it in a rough manner 'would be.'

* MR. C. BASU DEV :—"Mr. President, Sir, I am grateful to you for giving me this opportunity to make a few observations on the future constitution. I shall try and confine myself mainly to the question of representation of labour and leave the bigger issues to the constitutional pandits among whom, by the way, there is great confusion and disagreement.

"Before I say anything further, I may tell my hon. Friend, Mr. Sreshta, that whatever may be the adequacy or inadequacy of the representation in the future Councils of the Indian Christian community, the advocacy of their claims has not been inadequate in this House. Mr. Pannirselvam started it, and was strongly supported by Mr. Daniel Thomas and Mr. Sreshta.

"Sir, a good deal of criticism has been levelled against the Government for the delay in the inauguration of the new Reforms; and most of the blame is evidently sought to be put upon the British Government. I would like to ask hon. Members of this House, who is really responsible for this delay? Sir John Simon came out with his proposals some years ago, but the Indian politicians discarded the substance of his proposals for the satisfaction of a sentiment. It is now an admitted fact that the proposals of Sir John Simon in certain respects went far beyond the proposals that have emanated from the long discussions at the three Round Table Conferences. Even at the second Round Table Conference, when there was an opportunity to clinch matters and obtain the maximum instalment of Reforms, that strange combination of a saint and politician, Mahatma Gandhi, stood in the way. To-day, Sir, we are in no better position. On the other hand, thanks to our politicians and to their ever-shifting and interminable discussions we are positively in a worse position. I should like to know if there is going to be any finality to the discussions on the new Reforms. This morning I heard Mr. Yahya Ali pleading for the simultaneous introduction of responsibility in the Provincial and Central Legislatures, while Mr. Basheer Ahmed stated just now that it is far better to have responsibility in the provinces first and think of Federation afterwards. I think unless we make up our minds to leave the whole question of new reforms in the hands of the British Government and the British statesmen, we

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cannot blame the Government for the delay. Mr. Basheer Ahmed asked the Government to come forward with the Reforms; but he has not assured the Government that whatever those Reforms may be, he would not obstruct the working of those Reforms. Gentlemen who speak well, emphatically and eloquently about the need for expediting the Reforms are not prepared to give the assurance that they will co-operate in the working of those Reforms.

"I do not want to say anything further on this matter, except to refer to one or two notable converts in this House as regards the proposals contained in the White Paper. Mr. Venkatarama Ayyar, while discussing the White Paper on the floor of this House vehemently denounced the safeguards, yet he was the first perhaps, during the discussion on the Estates Land Act (Amending) Bill to invoke the aid of the very safeguards he denounced and sought and still seeks to get the Governor veto that Bill. My friend, Mr. Hameed Khan, again who was against a Second Chamber became later a convert in favour of that institution."

MR. ABDUL HAMEED KHAN:—"On a matter of personal explanation, Mr. President, I never said that I was in favour of a Second Chamber; I have already explained that what my friend stated on a former occasion was not correct, and I do not know why he should persist in saying it now."

MR. C. BASU DEV:—"If my friend, Mr. Hameed Khan, will read the report of his own speech in the Proceedings, I am sure he will not contradict me. Any way, I do not want to pursue that matter any further."

"Coming now to the question of Labour representation under the new Reforms, I do not want to bargain with the Government and say that the number they have given us is inadequate. I would certainly very much wish and my friends both here and outside who sympathize with the worker also wish that there should be more seats allotted to Labour. But whatever it is, the workers are very much left in doubt and anxiety as to the constituencies which will be called upon to select their representatives, and as to the qualifications which will be prescribed for their representatives. Sir, labour movement has been in existence in this country for the last fifteen years, and from my knowledge of that movement and of the workers, I am satisfied that there are among the workers, men capable enough to assume the responsibilities of representatives of the cause of labour in the Councils. I would therefore strongly urge on the attention of those responsible for the new Constitution that they should take into their serious consideration the need for prescribing qualifications for the candidates so as to confine them to the ranks of the workers. However ably people like my friend here Mr. Ramaswami Mudaliyar, and myself may represent the workers, the workers have now realized the great need for one of their own men to represent them and their cause. Labour has sufficiently been exploited by the intelligent outsider to his own profit and it would be cruel to allow this exploitation to go on. If I have time, I would unfold harrowing

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tales of how the worker is bled white by the intelligent and educated exploiter. If labour is to come into its own, it should have in the Councils men from its own ranks. Again, with regard to the constituencies we do not know whether they are going to be regional or vocational constituencies. I think, Sir, in the circumstances now existing in this country, territorial constituency is the only feasible and proper proposition. I would, therefore, strongly urge the formation of territorial constituencies."

* Rao Sahib N. SIVA RAJ:—"Mr. President, Sir, Mr. Daniel Thomas in starting the discussion on this subject, suggested that every Member of this House, whether nominated or elected, and every Member of the public was very keen on the acceleration of the Reforms. I fear, Sir, that while it may be true in some cases, the indifferent attention that is paid to the debate by the Members of this House to-day, and the thinness of the House at the present moment give the lie direct to that suggestion. Probably there is another reason: that is, that people are tired of asking for Reforms and of knocking at the door of the Government. If that be so, I hope it is only a temporary lapse. Assuming, however, that the public generally are keen about accelerating the Reforms and that we in this House are keen on suggesting improvements to the White Paper, I still am afraid this is not the proper stage to do that. We have reached a certain stage, sufficiently advanced, when the whole thing has passed out of the hands of the Indian Nation and is now in the hands of His Majesty's Government. As it is, we find that Mr. Churchill has come out again with an attack on the White Paper itself; while the Secretary of State and His Majesty's Government are trying to make out the best case they can for India as against that growing opposition in the conservative ranks. I sincerely feel that it is time that the Indians as a whole, without going into the very many details that would certainly improve the White Paper, helped the Secretary of State at the present moment in trying to get what he can from the Conservatives themselves. There are very many useful suggestions that could be made to improve the proposals contained in the White Paper. As a matter of fact, in the very many eloquent and instructive speeches that have been made so far, we find that very useful suggestions have been conveyed. I feel, however, that at this stage, any suggestion to make ought to take the form of a recommendation in order to help His Majesty's Government and the Secretary of State in trying to get what we want for India."

"So far as the question of representation of the minority communities and of the Depressed Classes in particular is concerned, we are not yet sure that what is supposed to have been achieved by the Poona Pact is really going to benefit our community. That is still a matter of doubt. Every one knows that the Poona Pact was brought into existence during a peculiar crisis, and it still bears the impress of that crisis. My own feeling is that, even though I was one of the signatories to that Pact, the time has now come when we should take stock of the whole position and try to recast that Pact so as at least to suit the conditions obtaining in this Presidency. I was very much disappointed to see

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that on the question of the Temple-entry Bill, the opinion in our Province was so overwhelmingly against it; and it is time that we thought of revising the Poona Pact itself. Still for the present, I feel that our discussions here, while they show a good knowledge of constitutional principles on the part of Members of this House, are not going to be of much practical use at the present moment."

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* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I am most thankful to you and to the House for having taken up this motion for discussion; because this is the only opportunity the Council would have of discussing the White Paper proposals and the Joint Memorandum of the British Indian Delegation. I am glad, Sir, that the Hon. Members who have spoken before me have supported the Joint Memorandum; and the fact that this motion was proposed by one Mussalman Gentleman of this House and supported by another Mussalman Gentleman shows at least in this respect that we, Indians, are united in our demands with regard to future constitutional progress. I believe this resolution was further supported by my hon. Friend, Mr. Pannirselvam, who represents a Christian constituency and has spoken in the same way as other members of his community have done. I am told by my hon. Friend from Coimbatore (Rao Bahadur T. A. Ramalingam Chettiyar) that almost all of them belong to the minority communities. This shows that the minorities are at least agreed that the Joint Memorandum is a concerted production of the British Indian Delegation and the Council as a whole is willing to support that Memorandum. Mr. President, it should also be made clear that this Memorandum is not a hasty Memorandum drawn up by what people call 'agitators.' On the other hand, the Memorandum has been signed at the head by His Highness the Aga Khan, whose claim to represent not only the Muslim community but the whole of India has been recognized by many conferences held in this country after he came back from his labours at the Joint Select Committee. Mr. President, the House will bear with me when I read out some of the passages in the Joint Memorandum which will go to show that the claim made by the Authors of the Joint Memorandum are the minimum that will allay public opinion in this country and satisfactorily solve the Constitutional problem as it stands to-day. The Memorandum first begins by quoting the declarations of His Majesty's Prime Minister at the end of the first Round Table Conference which was affirmed afterwards by the National Government:

'The view of His Majesty's Government is that responsibility for the Government of India should be placed upon the legislatures—Central and Provincial—with such provisions as may be necessary to guarantee, during a period of transition, the observance of certain obligations and to meet other special circumstances, and also with such guarantees as are required by minorities to protect their political liberties and rights.

'In such statutory safeguards as may be made for meeting the needs of the transitional period, it will be a primary concern of His Majesty's Government to see that the reserved powers are so framed and exercised as not to prejudice the advance of India through the new constitution to full responsibility for her own Government.'

Therefore, what the Members of the Indian Delegation had in mind was to carry out the declaration of His Majesty's Government and to

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see that no impediment was placed by the new Constitution in the path of India's progressing to her final goal, that of Dominion Status. One of the requests that the British Indian Delegation has made is that, as was done in the preamble to the Government of India Act, in the preamble to present Act, there should be a statement that the natural issue of India's Constitutional progress is the attainment of Dominion Status and they pointed out that they were not going far from the declaration that was made in the year 1921 on the solemn occasion of the opening of the new Central Legislature. This is the message of His Majesty the King Emperor conveyed by His Royal Highness the Duke of Connaught at the time:

'For years, it may be for generations, patriotic and loyal Indians have dreamed of Swaraj for their Motherland. To-day, you have beginnings of Swaraj within my Empire, and widest scope and ample opportunity for progress to the liberty which my other Dominions enjoy.'

Therefore, it is plain that the British Indian Delegation did not ask for anything more than had been repeatedly promised by His Majesty's Government and the declaration made by His Majesty's representative. It has been stated that in the matter of the reserved subjects, that is, the Army, Ecclesiastical Department and other subjects, the safeguards should be such as should not impede the progress of India to Dominion Status. As has been stated by the Right Honourable the Secretary of State for India, the Prime Minister and Mr. Baldwin, we want the Indianization of the Army, in consonance with the safety and security of India, to be made as rapidly as possible because ultimately the attainment of Dominion Status will depend upon the rapid Indianization of the Army. The Delegation therefore proposed that methods should be adopted which would procure that ultimate goal of the Indianization of the Army within the next quarter of a century. They proposed that the Army Counsellor should be a non-official Indian, preferably an elected Member of the Federal Legislature, or one of the representatives of the Indian States in the Federal Legislature. There should be a definite programme of Indianization with reference to a time-limit, say, of twenty or twenty-five years, and one of the primary duties of the Army Counsellor should be the provision for training of Indian Officers for the programme of Indianization. I think in these two paragraphs they put in a nutshell the reasons why the Counsellor in charge of the Army portfolio should be an Indian. The reason they adduce is that if an Indian is in charge of the Army he will get into touch with the Federal Minister and be able to tell His Excellency the Viceroy what the feelings of the representatives in the Legislature are in regard to Indianization of the Army and also try to co-ordinate the work of the Army Department in order to make rapid Indianization possible. They go on to say with regard to the Financial Adviser, who is to be appointed to advise His Excellency the Viceroy, that he should be appointed in consultation with the Federal Finance Minister for the reason that the Financial Adviser should not only advise His Excellency the Viceroy but he should also be the Financial Adviser of the whole Government so that his advice would be available on all matters to the Federal Finance Minister. Also there should be no clash between

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His Excellency the Viceroy and the Federal Government in the matter of safeguarding the financial interest of India. They have also pointed out that the debt of India is such that it is secured and it would be in the interest of the Federal Government itself to see that there is no financial breakdown and that everything should be done to put the credit of India on a fairly substantial basis, so that the financial credit which is enjoyed by the present Government of India would continue to be enjoyed by the future Federal Governments. I believe some of my friends have talked about safeguards and I can do no better than to quote Mr. Baldwin. Mr. Baldwin, speaking before a meeting of the Lancashire, Cheshire and Westmoreland Provincial area of the National Union of Conservative and Unionist Associations said:

‘There has been a great talk about safeguards. All the safeguards are being examined by the Joint Select Committee, but whatever safeguards we have, the real safeguard is the maintenance of goodwill. If there is not a basis of goodwill, your trade will eventually wither away, and I regret to say that some of the measures which have been suggested, and which Lancashire people have been asked to support, have, in my judgment been calculated to destroy rather than to further any possibility of that goodwill between Lancashire and India which we can get, which we ought to get, and which cannot do without Whatever a Government may do, you cannot prevent a population nowadays, and especially an Oriental as opposed to an Occidental population, if it considers it has been unjustly treated, from expressing its feelings by refusing to buy goods. The refusal to buy goods, commonly called a boycott, had been brought to a fine art in the East. The Japanese have experienced in China what a boycott means. We have some experience of what it means in India. The causes of the boycott were more than one. The moment the economic condition gets better and the buying power returns, that moment there will be more trade. Besides, that there came in the political elements—and for a time they were a strong force. But that boycott has died away, and it has died away under the double influence of firm Government, but, as I believe still more by a conviction in the minds of the Indians themselves that we were going to deal honourably with them and keep our word about getting on with the Reforms. The moral aspect of that question helped to break the boycott as much as, if not more than, any question of force.’

“I think, Mr. President, Mr. Baldwin has put the case as forcibly as can be put by any hon. Member of this House. Why was the boycott taken off? It is the faith in the word of His Majesty’s Government that India will get substantial advance in the matter of Reforms and that she will be put on the safest landing towards Dominion Status, for which responsible Indians have been working for and if anything happens and the Die-hard elements get power to whittle down the White Paper Constitution and make it a mere shadow of Self-Government and not the substance, then the whole trouble will begin again and as Mr. Baldwin has warned the question of other methods for the attainment of India’s constitutional progress will be attempted. The British Indian Delegation had adduced perfectly sound reasons why such amendments should be made in the constitution as would make it acceptable to public opinion in this country. I am sure the Hon. the Revenue Member, who is in charge of the Reforms Portfolio, would forward the opinion of this Council on this matter to His Majesty’s Government with the discussions thereon and point out that Indian opinion will not be satisfied unless the White Paper is amended at least to the extent put forward by the British Indian Delegation to the Joint Select Committee.

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“Of course my friends have spoken on minority representation and Mr. Sivaraj especially referred to the question of the Poona Pact. When the Poona pact was entered into, as Mr. Sivaraj pointed out, there was certainly a national crisis and we, caste-Hindus, are thankful to the members of the Depressed Classes for having helped in the solution of the great problem at that stage by accepting the pact. But evidently my hon. Friends belonging to the Depressed Classes are getting dissatisfied with the progress that is being made with regard to their grievances, especially in the matter of temple-entry. I believe Mr. Sivaraj referred to the question that the majority of Hindus in this province are against temple-entry. I am sorry for such a state of things; and certainly I agree with him. If this is the way that members of the Hindu community are going to treat Depressed Classes, they have every right—and I shall be on their side—to get out of the Hindu community and call themselves a separate community. (An hon. Member:—‘No.’) My hon. Friend says, ‘no.’ May I ask what he has done during these two years for solving this problem? It is all right for the caste-Hindus to cry ‘no’ when this question is raised, but when it comes to the question of practical application, they go inside their doors and say ‘the orthodox do not like it; our women do not like it; our purohits do not like it and such like things and therefore we shall not have it.’ (Hear, hear.) Is this the way in which we are going to solve the problem of the future constitutional progress of this country? If that is so, I would far rather join Mr. Churchill and say that this country does not deserve Reforms. (Hear, Hear.) Mr. President, I am speaking on the basis that we, as a whole nation, feel that we want to govern ourselves. We want to lift ourselves in the eyes of the world as a self-respecting nation and at the same time we are going to prove to the world that the minorities are not going to be crushed by the majority in power. On the other hand, we are going to prove to the world at large that our constitution would be so worked as to make the minorities really feel that they are one of us and that their interests are safeguarded and that if there is Self-Government, it is Self-Government for every one of India’s sons, whether Muslim, Christian, Untouchable, European or any other, as long as he is an Indian. What we want is real Self-Government—Self-Government on the basis of equal rights and equal opportunities for all communities—and I believe the Memorandum of the British Indian Delegation does go a long way towards the achievement of this object. (Cheers and applause.)”

* Rao Bahadur Sir A. P. PATRO:—“Mr. President, Sir, after the eloquent words uttered by the hon. the Leader of the Opposition, I do not think I will be able to rouse as much enthusiasm as he has done. This righteous indignation against the caste people treating certain parts of the community with contempt really deserves our attention. Surely, if this ideal is reached, if the far reaching ideal which was portrayed to us in such eloquent terms by the hon. Leader of the Opposition is to be attained, no one would be behind him in this matter of working the principle. Nobody is working for it better than the one person to whom

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the whole world is looking with anxious attention as to what the result he would achieve. By his soul force, he may be able to convert millions and millions of the people of this country. I wish him all success. I wish him God-speed. There are other practical questions to be faced. There are people who are accustomed to do their day to day work and they may not find it easy to respond to the call as they may feel that the traditions of the past might be snapped and that there are some other customs of the nation, which in a single moment we cannot change by the magic-wand. You cannot convert the whole country into a land of philosophy and a land of equality. Surely, that is an ideal which every one should aim at, but it is an ideal after all.

“ Sir, the hon. the Leader of the Opposition stated that all those who have spoken before him, have dealt with the subject that is now before the House, as to the need for supporting the Joint Memorandum submitted by the Indian Delegation to the Joint Parliamentary Committee on the Indian Constitutional Reforms. Very few speakers before me referred to it. Every one in India who has given any thought to the subject will agree that the proposals in the White Paper require improvement; at any rate, as has been pointed out by my hon. Friend, Mr. Basheer Ahmed Sayeed Sahib, the proposals are unsatisfactory in many ways and they require to be improved in some directions. There is no question about that. The only difference of opinion is, in what direction these improvements should be made and in what way those suggestions should be worked out—that is the main difference. It is not that the die-hards of the Churchill group are opposed to the Indian Reforms. In fact they are not. All that they want to see is in what direction improvements should take place consistent with the promises made by British statesmen. If you read the White Paper proposals through and through, you will find, Sir, that there can be no difference of opinion that they make a great advance on the present position and greater than some think and that they will place India on the way to real full Responsible Self-Government. It is for preparing us for that ideal that the White Paper proposals are intended. In the evidence which the Secretary of State for India has given, you will find throughout the high statesmanlike manner in which he has dealt with the subject. In his evidence consisting of three big volumes, he has given the principles on which the future British Indian Constitution is to be based. He has adhered to everything that has been stated in the White Paper which will place India on the way to full Responsible Self-Government. He has not minced matters. He has realized the difficulties that are in our way. Realizing those difficulties, at the same time, he has made suggestions for solving those difficulties. It is not merely raising difficulties, but suggestions have been made by him for solving those difficulties in the admirable and the inimitable way in which he has answered all the questions raised by the die-hards. I may not be considered a bad prophet if I say that in the Parliament, it must not be a very difficult thing for the British Government to be able to carry out the proposals of the White Paper, in spite of the Churchill and other groups that might be making noise against the White Paper.

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We have faith in the integrity and the honesty of purpose of the British Nation and the British Nation is not going to go back upon the declarations of their statesmen.

“ Sir, the hon. the Leader of the Opposition read from quotations made in the Joint Committee Report. There are other quotations in the Memorandum of Sir Tej Bahadur Sapru. He has gone into the details of the promises and assurances made by British statesmen from time to time. What Dominion Status means in regard to India no one can define at present. So far as India is concerned, we cannot visualize what kind of Dominion Status India could achieve. All that I can say is that there are certain principles which control and guide the administration of Dominions to-day and those can be adopted without any difficulty in India and we claim that as Dominion Status. With regard to Dominion Status as they have got in their own Constitution, it is very difficult to imagine when that form of Constitution would come in, because there is the question of Federation. Now, the Dominions have a different kind of Federation from the one we are aiming at. It is a colossal problem. In India we have several States, independent of the British Government. They owe their allegiance to the British Crown; and the provinces are subordinate to the Central Government. Therefore, to have a union of the British Provinces on the one side and the Sovereign States on the other is a very difficult problem and there is no such parallel in the history of the whole world. These two things cannot be reconciled. It is a great problem to reconcile the interests of Sovereign States on one side and the interests of the subordinate Provinces on the other and to bring them into a Federation. My hon. Friend, Mr. Basheer Ahmed, rightly pointed out that the delay in the introduction of the Reforms is due to the attempt to have this All-India Federation. He suggested that British Indian Federation must precede All-India Federation. He said: let the autonomous Provinces be federated together and let responsibility be introduced in the Central Government and let the door be opened for States to come in when they chose. That position was advanced with greater force at the Round Table Conference, but wiser men have decided that the All-India Federation should be formed and it is that that we are now considering. Therefore, I say, Mr. Basheer Ahmed is very right in drawing attention to that. The delay is not entirely due to the selfishness of the British Parliament; it is not due to lack of interest on the part of the British Cabinet; but it is due to the inherent defects in the problem.

“ It is true, we all expect that Reforms should be expedited. I have pointed out the great difficulty in order to show how it is not possible for any one to visualize a date on which the Reforms would come into operation. Take, for instance, the relations between the Indian States and the Provinces in matters of finance and in matters of representation. There is the claim of the Indian States to have one-third representation in the Lower House; you have got also the claim of my friends, the Muslims, for one-third in the Lower House. Now, if you take away these two-thirds, the rest of the one-third has to be

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divided throughout British India. Therefore, the British Nation, being a democratic nation, saturated with ideas of freedom and liberty, find it difficult to reconcile these conflicted claims. Again take, for instance, the financial relations—I mean Federal Finance and Provincial Finance. The States do not accept any taxation whatever, and they want that the whole burden of the administration of the Federal Government must be borne by the Federation. But with regard to income-tax and super-tax, they would come in for a share only, after working the Indian Federation for a time. And it is only then they would come in for a share of the taxation. And so far as representation is concerned, they must have their share in the Cabinet; they may pass votes of no-confidence against the Ministers and turn out Ministers of the Federal Government, but yet not pay for the cost of administration and bear any portion of taxation. Therefore, the British Government and the Joint Parliamentary Committee are at great pains in order to ascertain what is the solution for this and how best to reconcile these conflicting interests. I am only giving this as an illustration. These matters should be carefully worked out.

“Then, Sir, the Joint Parliamentary Committee consists of very able statesmen before whom the Joint Memorandum has been placed. This is the Joint Memorandum of Muslims and a few Hindus. The British Government and the Parliamentary Committee are very carefully considering how best to consolidate the proposals in the White Paper. They say in the concluding paragraph ‘Our proposals are intended to secure the process of further transfer of responsibility and its continuance, etc.’ No one will dispute that statement. We recognize that during the initial period, which in our opinion should not exceed ten years, provisions in the Constitution must remain unaltered. As the signatories to the Joint Memorandum say, there are practical difficulties in working the Constitution. Take, for instance, the Poona Pact. In the case of the Poona Pact, you will see, that Bengal and certain other Provinces have been so violent in attacking the Pact; they say, it require modification. I say to them that that question should not now be raised. But let us see for ten years; it is only for a tentative period of ten years: It may be one community got an advantage over the other, it may be that the Hindus of a particular Province have lost a few seats. Time after time, we met in conferences and committees and discussed these matters at length, but we could not come to any understanding or agreement and we had to leave the matter to the Prime Minister. The Prime Minister gave an award in the light of the best opinion that was available to him. Probably there may be 1 p.m. defects in it, but we must accept it as statesmen and as patriots, and we must find an early solution of the problem by agreement.

“Then, Sir, coming to the Provincial arrangements referred to in the Joint Memorandum, while we approve of the scheme of Provincial Responsibility contained in the White Paper proposals, our observations and suggestions are confined to matters of detail. Similarly, in regard to the Central Constitution, the Joint Memorandum says that they have accepted the proposals contained in the White Paper, but they would

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suggest that further improvement should be made with a view to its smooth working in actual practice. Therefore, Sir, in essence while we accept the Constitution as outlined in the White Paper proposals, we want that certain alterations should be made to see that greater smoothness is there in the working of the Constitution.

“Sir, I have spoken at length in order to show the difficulties for the delay in the matter of the inauguration of the Reforms. Mr. Basheer Ahmed argued that it is entirely due to the inherent defects. But, Sir, every endeavour must be made by the British Government to arrive at a conclusion so that the impatience that is growing in India and the intolerance that is there may be pacified and removed. If not, we shall be driving the people here in India to despair and the interest that they have been showing in the Constitution will in future be lost. Mr. Daniel Thomas referred to the fact that the British Government, while being anxious particularly in the maintenance of Law and Order, is not doing its best towards Reforms.”

* The Hon. the PRESIDENT:—“May I intervene for a second? There are only four minutes to put the Demand to vote and the Hon. the Revenue Member has to make his reply.”

* Rao Bahadur Sir A. P. PATRO:—“While the Reforms are delayed, the repression is carried on vigorously. (Mr. Daniel Thomas: That is not my statement.) That is the sum and substance of your statement. I am sure these two things, both the Reforms and the maintenance of Law and Order, cannot be separate. Unless there is Law and Order, Reforms cannot be carried on smoothly and vigorously.”

* The Hon. SIR ARCHIBALD CAMPBELL:—“Mr. President, Sir, I do not propose to take up very much of the time of this House because I am quite sure Members of this House realize that the points that have been dealt with in this discussion to-day are not matters the disposal of which lies within the power of this Government. However, there is one point to which I must reply. There is a request for information from Mr. Basheer Ahmed as to whether this Government have been informed of any definite programme for the bringing of the Reformed Constitution into operation. We have not received any such programme and I am sure, Sir, that after hearing Sir Parasuramadas Patro, everyone will realize that it is extremely difficult for any one at the present time to tell exactly when the new Constitution will come into being. We have expected it from time to time and we have been looking forward to it always two or three years ahead, and it has always been receding into the distance. I do not wish to discuss the reasons for the postponement, but I am merely mentioning it as an indication of the great difficulty of foretelling when the Reforms will actually mature. There has, however, been considerable progress in the preparations for bringing the new Constitution into being during the past year.

“I have listened with interest to this discussion; the speakers have not in all cases supported the proposals embodied in the Joint Memorandum. I think my friend, Mr. Pannirselvam, proposed that there should be Second Chambers in the Provinces whereas, if I remember

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rightly, in the Joint Memorandum it is said that there should not be Second Chambers even in the three Provinces in which it is proposed in the White Paper to establish them. On the other hand, his colleague, Mr. Daniel Thomas, took the same view as that taken in the Joint Memorandum.

"Members representing the Indian Christian community pressed once more for an alteration of the decision of the British Government regarding the representation of the various communities in the legislatures throughout India. That again is not dealt with in the Joint Memorandum.

"I am sure, Sir, that, although the views of individual Members may differ, as we should naturally expect in any assembly of this size, when the new Constitution is actually brought into being, everyone will combine together and accept that Constitution and work it in the best interests of the country. That will be the result so far as this Presidency is concerned, judging from experience of the past.

"The object of the motion is the discussion of the need for supporting the memorandum submitted to the Joint Parliamentary Committee on the Indian Constitution Reforms. I believe that I shall be meeting the wishes of the House, if I undertake, on behalf of the Government, to forward a report of the discussion which has taken place to-day to the Government of India with a request that that Government will be good enough to forward it to the Secretary of State for India in Council."

* Khan Bahadur YAHYA ALI SAHIB Bahadur:—"I wish to assure the Government that the purpose in making this motion was not to place any obstacles in the way of Government or to strengthen the hands of the critics of the Government with regard to their White Paper policy. The main object was, as mentioned in the motion, to focus the attention of the Government and the public upon the need for considering and supporting the Joint Memorandum that has been submitted to the Parliamentary Committee. That being the main purpose, I am gratified to see that it has been achieved by this discussion. Sir, before I wind up, I just want to say one word and that is with reference to the remark of Mr. C. Basu Dev. It is not my purpose to charge the Government with the responsibility for the delay in the inauguration of the Reforms. As Sir Parasuramadas Patro pointed out, it is due to a variety of circumstances, chief of them being the inherent difficulties involved in the speeding up of the Reforms is due to the craving in the matter of should come as early as possible. There is no question of charging anybody whatsoever for having caused the delay.

"In view of the assurance of the Hon. the Revenue Member that he would forward the discussion on this matter to the Government of India for submission to the Secretary of State and since the purpose of concentrating attention on the memorandum has been achieved, I beg leave to withdraw the motion."

The cut motion was, by leave, withdrawn.

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

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III.—ELECTION OF MEMBERS TO THE MADRAS AND SOUTHERN MAHRATTA RAILWAY ADVISORY COMMITTEE.

* The Hon. the PRESIDENT:—"Before we discuss the next Demand, I wish to announce to the House that as a result of election held on 13th March 1934, that is, yesterday, Mr. Abdul Hameed Khan and Rao Sahib C. Jayarama Nayudu have been declared duly elected as Members of the Advisory Committee of the Madras and Southern Mahratta Railway Company."

IV.—ELECTION OF MEMBERS TO THE FINANCE COMMITTEE FOR 1934-35.

* The Hon the PRESIDENT:—"Thirteen candidates were nominated for election to the Finance Committee. Five candidates have since withdrawn their candidature. The continuing candidates are—

- (1) Mr. G. Lakshmana Reddi.
- (2) Rao Bahadur A. T. Pannirselvam.
- (3) B. Pocker Sahib Bahadur.
- (4) Mr. K. P. Raman Menon.
- (5) Mr. Sami Venkatachalam Chetti.
- (6) Rao Bahadur R. Srinivasan.
- (7) Khan Bahadur Yahya Ali Sahib Bahadur.
- (8) Zamindar of Mirzapuram.

"As the number of continuing candidates is equal to the number of vacancies to be filled, namely, eight, I hereby declare that the above eight candidates are duly elected."

V.—ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE FOR 1934-35.

* The Hon. the PRESIDENT:—"Thirteen candidates were nominated for election to the Public Accounts Committee. Six candidates have since withdrawn their candidature. The continuing candidates are—

- (1) Mr. V. T. Arasu.
- (2) Mr. A. Harischandrudu Nayudu.
- (3) Rao Bahadur C. Natesa Mudaliyar.
- (4) Mr. G. R. Premayya.
- (5) Mr. P. V. Rajagopala Pillai.
- (6) Mr. G. Sriramulu.
- (7) Mr. U. C. Subrahmanya Bhatt.

"As the number of continuing candidates is equal to the number of vacancies to be filled, namely, seven, I hereby declare that the above seven candidates are duly elected."

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II.—VOTING OF DEMAND FOR GRANTS FOR 1934-35.

DEMAND IX—LEGISLATIVE BODIES—RESERVED.

* The Hon. Sir MAHOMED USMAN:—"I beg to move, Sir—

'that the Government be granted a sum not exceeding Rs. 4,81,100 under Demand IX. Legislative Bodies—Reserved.'"

Mrs. K. ALAMELUMANGATHAYARAMMAL moved the following cut motion and made a speech in Tamil:—

To reduce the allotment of Rs. 48,800 for Provincial Legislative Council—Pay of Establishments by Rs. 100.

(To urge the necessity of the appointment of Tamil Reporters during the Council meetings.)

The PATTAGAR OF PALAYAKOTTA, speaking in Tamil, seconded the motion.

1-15 P.M. * The Hon. Sir MAHOMED USMAN:—"Mr. President, Sir, this question was considered three or four times after the coming into existence of the Reformed Legislative Council in the year 1921 and every time it was decided that it was not necessary to appoint vernacular reporters on account of the fact that very few Members speak in the vernacular languages. At present in the Legislative Council there are four Members who speak in the vernacular. All the others are able to speak in English; but I am not satisfied with the present system in the case of the vernacular speakers, who are asked to hand over their written speeches. This question is bound to arise in the new Reformed Council when many Members may not know English. We may then have to consider the question of the appointment of a Tamil reporter, a Telugu reporter, a Malayalam reporter, a Kanarese reporter and a Urdu reporter. There is no use solving this problem now. We will have to leave the whole question to the new Reformed Council."

The cut motion was, by leave, withdrawn.

Mr. BASHEER AHMED SAYEED:—"Sir, I am not moving my cut motion intended to urge the necessity for the adequate representation of minority communities in the Reporting Staff of this Council. With your permission I will move the other motion intended to point out certain defects in the payment of travelling allowance to Members."

* The Hon. the PRESIDENT:—"As the Members who have given notice of the intervening motions are not in their seats, the hon. Member may move his next motion as desired by him."

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

'that the allotment of Rs. 1 lakh for Provincial Legislative Council—Allowances and Honoraria, be reduced by Rs. 100.'

"Sir, my object in moving this motion is to refer to the difficulties in the payment of travelling allowance to Members of the Council which have been brought to our notice. Sir, it is but fair that we should place these difficulties experienced by the Hon. Members of this House before the Hon. the Leader of the House so that they may be remedied. One

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thing which I have come to know is this: that enormous difficulty and inconvenience is caused in the Accountant-General's office in the payment and cashing of bills. The delay is not so much in the office of the Legislative Council. Whatever could be done is done there with as much expedition as possible. The complaint is not that the office of the Legislative Council causes avoidable and unnecessary delays. But it is a fact that there is delay in the mufassal Members getting their amounts in time before they leave the headquarters for their respective places and that it extends to one or even two days sometimes when there is a rush of travelling allowance bills. Hon. Members cannot be expected to stay on here after their business is over. To avoid this delay some negotiations have to take place between the Provincial Government and the Accountant-General at least to minimise the same.

"I have another suggestion to make for avoiding this delay complained of. I would suggest that the Government should authorize the Secretary, Legislative Council, or the Cashier of the Council Office, if they think so, to retain an appreciable sum of Rs. 1,000 or Rs. 2,000 so as to pay the mufassal Members their travelling and halting allowances as soon as their bills are passed by the Secretary, and then adjust the same in the books of the Accountant-General. Of course these bills are always passed subject to audit objection. That, I think, would be a feasible proposition. If the cashier is allowed to retain as a contingent amount, some one or two thousand rupees instead of the small sum now left with him, at the commencement of every session of the Legislative Council, probably all this delay could be avoided.

"There is yet another suggestion I have to make in order to avoid this delay now happening. This suggestion has already been mooted in several Councils and even in this Council but for the fact that the motion concerned could not be reached for want of time, it would have been made here also. I now suggest that the time has come for the Government to take into consideration the question of fixing a payment to the Members of the Legislative Council. Even as early as 1911 the question of payment to Members of Parliament was taken up and decided in England. Now, Sir, in the Mother of Parliaments this practice has been in existence for nearly twenty years. Taking into consideration the nature of the work now being promised by the new Constitution and also the enormous difficulties that would be experienced in the work to be carried on by the Members, the payment of allowances for halting and travelling may not be the proper thing to do. I would therefore say that it is time that the Government considered the question of a consolidated payment to all Members. This payment, in lieu of the travelling and halting allowances now paid for Members coming for Committee work and for the Legislative Council sessions, would probably be more economical too. I would like the Government to examine the question as to how far the payment to Members of a fixed sum, say Rs. 300 or Rs. 400, would be feasible. I believe that if figures are worked out, taking into account the allowances paid to Members for the various Select Committees, Public

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Accounts Committee, Finance Committee, the Legislative Council meetings and so on the payment that I have suggested of Rs. 300 or Rs. 400 per month, would show a saving and will avoid the delays, the inconvenience and trouble now experienced by Members in the payment of the bills.

“Sir, if my suggestion is adopted it will achieve another great object also. Under the present practice, due to the nature of the constitution under which we are working, people with merit, capacity and ability cannot always be expected to be returned by the electorate as, in these days and in all countries it has been the case, that merit and wealth do not combine. As the elections cost the candidates much money and as public work demands that the workers should be free from all the cares and worries, it is inevitable that the sphere of choice for the constituencies should be circumscribed. In order to widen or enlarge this sphere, you ought to have the system of payment that I have suggested. It is with this object that England decided to have this system. Sir, all people cannot afford to spend all their time in the public cause. The time has come when every Member of the Legislative Council will have to devote at least 75 per cent of his time to public work and, if you expect a large number of people to so devote their time, it is not always certain that your expectations will be fulfilled, because wherever there is wealth it is not always the case that capacity and willingness to work are also there. So, in order to enlarge the field for the selection of men with merit and capacity for doing work in the public field, it will be very conducive if you introduce the system of payment to the Members of the Legislative Council. I would like the Government to examine this, Sir. If my suggestion is adopted it will remove also the difficulties now experienced by members in getting their travelling allowance bills cashed.”

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“Mr. President, Sir, as I have given notice of a similar cut motion, I wish to say a few words on this question. Sir, there is some difficulty experienced with regard to the payment of travelling allowance on the last day of the meeting, when we leave the city for our respective places. Sometimes we are not given in cash: we get only cheques and that too in the evening; and so we are not able to cash it on the very day we receive it. But we have to remain here the whole of next day for no other purpose except to cash it, for which day we don't get any daily allowance at all. Thus there is great inconvenience caused on account of the payment of travelling allowance in anything other than cash. I think that can be remedied by some such method suggested by Mr. Basheer Ahmed.

“Then, the other difficulty is that if between two meetings there is an interval of less than eight days, we are not given travelling allowance. That means that we have to remain here for seven or eight days without

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going to our places, and waste so much of our time here. I think, even in the Assembly an interval of eight full days is not required between two meetings. It sometimes so happens that when there is not an interval of eight days before two meetings of the Council, and even though a Member goes to his place and returns only after a lapse of 10 or 12 days, even then, he is not allowed to draw travelling allowance. So I think it is quite essential that the interval between two meetings of the Council should be reduced.

“The practice in the Assembly is to give three days' daily allowance both before and after each meeting of the Assembly. Formerly it was seven days daily allowance; but of late it has been reduced to three days. I think it is necessary that we should make here too a similar provision for three days' daily allowance both before and after each meeting of the Council, though some of us actually come only on the day of the meeting. For there are some others both in the mufassal and in the city who would like to come here and study things beforehand for the debate, and so it is but natural that they should be paid for the days which they spend in preparation work.

“Another difficulty is that in Ootacamund, if we go to attend any committee meeting we are not able to draw travelling allowance there itself. This difficulty was pointed out on a former occasion, and it was said that some arrangement had been made to enable members to draw their travelling allowance even in Ootacamund itself. But actually when last year I went there to attend a committee meeting, although a clerk who had come there told me that I could cash my bill there, I was not able to draw the amount there. In fact it was two or three months before I could cash my bill, as only when I came to attend the Council meeting in Madras that I actually got the sum.

“To remedy these difficulties, I think the system of paying salary to Members of the Council, as suggested by Mr. Basheer Ahmed, would be the best arrangement. I think in the current year the amount in the revised estimate allotted for the travelling allowance of Members is Rs. 1,30,000. If the system of payment of salary to Members is introduced, I don't think that amount will be exceeded. Because, in that case, the Members need not be paid either travelling allowance or daily allowance for the committee meeting or the Council meeting. I hope this question also will be taken into consideration.

“Then, Sir, when we send questions we are not aware of the date on which those questions will be answered. Sometimes, Sir, . . .”

* The Hon. the PRESIDENT:—“Order, order, how does that arise here? We are now discussing only the cut motion on the travelling allowance of Members.”

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“Can't I raise this point also in this connexion?”

* The Hon. the PRESIDENT:—“Unless you are paid travelling allowance for questions (Laughter) there is no policy in discussing that now.”

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Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Then, Sir, I have nothing more to add to what I have already said."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, the Legislative Council office is very prompt in the payment of travelling allowance. As a matter of fact, some of us who come from the mufassal have no complaint with regard to this office. The only thing that is required is that if we give the office previous notice one day in advance, that we want our travelling allowance on the last day of the meeting, we very easily get it on that day. But if on the other hand we go on to the last day of the meeting and claim our travelling allowance, then only the office feels unable to meet the wish. And even there the difficulty seems to be more with the Accountant-General's office rather than with the Council office, as I understand that the Accountant-General's office requires one day's previous notice. Thus there is absolutely no complaint against the Legislative Council office."

"Then, Sir, Mr. Schamnad referred to the practice in the Legislative Assembly Department. Sir, I myself was a Member of the Legislative Assembly for some time. (Opposition Party Voices: 'Hear, hear.') There, they are not so prompt in this matter as we are having in this Council. So it is a compliment to our Madras Legislative Council office in the payment of travelling allowance, as such a system does not exist anywhere else. (Hear, hear.)"

"The second thing that Mr. Schamnad pointed out was that in the Assembly we are getting three days' daily allowance both before and after each meeting of the Assembly. That is no doubt a fact. But that is purely because we have to take into consideration the fact that the Members have to be travelling continuously for almost a week before and after each meeting, and so as they require rest after a tiresome journey such daily allowance is given. But here that is not the case. Several Members actually come only on the day of the meeting, and very few of them will come three days before the meeting, and so it is not necessary that we should have three days' daily allowance."

"Then, Sir, if once we claim salary like the official Members, and more especially at a time like the present one when we are clamouring for less expenditure, naturally the official Members would take advantage of this and quote our speeches against ourselves, and so it is not desirable that we should give them such an advantage. Further so far as the payment of salary is concerned, I don't think it will be beneficial to mufassal Members, inasmuch as their actual travelling allowance is much in excess of the salary they would be drawing. Perhaps it may be beneficial to Members residing in the City, but it is positively not beneficial to the mufassal Members. So I am not for Mr. Basheer Ahmed's suggestion."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, there are some cut motions dealing with the Legislative Council Library, which have been

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passed over for want of speakers. And so, Sir, with your permission, I shall say a few words on the question before I come to travelling allowance." (Cries of 'No, no.')

* The Hon. the PRESIDENT:—"The hon. Member may note that lower down in the list, cut motions Nos. 410 and 411 deal with Library, and when we come to them, the hon. Member may speak on Library and not now."

Mr. M. S. SRESHTA:—"I will now deal with the question of travelling allowance. Mr. Krishnayya Choudari seems to be under the impression that there was an attack on the Council office staff by Mr. Schamnad. Mr. Schamnad did not make any attack on the staff at all. Sir, from my personal knowledge I may say that the Council office staff is an efficient staff; one cannot meet with a more efficient staff anywhere else. To my knowledge there is absolutely no delay on their part. There is any amount of courtesy from the Secretary down to the lowest paid member of the establishment. The clerk dealing with the payment of travelling allowance is not only a courteous clerk but a very able clerk. He does his work very promptly and very efficiently. If there is any fault, the fault lies with the system, and not with the clerk. For the last two years, I have been pressing this point of payment of travelling allowance. One reply made was that the complaint came from me only. I am very glad that to-day there are many other Members who feel the same thing. By now it would have been noticed that the complaint is a general one. I am very thankful to you, Sir, for the prompt action you have taken on the remarks I made last time and for also having called a conference on this question. I am also thankful to the Hon. the Home Member for having held the conference in which this question was discussed. I hope it will be easy for him to take any further action in order to see that matters are improved. To my mind the remedy is easy. An imprest may be given to the cash-keeper. Whenever Members go to him and make their claims, he submits their bills to the Accountant-General and, until the money comes from the Accountant-General, the cash-keeper is unable to pay anything to the Members. What happens is this: sometimes the Accountant-General's office sends the cash the same day or the next day and sometimes two or three days after. Sometimes cash is not sent but only cheques. Sir, this is adding insult to injury because when the Member is in need of cash, he gets a cheque which he cannot cash in time before catching his train. Then the poor man goes to somebody and then collects cash for his cheque. Some friend or other comes to his rescue and he is able to cash his cheque. I know the other day a certain hon. Member wanted to go to his native place and he got his money by cheque. He would have been in difficulties, but for the fact that someone was able to oblige him with cash for his cheque. I think this is a very unsatisfactory state of affairs. We have stated all the facts and I think it should be possible for the Hon. the Home Member to do something. With some experience of the Government department I am speaking. I am not talking in any

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spirit of destructive criticism, but I want to make a constructive suggestion, and that is this: the cash-keeper may have an imprest of Rs. 2,000. I think he can be trusted and within 24 hours he will be able to disburse the travelling allowances to Members. As regards this matter, an official told me that it would be a very dangerous thing if clerks are allowed to have such a large amount of money and it may lead to defalcation. I would point out that the person to whom the imprest is given will be generally a person who has put in a service of a long number of years and his pension rights will be worth more than the money entrusted to him if such an official goes away. Sir, the point I am mentioning has been recognized in the administration of the Postal department in England. No security is demanded there from persons who have put in a certain number of years service, because it has been considered that pensions are as good securities as anything else. Therefore I trust that the Hon. the Home Member will kindly see that the imprest is granted to the cash-keeper. I may also point out in this connexion that the cash-keeper has even now sometimes something like Rs. 2,000 or Rs. 3,000 in his possession when he has to pay the clerks and other staff in the office. The granting of an imprest is such a simple matter that if the Hon. the Home Member who has got so much influence make up his mind, he can very well put it through. I would suggest to the Hon. the Home Member that an imprest be given to the cash-keeper. The Accountant-General's office cannot raise any objection, nor do I think there is anything in the Account Code which prevents the Accountant-General from giving an imprest. So I trust that the Hon. the Home Member who has been so considerate so far will sympathetically consider this question and see that the imprest is given to the cash-keeper."

* The Hon. Sir MAHOMED USMAN:—"I may say, Sir, that it is not the object of the Government to cause any inconvenience to hon. Members of the Legislative Council. The inconvenience felt in the matter of getting travelling allowance was brought to the notice of the Government on several occasions and several defects have been removed. My hon. Friend, Mr. Basheer Ahmed, pleaded for making prompt payment to Members. I think the difficulty is that any scheme that we devise must receive the concurrence of the Accountant-General. Therefore it is not entirely a matter for this Government alone. I may say this: that we will try our best to devise some method which will cause less inconvenience to hon. Members after consulting the Accountant-General."

"My hon. Friend, Mr. Basheer Ahmed, spoke again with regard to the payment of salary to the Members of the Legislative Council and I find that Mr. Krishnayya Choudari is opposed to that proposal. I think the question of payment of salaries to the Members must be left to the new Reformed Council. When it comes into existence, it will take into account the number of days we have to sit and if it is found necessary, the new Council will devise some scheme, either the payment of a new scale of travelling and daily allowance or payment of salary."

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I think it is better we do not take up this question now because, after all, this Council is going to sit only for a year or two more. When the Reformed Council comes into existence, I think this question can be dealt with in all seriousness."

"My hon. Friend, Mr. Schamnad, said that the payment by cheques is causing a certain amount of hardship to the Members. With regard to that again, we are entirely in the hands of the Accountant-General. I understand if the amount does not exceed Rs. 200 it may be paid in cash. If hon. Members want payment in cash for any sums exceeding Rs. 200 I think it is not possible to do so. But if the hon. Members want that we must once again make representations to the Accountant-General, I am prepared to do so after consulting the Secretary to the Council."

"I entirely endorse the statements made by hon. Members of this House about the solicitude with which the Secretary to the Council attends to the comforts of hon. Members of the Legislative Council. I shall consult him if it is possible to devise a system by means of which travelling allowance could be paid in a prompter fashion."

"Mr. Schamnad Sahib said that during the sitting of the Committee at Ootacamund travelling allowance was not paid to him. The Government having passed orders most of the Members got their money at Ootacamund itself. Therefore I do not think there is any real grievance on that point. As for the interval before a Member could claim travelling allowance, the rule is that there should be an interval of 8 days between two meetings when a Member can claim travelling allowance. The last meeting of the Legislative Council ended on the 1st March and it reassembled on the 8th. We issued a Government Order that 8 days rule need not be insisted upon. Whenever Government feel that hon. Members are inconvenienced in that direction they always pass special orders. There is no necessity for making a general rule as suggested. There were only two such occasions for the last two or three years and on both the occasions we passed favourable orders."

"I shall bear in mind all the suggestions of hon. Members and, after consulting the Secretary to the Council, if I find that anything could be done for the payment of travelling allowances to the Members in a prompter fashion, I shall certainly do my very best."

* The Hon. the PRESIDENT:—"I am sorry that Mr. Basheer Ahmed who has moved this cut motion is not available to this Council. Courtesy requires that any hon. Member who has moved any cut motion should be here either to withdraw it or have it voted upon. I hope Mr. Basheer Ahmed will bear this in mind and see that he will not absent himself when any motion that he has given notice of is being put to vote. Now I will put the motion to vote."

The cut motion was put and lost.

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* Dr. P. SUBBARAYAN:—"I beg to move the cut motion which stands in my name as follows:—

'That the allotment of Rs. 1,50,000 for Elections—Pay of Special Officers and Establishments—be reduced by Rs. 100.'

"Sir, as put down in the notice paper, I have tabled this cut motion in order to get information from the Hon. the Leader of the House as to the election to this Council as well as the Assembly. I see from the Budget that a provision of Rs. 1,50,000 has been made for election to the Legislative Assembly, but nothing is mentioned with regard to the Legislative Council. Hon. Members who were present here when the Hon. the Revenue Member replied to the cut motion on the White Paper proposals will remember that he distinctly stated that the question of Reforms seemed to be receding further and further. Taking that as the cue if we are not going to get any real Constitution into working order till the end of 1936 which is the date as has been given by some of my friends from England who have written to me on the procedure that is to be adopted with regard to the Joint Parliamentary Committee and the adoption procedure of His Majesty's Government with regard to the inauguration of the Reforms, I think there is no reason why the election to the Legislative Council should not be held when the present term of the Council comes to an end and if there is no extension of the same by His Excellency the Governor. I know the Hon. the Leader of the House will say that it is entirely the prerogative of His Excellency the Governor and it is for him to decide whether he is going to extend the term of the Council or dissolve and have election in the natural course of events. I am specially moving this motion in order that His Excellency the Governor may come to know the feelings that exist in this House with regard to election. In most of the Constitutions a time limit is put down for the term of a particular legislative body for the simple reason that the devisers of the Constitution have felt it incumbent to consult the electorate from time to time. And with regard to the Indian Constitution His Majesty's Government when they passed the Government of India Act, 1919, did take it that under the conditions then existing in this country three years time was sufficient for one Legislative Council to continue. Perhaps they had their cue from the original practice of the English Constitution by which they used to have triennial elections and they were having triennial Parliaments. Afterwards it was felt that the expenditure on the elections was so much and the House of Commons was composed of more than 700 Members before the establishment of the Irish Free State Constitution, that they had to resort to what is called septennial election by which elections were held to the House of Commons every seven years until the coming into effect of the Parliamentary Act of 1919 by which the overriding powers of the House of Lords were taken away and the House of Commons were given the extraordinary power of passing legislation even if the House of Lords were against the Government introducing that legislation. If such powers were to be placed in

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the hands of the House of Commons it was thought that the lifetime of each House should be cut short to five years. The lifetime of this House according to the Government of India Act is three years and now we are in the fourth year which will continue up to the 6th of November this year. I would therefore bring to the notice of the Members of Government concerned and His Excellency the Governor that in view of the fact that the opinion of the country has to be obtained not only on the policy of the Ministry in power but also on the question of the impending Constitutional Reforms and the Memorandum of the British Indian Delegation presented to the Parliamentary Committee, elections should be held for the Legislative Council and the Legislative Assembly as soon as possible. I hope the Hon. the Leader of the House will convey this impression to His Excellency the Governor and also do what he can himself towards adopting proper constitutional procedure in holding elections specially to a House which has had a year more than the term for which it was elected."

Mr. K. P. RAMAN MENON:—"Mr. President, Sir, I have great pleasure in supporting the motion before the House. As has been explained by Dr. Subbarayan, the normal lifetime of this Council has been fixed at three years. This is copied from the English practice of having elections whenever it is thought that the pulse of the country should be felt by the Government. Now, this Council was functioning for three years when it got an extension of one year. I think, Sir, it is high time that in view of the very great Constitutional changes that will be introduced, fresh elections were held to gauge the public opinion in the country. It may be that all or at any rate some of us may be returned again, but in the interests of all concerned, it is better that the country is given an opportunity of expressing its opinion. I hope that the opinion of Dr. Subbarayan will be endorsed by the House and accepted by the Government and conveyed to His Excellency."

* Mr. V. T. ARASU:—"Mr. President, Sir, I support the motion before the House asking the Government to conduct the elections to this Legislative Council as early as possible."

* The Hon. the PRESIDENT:—"The hon. Member may speak more audibly."

* Mr. V. T. ARASU:—"As has been pointed out by the Hon. the Leader of the Opposition and by the hon. Member from Malabar, it is a well-understood principle in political science that the life of legislatures should be fixed in the statute itself. The Government of India Act has fixed the life of this Council as three years. That period has already elapsed last year. But His Excellency the Governor in the exercise of his prerogative under the Government of India Act, extended the lifetime of this Council by one more year. Sir, there is an apprehension in this House and in the country outside that the life of this Council will be further extended. This apprehension is strengthened by the fact that the Hon. the Revenue Member in reply to the debate on the previous Demand said this morning that the Reforms seem to

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be receding farther and farther, and one does not know when they are likely to be inaugurated. In view of that statement I would request the Government to make a representation to His Majesty's Government that, if the Reforms are not going to be inaugurated before the end of this year, the Local Government should be given an opportunity to dissolve this Council and conduct fresh elections. The Hon. the Leader of the House and the Government as a whole should have known by this time that hon. Members of this Council are not at all regular in their attendance; and from the thin House we are having just now it will be seen that interest in the proceedings of this House has waned. Unless the Government conduct fresh elections and bring fresh blood into this Council, the proceedings of this Council are bound to be tame and dull.

"With your permission, Mr. President, I want to make a few remarks regarding the motion standing in my name."

* The Hon. the PRESIDENT:—"About Assembly elections?"

* Mr. V. T. ARASU:—"Yes. Mr. President, in the Budget for 1934-35 a sum of Rs. 1,50,000 has been provided for elections to the Legislative Assembly. I want to know whether the Local Government have received any directions from the Government of India to make such a provision and, if so, whether the Government of India have given any information regarding the probable date at which the new Reforms are likely to be inaugurated. I request the Hon. the Leader of the House to make a definite statement as to under what circumstances the Government have allotted a sum of Rs. 1,50,000 for holding elections to the Legislative Assembly."

"Lastly, Sir, I should like to make a few remarks about the Hon. the Leader of the House. In all probability he may not be occupying the Treasury Bench when we meet here next time. The Hon. Sir Mahomed Usman has been leading this House for the past four years, and I should like to take this opportunity of paying my humble meed of tribute to him for the services he has rendered to this House. He has been leading this House with great tact, and was courteous to everyone of its Members. More than anything else, he always spoke what he felt and felt what he spoke. It is not given to all of us platitudes and are often afraid to speak what we feel. We often indulge in been the case with the Hon. the Leader of this House: he always spoke frankly unmindful whether it was liked by the people or not. That is a great quality in him and I should like to give public expression to it on the floor of this House. We, Members of this House, will be sorry to miss him when he may not be occupying his seat on the Treasury Bench when we meet here next time. However, I hope and trust that though Sir Mahomed Usman may sever his connexion with this House, he will continue to take interest in the proceedings of this body."

* The Hon. Sir MAHOMED USMAN:—"Mr. President, Sir, as regards the elections to the Legislative Assembly, hon. Members know

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that we have made a provision in the Budget for preparing the electoral rolls, etc. But it is a matter entirely for His Excellency the Governor-General to decide whether the elections should be held this year or not. I have nothing more to say on the matter.

"As regards the elections to the Madras Legislative Council, here again it is a matter not in the hands of the Government; it is for His Excellency the Governor to decide whether or not elections should be held this year. All that the Government can do is to bring to the notice of His Excellency the strong feeling expressed by the hon. Members of the Opposition to-day that there should be elections this year. If His Excellency decides that there should be elections, we can come forward with a supplemental demand during the next meeting in July or August."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, the Hon. the Home Member has said that he does not know when the elections to the Assembly will be held and that it all depends on the decision of His Excellency the Governor-General. He also spoke in the same strain with regard to the elections to the local Legislative Council and said that he did not know when the elections to this House would be held. But we note that a sum of Rs. 1,50,000 has been provided in the Budget for elections to the Assembly, whereas nothing has been provided for the elections to the Council. Therefore there seems to be some difference between the one and the other and I want to know from the Hon. the Leader of the House where the difference lies. Has the Local Government been asked by the Government of India to make a provision in the Budget for elections to the Legislative Assembly? If that was so, I fail to understand, how the Hon. the Leader of the House could say that the Government did not know whether the elections for the Assembly would be held this year or not."

* The Hon. Sir MAHOMED USMAN:—"Mr. President, Sir, all that I can say on the question is this. We are all under the impression that the new Constitution will be introduced in the Provinces much earlier than in the Centre. Therefore, we thought that, if the Reforms are introduced here next year, there may be no elections this year. That is how the Government looked at the question and did not make any provision in the Budget. But since the hon. Members of the Opposition now ask me to bring to the notice of His Excellency that they desire to have the elections this year, I am prepared to do so and, if His Excellency decides that there should be elections this year, the necessary expenditure can be met by means of a supplemental demand at the next meeting of the Council."

"I may say, Sir, I am very grateful to Mr. Arasu for the high compliment he has paid to me for my humble work in this Council."

* Dr. P. SUBBARAYAN:—"Sir, in view of the statement made by the Hon. the Leader of the House that he will convey the general feeling of the Members of the Opposition to His Excellency, I beg leave of the House to withdraw my motion."

The motion was, by leave, withdrawn.

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Mrs. K. ALAMELUMANGATHAYARAMMA:—" Mr. President, Sir, I beg to move—

' that the allotment of Rs. 4,81,100 for Legislative Bodies be reduced by Rs. 100, to urge the need for replacing the old and torn curtains in the Legislative Council Chamber.' "

(The hon. Member made a speech in Tamil in support of the motion.)

3-15 p.m. * The Hon. Sir MAHOMED USMAN:—" Mr. President, Sir, I understand the hon. Member spoke about the shabby curtains of the Council Chamber. We called for an estimate and found that it would cost about Rs. 9,000 to renew the curtains throughout the whole building. Since the buildings are to undergo many structural alterations there may be no need for these curtains at all. Therefore we did not do anything in the direction of renewing them. The Government have got a proposal to alter these buildings next year or so; when these alterations are made, new curtains will be provided for this building. At present I think it will be waste of money to renew these curtains at a cost of Rs. 8 or Rs. 9 thousands. I hope the hon. Member will withdraw this motion."

The motion was, by leave, withdrawn.

B. POCKER SAHIB Bahadur:—" Sir, I move—

' To reduce the allotment of Rs. 4,81,100 for Legislative Bodies by Rs. 100.'

" This motion is intended to solve the practical difficulty that is being felt by Muslim Members of this Council ever since this Council began. Perhaps the Members of the previous Council also would have felt the same difficulty. I understand that at the recent conference that was held between the Leaders of Parties in the Council and the Hon. the President, some provision has been made for a prayer room for the Muslim Members so far as the Reformed Council was concerned. Since this Council began we have been making attempts in that direction and several communications were addressed to the Secretary to the Council; in fact we were promised that some room would be given to us. If I remember right, I think one of the rooms was actually allotted to us; later on I found that the board was removed. Later on some other room was offered to us, the room behind the room of the Opposition Leader and we sent a reply accepting that room. Later on we found that it was not allotted to us and we are under the very same disability. There are five prayers which are compulsory for every Muslim and if he does not perform any one of them, he is a great sinner in the eye of the religion of Islam. One of those prayers has to be offered between 12-30 p.m. and 3-30 p.m. and that prayer has to be performed during the sitting of the Council, by the Muslim Members attending the Council. It will certainly be impracticable for a Member of this Council to go some miles off in order to perform his prayer and come back. If there is some mosque anywhere in the

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neighbourhood, that would have been an excuse for not providing this convenience; in fact there is none. The Muslim Members have been feeling this difficulty all along. We thought that in view of the promise made by the Secretary to the Council, this convenience would be provided for us; it is rather very regrettable that it has not been provided so far and this difficulty still continues. I hope, Sir, that many arguments are not necessary in this matter particularly in view of the fact that the Hon. the Leader of the House himself would realize the necessity on the part of Muslim Members to pray five times in a day; he knows that one of the prayer times falls between 12-30 and 3-30 p.m. So far as he himself is concerned, he has got convenience. I would request him to treat the other Muslims of this Council in the same manner and see that they are provided with some convenience for performing their religious duties; any default in this matter will make the Muslims sinners in the eye of the religion of Islam."

* The Hon. Sir MAHOMED USMAN:—" Sir, I entirely agree with the hon. Member that a proper prayer room should be provided for Muhammadan Members in the Council. I understand that some room has already been provided at the instance of Mr. Basheer Ahmed. At present we have not got enough space and it is not possible to do anything better. When we make alterations to the building, this point will be borne in mind and I hope a decent room will be set apart for the purpose of prayer for Muhammadan Members."

B. POCKER SAHIB Bahadur:—" Sir, I would just point out that the lounge room just behind the Opposition Leader's room is intended for all Members and it will not be possible for the Muslim Members to utilize it for prayer when it is intended for all; it will be wrong on the part of Muslim Members to use that room for prayer purposes. If that room or any other room is allotted exclusively as prayer room for Muslims, we will be satisfied; that is all we want."

The Hon. Sir MAHOMED USMAN:—" I am prepared to consult the Secretary to the Council and see if it is possible to give a prayer room for Muhammadan Members."

The motion was, by leave, withdrawn.

Mr. U. C. SUBRAHMANYA BHATT:—" Sir, I beg to move the cut motion which stands in my name:—

' that the allotment of Rs. 4,81,100 for Legislative Bodies be reduced by Rs. 100.'

This is to impress upon the Government the need to remove the Legislative Council buildings when the new Reforms come in and that new buildings be constructed outside the Fort limits instead of inside the Fort. I say this because the Legislative Council Members who come to this Council are put to the necessity of having to hold up their cars; sometimes they themselves are stopped by Military authorities and passes are demanded. I must say in this connexion that the Military authorities, who stop passengers, etc., have been uniformly

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courteous to the Members. Members of the Legislative Council have to come to this Council day-in and day-out; they are known to the staff of the Military department. When there is a change in the Military staff, they do not know and the Legislative Council Members have to undergo some difficulties. With regard to the Council under the new Reforms, as there will be a larger number of Members, the Government would do well to locate the Legislative Council outside the Fort limits."

Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, I cannot agree with my hon. Friend for the removal of the Legislative Council buildings to a place outside Fort St. George. The Fort is a historic place in the City and everybody should be glad to come here. I do not think we can get a better place than the present one which is in front of the sea. Members here have been saying that the Legislative Council work is tiring and I think the sea-breeze will refresh them. If it is meant that the present buildings are not comfortable and that we should have a better building, then I would agree with that proposition; but I would be loathe to support any proposition to have the Legislative Council Chambers outside the premises of this historic Fort. If Members of the Council are put to any annoyance by the Military authorities in the matter of admission to the Fort, that can be remedied by administrative orders; there is no reason why we should have our Legislative Council Chambers outside the Fort."

* The Hon. Sir MAHOMED USMAN:—"Sir, as I have said a few minutes ago, it is the intention of the Government to make certain structural alterations to the present building so that we may have better accommodation when the Reformed Council comes into existence in a year or two. If we find that this building is not sufficient even after the alterations the Government will have to consider the question of having an entirely new building, if necessary, outside the Fort. That question will have to be considered at a future date. It is not possible for me to say what will be the ultimate decision of the Government then. It is a matter for the future and we need not consider it now.

"Of course there are certain difficulties in allowing people to come to this building on account of the fact that we are in the Military zone and we have to observe certain rules and regulations. We are trying our best to minimize the inconvenience as much as possible."

The motion was, by leave, withdrawn.

Mr. ABDUL HAMEED KHAN:—"Sir, I beg to move—

'that a sum of Rs. 100 be deducted out of Rs. 4,81,100 for Legislative Bodies.'

I wish to refer to the restrictions imposed by the Police when Legislative Council Members come here on business. This difficulty has been felt for a very long time by the Members of this House. The Hon. the Home Member in his reply on a former cut motion said that it would be

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possible at a future time to have a separate building for the Legislative Council outside the Military zone, and then the restrictions which are now imposed on the movements of the Members of the Legislative Council would be removed. That is a matter for the future. I think the sooner we get out of the jurisdiction of the Military authorities, the better it will be for the convenience of the Council Members.

"I have myself experienced and other hon. Members also have 3-30 experienced one very great difficulty, and that is, with regard to the p.m. non-admittance of persons coming to meet Members of this House on urgent business during the session of the Council. There were occasions when Members had to be informed of very urgent and important matters, and the persons who sought admission into the Fort were held up at the gate by the constables. Even after the constables were told that the messengers were seeking admission in order to see the Members of the Council on urgent business, they were not allowed. When the matter was reported to the Police officer in charge, he also said that his orders were that no person should be allowed inside the Fort without a pass. Sir, passes are issued to Members of the Council and passes are issued to those people who are employed in the Fort offices. But how can passes be issued to servants to Members or other persons who come here to see the Members on urgent business, all of a sudden without their knowing that such occasions would arise at all? When such emergencies arise, nobody could wait for the issue of the passes for getting admission into the Fort. I of course made a representation and I understand that the Secretariat, not the Legislative Council Secretariat, but the Chief Secretariat, has not been able to get the Military authorities to agree with them; or perhaps they have not themselves pressed the matter sufficiently with the Military authorities. When the Council is in session at least, it should be possible for the Military authorities to relax the restrictions, not only so far as Members of the Council are concerned, but also in the case of persons coming to see the Members on urgent business. It may be argued, Sir, that it would not be possible to distinguish between a person coming to see a Member and any other person. But if you are going to keep out a person who comes to see a Member of the Council on urgent business on the plea that he might be a dangerous person, you have also to consider the question of causing a good deal of inconvenience and even the danger of the Member not being available at a place where his presence is absolutely necessary in order to prevent many many serious things. Members of the Council ought not to be kept as prisoners, as it were, during the session of the Council. Their liberty should not be restrained or restricted in the way in which it has been done. Therefore, Sir, it behoves the hon. the Leader of the House to see that the Military authorities do not place these restrictions on persons who come to see Members of the Council when it is in session. I know we have very strict rules in regard to admission to the Council Chamber; and we also know how very often when even important questions are considered by this Council, very few visitors are found in the galleries. I am not of course raising any point now on that question, because these

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rules have been framed in order to prevent any trouble. But in order to prevent that trouble, how can you create trouble for the Members? I therefore hope, Sir, that every step will be taken by the Government to see that the Members of the Council are not put to these difficulties and inconveniences."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, Sir, I have much pleasure in supporting this motion moved by my hon. Friend, Mr. Hameed Khan. A lot of difficulty is experienced by persons who come to meet the Council Members when the Council is in session. They are strictly held up at the outside gates if they have not got admission tickets with them and even there, they have not got any shelter or shed in which to wait till they get hold of a peon through whom to send information to the Member concerned. Sometimes it so happens that they have to wait there for half an hour and more without being able to send word to the Member. It is quite necessary, therefore, that some arrangement should be devised by which the visitors and persons who come to speak to the Council Members on urgent business may be admitted at least up to the visitors' room, without having to undergo the inconvenience of standing in the hot sun for a pretty long time. Such an arrangement should, I think, be possible and I request the Hon. the Leader of the House to pay his immediate attention to this grievance and remedy the same."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, even within our lobbies I know an hon. Member, the Raja of Parlakimedi, when he came here for the first time from his place, was stopped by the Sub-Inspector of Police and when without answering him, he was coming in—I happened to be there—the Sub-Inspector asked him whether he was a Member of the Council. Such things are occurring to other Members of the Council. There was another instance three or four days ago when some of the shorthand reporters of the Legislative Council were obstructed by one sergeant here just in the veranda. The President may also enquire into it, as they happen to be reporters of the Legislative Council and belong to the Council office staff. Not only that; if some passes are given to us to be used for our servants or other persons whom we want to bring here, just like the passes that are supplied to us already, that would be better. In that case, they can freely come into the Fort premises, but no doubt the responsibility will be on the Members themselves. Railway officers and their servants are generally given such passes whenever they travel by train; similarly if our servants or other persons can be allowed with the passes into the Fort premises, of course on the responsibility of the Members, much of the present inconvenience may disappear. I request that the present regulations in the matter may be relaxed a bit in the interests of all concerned."

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, if I speak on this cut motion, it is with a view to add to the experiences of my friends here. More than once I was personally prevented from entering the Fort premises and it was only by appealing to the Secretary who was far off

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from the gate, through some peon who was within my eye-sight, that I could enter. It was only through the Secretary's kind intervention that I was able to come in. That was not the only occasion; it has been so more than once. The Secretary communicated with the Chief Secretary's office and, somehow for the time being, I was left alone then. A second time also I had the same experience and I had to make a complaint to the Secretary and the only reply was that—whether it is satisfactory or not I leave it to the House to judge—those who were in charge at the gate did not make a distinction between man and man. I was told that even Government Members and even His Excellency was once prevented by the Police officer from entering the Fort. I do not know whether that is a consolation. The fact that His Excellency was prevented by the enforcement of this rule does not make it a salient one. This cut motion sets out the practical difficulty that we feel. Whenever I had to send some questions or some other communications to the Secretary, whom could I send, when I myself found it so difficult to enter the Fort? How can my clerk or servant enter without a pass? I had therefore to come here myself when my clerk or some other messenger could have transacted the business on my behalf. The result was that at times when I was prevented by other urgent business to come here, I had to sacrifice this business. Sometimes when we put off sending questions or some communications to the last prescribed date, we have to come here ourselves, otherwise the whole business has to be sacrificed. I have experienced such a difficulty and it should have been felt by other Members also. I am really glad that my hon. Colleagues here have given expression to their feelings to-day, and I have also great pleasure in giving out my experience. I do grant that all methods should be adopted to prevent any kind of dangerous persons into the Fort premises or into the Council Chamber; but what I say is that the present method does not make any difference between a man who possesses a bomb and one who does not possess a bomb. For that purpose, I would rather like the Government to see that this spirit of bomb-throwing or the possessing of bomb is eradicated from the minds of the people, than resort to this very ineffective and even frivolous method of preventing bombs being thrown. I do not think the present practice will prevent the man who is really bent upon throwing a bomb into this Council from doing so. If he is really bent upon it, he will do so in spite of the present regulations and restrictions. This trouble can be solved only by changing the mentality of the people, which can be done only by the Government being kind to the people in general. That is of course a general question; but even in this small matter we are to be put to all this inconvenience; we are unable to get on with our business here. I therefore appeal to the Government to take such steps as they may deem fit, to eradicate this bomb-spirit or this spirit of violence from the minds of the people, rather than subject us to inconveniences like this. (Mr. Basu Dev. 'Can they do it by passing an order?') My friend Mr. Basu Dev suggests that the Government by passing an order cannot do so; but the question rests entirely with the people who are

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bent upon carrying bombs. If at all these bombs have come into this country, they have come from foreign countries. The idea of the bomb itself is quite foreign to the Indian mind and it is a foreign importation. I will have to say something on this subject in connexion with a later demand and suggest quite a different method. I shall then have to appeal to the Government in the interests of this country, which is after all, that of Indians, to take the necessary steps to eradicate this kind of spirit which has somehow come to prevail among a certain section of the population. I shall deal with those matters then; on this occasion, I only wanted to add my own personal experience to those of other hon. Members. I think, Sir, this question can very well be decided upon by having some kind of a conference between the leaders of parties of this House and the President and the Secretary and other Members concerned."

3-45
p.m.

* The Hon. Sir MAHOMED USMAN:—"Mr. President, Sir, I am extremely sorry that some hon. Members have been very much inconvenienced on account of the restrictions that we have placed in admitting people into the Fort. Hon. Members know we have been forced to take these measures on account of certain undesirables getting entrance into the Fort; we remember the cracker incident and the placing of the revolvers in the Governor's box. In order that such incidents may not recover, we have had to take precautions and I am extremely sorry that some hon. Members have been inconvenienced. It is not the desire of the Government to put any hon. Member to inconvenience. If any inconvenience exists under the present regulations and if the hon. Members will bring it to my notice, I am prepared to look into it. I know the case referred to by my hon. Friend, Mr. Abdul Hameed Khan, and I am sorry that he was put to much inconvenience. But when the case was brought to my notice, I had consultation with the Chief Secretary and the Hon. the President. I am extremely glad to say that the Legislative Council Office has arranged to post peons at the gates. They will carry the cards of the intending visitors to the Members whom they want to see and if the Member concerned wants them to be let in they are permitted inside. This arrangement has been in existence for the last two sittings and no complaint has been received. I would like hon. Members to remember that we are living in difficult times and though there may be some little inconvenience caused to them they may be overlooked in the interests of the greatest good for the greatest number. As I have said already, it is not the desire of the Government to put hon. Members to any inconvenience whatsoever. I shall further look into the question."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I am thankful for the desire of the Government not to put inconvenience to the hon. Members. I would like, Sir, that beyond the desire there must be something practical done. The Hon. the Leader of the House has said that some peons have been posted and persons who give their name cards are given admission on the Members asking them to be admitted. But

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how can we expect messengers, peons and servants of Hon. Members to have any name cards and hand them over to those peons so that they may deliver them to the Member concerned? The difficulty is the same as it used to be. And I feel that nothing has been done. Although the Hon. the Leader of the House says that something has been done already to modify the conditions that existed before, I am afraid the Hon. the Leader of the House is not aware that there has not been any material difference between conditions that existed before and those that exist now. The inconvenience is the same. I have experienced and I think my Colleagues also would have experienced the same. What I feel is, there would be difficulties if really urgent messages are not delivered to the Members. I know, Sir, that there is a necessity to restrict admission into the precincts of the Fort. But, as I have said before, it is necessary that some method should be devised by which, side by side with restrictions, facilities should be given to the Members so that they may not be put to such difficulties as some of our Colleagues have experienced. There is no doubt that people who come in cars do not find the same difficulty as others who come walking. I am sorry the ordinary constables, who are ill-paid and who are not highly educated, think that those persons who come in cars are safe persons and that others are unsafe. I do not know how a person coming in a car becomes safe and one walking becomes unsafe. But that is their mentality. You cannot change their mentality. It is our lookout to see that some method is devised so that Members are not put to the same inconvenience they have been put to all this time. I hope, Sir, that the Government and the Legislative Council department will be able to consider the question seriously and devise means for removing these difficulties, which have been experienced by the hon. Members. I beg leave to withdraw the motion."

The motion was, by leave, withdrawn.

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

DEMAND X—SECRETARIAT AND HEADQUARTERS ESTABLISHMENTS, DISTRICT ADMINISTRATION AND MISCELLANEOUS—RESERVED.

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I move—

'that the Government be granted a sum not exceeding Rupees 2,29,63,400 under the head Secretariat and Headquarters Establishments, District Administration and Miscellaneous—Reserved.'"

* The Hon. the PRESIDENT:—"I may inform the House that four hours are allotted for the discussion of this particular Demand."

* Mr. C. BASU DEV:—"Mr. President, Sir, I move the cut motion standing in my name, viz.—

'To reduce the allotment of Rs. 15,500 for Civil Secretariats—Chief Secretariat—Pay of Officers, by Rs. 100.'

[Mr. C. Basu Dev]

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In giving notice of this cut motion on this Demand, I wanted to draw the attention of the Government to three or four grievances of those who are employed in Government service. The first point I would urge upon the attention of the Government is the position of the backward Hindu communities and their representation in the services of Government. Some time ago I and some other representatives of the backward Hindu communities had the honour of waiting on the Hon. the Revenue Member and urging on him the claims of these communities for a proper share in Government service. The Hon. Member was kind enough to give a very sympathetic hearing and asked me for a list of these communities. Till now I have not been able to give him a complete list. I could have given him the list specified in the schedule to the Educational Rules, but I did not want to give it because I was afraid I might be omitting some other communities who might have a claim to come under that category. I think it would be easier for the Hon. Member to get a complete list himself. However, I hope with the aid of my friends I shall be able to give him as complete a list as possible within a short time.

“Sir, I understand that one-fourth of the population of this Presidency is the strength of the backward Hindu communities who go without any representation in services. It is a matter of common knowledge that in the application forms of the Madras Services Commission, there is a column regarding the candidate's relationship, if any, to men in Government service. The practical result of this is to create yet another community—a community of Government servants. Unfortunately for the backward Hindu communities, they do not have many relations in Government service and they are very seriously handicapped on this account. Rightly or wrongly, people in this Presidency generally set a great store in service under Government. And rightly or wrongly, the Government have accepted the principle of communal representation in services and they have allotted five appointments out of every twelve to the non-Brahman communities. I am sorry to say that all these five places are being monopolized now by what may be called advanced communities among non-Brahmans. I don't want to name these communities lest I should tread upon their corns. I am sure my hon. Friend, Dr. Natesan, who is bound to speak on this Demand, (hear, hear) will support the claims of the backward Hindu communities for a proper share in the services. I am also certain that my hon. and revered Friend (Sir A. P. Patro) will also strongly support them; both of them occupy leading positions in my party,—a party based upon communal justice and communal representation. If communal representation is to effect even distribution of appointments among all communities, if the idea underlying it is the levelling up of the various communities which are struggling for expression, Government must take an early decision on the subject of affording proper representation to backward Hindu communities and remove, so far as the backward communities at least are concerned, that clause in the application form which wants particulars regarding candidates' relations in Government service. In my opinion, the only way to do that is either to amend the communal

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Government Order or to give instructions to the Madras Services Commission to give preference to candidates belonging to the backward Hindu communities, when filling up posts reserved for non-Brahmans. In this connexion, I would say a word about the Brahmans. We are being told every day by the Brahmans that we are communal and that they are not communal at all. Why then should two out of every twelve appointments be reserved for this community? If I referred to this aspect of the communal Government Order, it is certainly not with the object of denying representation to a set of very efficient people. The Brahmans are as communal as, if not more communal than, other communities, and the sooner some of them give up the tall talk about nationalism and non-communalism, the better for them and for everybody concerned.

[At this stage Mr. M. A. Muthiah Chettiyar, one of the Chairmen, occupied the Chair.]

“Another object of this cut motion is to urge the grant of half holidays on all Saturdays in lieu of a full holiday on penultimate Saturdays. The Government servants have heavy work and the grant of 4 p.m. one and a half days' leave in a week will greatly help them to recover from the strain of the week. I should think that instead of granting a holiday on the penultimate Saturday, Government may make it a half holiday on every Saturday.

“Sir, the Hon. the Finance Member expressed solicitude the other day, and rightly too, for the welfare of the employees under Government. But, there is one department of the Government which has not had proper attention paid to it and that is the Survey department. There are about 300 or more persons who have been serving Government loyally and efficiently for over 25 or 30 years and yet they are kept on a temporary basis. I think, Sir, it is time that these persons are confirmed.”

The Hon. Sir ARCHIBALD CAMPBELL:—“Sir, is the hon. Member in order in referring to the Survey department under this grant? It comes under Demand I.”

* The CHAIRMAN:—“I would request the hon. Member to confine his remarks to this particular Demand.”

* Mr. C. BASU DEV:—“I am sorry, Sir, I was only speaking about Government servants in general. Another point to which I wish to invite the attention of the Government is this. During the Non-co-operation movement, some of the village officers were found guilty of participating in the movement against the Government. They were punished, but in some cases there is a doubt that justice might have been miscarried. Now that the Non-co-operation movement has been completely suppressed and there is no danger of its revival in the near or even in the distant future, I hope the Government will take a sympathetic attitude and at least consider individual cases, wherever such cases are brought to the notice of the Government and restore the officers concerned to their places, or at least remove certain disabilities imposed upon them.

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“ Lastly, Sir, I come to the question of the salary cut. A nation is judged by the standards of living of its people. In this country, particularly in this Presidency, the standard of living is set by the Government servants. If we are to rise in the estimation of other nations, if we are to hold our own as equals with other nations, we have got to have a good standard of living. If we cut down the salaries of Government servants, which are by no means high, it will certainly not serve the purpose of raising the standard or the position of our country in the estimation of other countries. Further, there is a limit beyond which it is dangerous for prices of commodities to go down. It will not meet the cost of production and economic ruin will be the result. One of the methods by which such a state of affairs can be prevented is by increasing the purchasing power of the people. Salary cut will work in the opposite direction and accelerate the economic breakdown. Therefore, I would earnestly appeal to the Hon. House not to press upon the Government the question of the reduction of the salaries of Government servants. I repeat once again that the salaries of Government servants are by no means high—they are just sufficient and perhaps not even sufficient to make both ends meet. (Mr. Sami Venkatachalam Chetti: ‘ Which? ’) If my hon. Friend understands the English phrase, he will understand which ends I meant.”

* Mr. V. T. ARASU:—“ Mr. Chairman, Sir, if I rise to speak on the cut motion moved by my hon. Friend, Mr. Basu Dev, it is not to give my support to the views given expression to by the hon. Member. For, as is well known to hon. Members of this House, myself and Mr. Basu Dev have never had the privilege or pleasure of agreeing on many matters which come up for discussion on the floor of this House. Sir, it has been the convention in this House for Members to speak in general terms on cut motions moved by one hon. Member although they may not be in entire agreement with the views expressed by the mover; and following that convention, I intend making a few remarks.

“ I would like to make a few remarks in regard to the administration of this Province. Let me first take up the broad question of the salaries paid to Government officials. Sir, the Hon. the Finance Member in the course of his Budget speech, as also in his reply to the general discussions on the Budget, was very solicitous about the welfare of the Government servants and said that whatever might be the condition of the country and the tax-payer at large, you must enable the Government to pay the same salary to their servants as they have hitherto been paying. His argument resolved itself to this, that for the efficiency of the steel-frame of Government it is essential that the parts of the steel-frame should be kept intact and that end can only be attained by Government paying their servants high salaries. I submit, Sir, that the Hon. the Finance Member was rather unfair to this House when he stated that the remission or reduction in land revenue demanded by this House was not warranted by the conditions prevailing in this country. Whatever that may be—I am not going into that question to-day—I

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should like to point out to the Hon. the Finance Member the case of the other Provinces in India, particularly I would like to draw the attention of the Hon. the Finance Member to the case of the Punjab, where the cut in the salaries of Government servants is being retained for the coming year as well. The Hon. Sir Henry Craik, the Finance Member of the Punjab Government, very pertinently remarked in the course of his Budget speech, that the Government servants also should forego a certain portion of their salaries in view of the fact that the agriculturists who contribute to the revenues of the Government are themselves going through a period of great crisis. I wish the Hon. Sir Hopetoun Stokes would take the hint from Sir Henry Craik and see that at any rate a temporary cut is imposed on the salaries of Government servants, particularly in the case of those Government servants who draw salaries of Rs. 100 and over.

“ Next, Sir, I should like to make a few remarks regarding the Revenue Board. It has been pointed out year after year, on the floor of this House that the Revenue Board is not having any work to do at all. Its function is merely that of a post office which simply receives petitions from various persons, for instance, appeals against the orders of Collectors and the like, and pass them on to Government. What is actually done in the Revenue Board, whenever it receives any petitions, is to simply say that it does not find any reason to interfere with the orders of the Collector. That is the order which is invariably passed by the Revenue Board. I ask, where is the necessity for such a costly establishment like the Revenue Board, if it is going to do only this work, namely, the confirmation of the orders passed by the Collectors in charge of the various districts? Therefore, I would urge that the Revenue Board may be abolished and I may also submit, Sir, that if the Revenue Board is abolished the efficiency of the work of the Government will not in any way suffer.

“ Thirdly, I should like to make a few observations regarding the Madras Services Commission, about which much has already been said when the report of the Commission came up for discussion on the floor of this House. I may say, Sir, that the Madras Services Commission is becoming a nuisance. I wish, Sir, that the Legislative Council takes into its head to bring in a repealing Bill and put an end to the Services Commission. When I say that it is becoming a nuisance, I voice forth the feeling not only of the non-officials in this Presidency, but also of officials who are in the services of the Government. Sir, instances in which the Services Commission has given very curious decisions have been pointed out to the Hon. the Revenue Member when the report of the Madras Services Commission came up for discussion the other day. But, on this occasion I should like to point out to the Hon. the Revenue Member who is in charge of the portfolio, one or two instances where the Services Commission which is supposed to hold the scales even has failed to do so. I am referring to the case of a magistrate who for some

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temperamental defect, was found by Government not entitled to increment or something like that. His case was sent up to the Services Commission and it recommended that the person ought to be dismissed from service altogether. Sir, it must be realized that this magistrate's conduct has been altogether satisfactory and that the temperamental defect in him does not involve any moral turpitude so as to warrant the Services Commission to come to the conclusion that he should be dismissed from service. I am glad, Sir, that the Government rightly refused to take up the advice of the Commission to dismiss him from service. Against this decision of the Government, which is after all the ultimate authority in these matters, the Services Commission has got a nasty remark to make. I wish, Sir, that the Hon. the Revenue Member would take up a firm stand and say that the Madras Government are not going to be dictated to or coerced by the Services Commission, which is after all a creature of this Council.

"Again, Sir, much has also been said by the advocates of the Services Commission, among whom I count the Hon. Minister for Education, that the Services Commission is doing good work. But, I should like to point out another instance where the Services Commission has done a great wrong, and has even gone out of the way to criticise the very just act of the Government. I am referring to the question of the appointment of a professor in the Queen Mary's College. When there were two applicants for the professorship, the Services Commission recommended one who had only a third-class honours degree of the Madras University, in preference to one who had secured a second-class honours degree of the Madras University, besides that of the London University. I ask the Hon. the Revenue Member to say whether this is the kind of fair-play that the Government are having at the hands of the Services Commission. For these reasons, Mr. Chairman, I think the sooner we get rid of the Services Commission the better it is.

"Instances of this kind, where the Services Commission seek to perpetrate grave injustices can be multiplied and I do not want to take more of the time of this House on this matter. However, I would only conclude by appealing to the Hon. the Revenue Member to strictly point out to the Services Commission that it is after all an advisory body and that it should not seek to dictate to Government this way or that way. Government are the supreme authority and it is the Government that is responsible to the people at large for the sound administration of this Province, and therefore Government must retain in their hands absolute over-riding powers in these matters.

"I find, Sir, there is another cut motion given notice of by my hon. Friend, Mr. Nadimuthu Pillai from Tanjore, suggesting that a sum of Rs. 75 lakhs may be cut out of this Demand. I request this hon. House to consider that motion of my hon. Friend in all seriousness and not brush it aside. It has somehow or other become customary here to move only token cut motions and not make any substantial reductions in the Demands asked for. I would suggest that the best procedure in these

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matters would be to make definite proposals to the Government as to the exact amount of retrenchment desired, instead of saying that the Demand may be reduced by Rs. 100. I am sure my hon. Friend, Mr. Nadimuthu Pillai, will have very many suggestions to put forward to Government as to the ways and means by which retrenchment may be effected to the extent of Rs. 75 lakhs.

"But for my part, Sir, I should like to give one or two suggestions. I find from the list of officers under Government provided to hon. Members the other day that the number of officers gazetted and non-gazetted has been increasing year after year. Whereas in the year 1924, if I remember aright, there were about 1,700 gazetted officers serving under this Government, I find in 1933 it has gone up to well over 2,000. In the case of the non-gazetted officers drawing Rs. 100 and over, whereas in 1924 there were about 16,000—I am speaking from memory—it has now gone up to 19,000. These go to show clearly that the Government have been going on increasing the number of officers. I suggest to Government that they may cut down some of the superfluous officers. I find that of late the policy of Government has been to go on increasing the number of Deputy Collectors and place them in charge of small divisions. I suggest the number may be reduced and the divisions may be placed directly under I.C.S. officers who are Sub-Collectors in these areas. This is only one instance of the very many ways in which the Government can very well effect retrenchment in their expenditure. I suggest to the Government to take up the work of effecting retrenchment in the number of officers as also in the grade of their salaries."

4-15
p.m.

* Diwan Bahadur A. APPADURAI PILLAI:—"Mr. President, Sir, I rise to speak on the motion that appears at page 57 of the printed agenda to discuss the necessity of increasing Indian Christian representation in all the services. Sir, I may not be misunderstood as being rather communal in outlook with reference to services. I am one of those persons who believe sincerely in efficiency. If efficiency and merit alone are to be considered certainly communal considerations ought not to be allowed to prevail. Sir, the fact remains that in order to adjust communities in public services, in order to bring about a balance of power, it has been decided by Government to introduce and to operate the communal rotation in public services. In giving effect to communal rotation, Sir, the members of the Indian Christian community have often been feeling, ever since the principle of rotation was introduced, that the classification of Indian Christian members along with other communities has been detrimental to their interests. We find, Sir, from Rule 3 of the Madras Services Manual that out of twelve appointments, two appointments are set apart for Indian Christian members. The fourth turn and the eleventh turn in the rotation go to the Indian Christians. Unfortunately, unlike the members of other communities, the Indian Christian comes in for a share of his chance in this way: 'One Anglo-Indian or Indian Christian or non-Asiatic.' Well, Sir, the members of the sister community, namely,

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the Brahman community which is equally cultured and educated, stand alone and get two chances. The Muslim friends similarly educated like the Indian Christian, stand to get two chances. It is not clear, Sir, how and by what process of calculation the Government decided to classify the Indian Christian alone with the Anglo-Indian or the non-Asiatic. An Indian Christian is primarily an Indian. Sir, we often feel and there is a large body of Indian Christians feeling behind my back when I say that the Indian Christians as a class are not satisfied with this classification. We have not lost a single opportunity of bringing this matter time and again to the notice of the Government. The Indian Christian Association, Madras, sought for an interview with the Hon. Member in order that they might ventilate their grievances and the Member might be approached to devise ways and means to remedy this defect. Unfortunately, the interview has been denied. But, when His Excellency the Viceroy paid a visit to this Province, he very gladly gave an opportunity to the Indian Christian Association to read an address to him and it made a particular point of this circumstance that the Indian Christian community being classed with other communities in the matter of selection for the services is at a disadvantage. Unfortunately, the matter was not further pursued and evidently the Viceroy was under the impression that this was a matter for the Local Government to settle. It may be on the ground of population that two have been set apart for the Indian Christians. I do not at all dispute this proportion. But what I would wish to point out to this hon. House is that in the matter of calculations, the literates in the community should also be taken into account. I had the curiosity to look into the Census Report to find how the Indian Christian community stands with reference to other communities in the matter of literacy, and whether on the mere counting of heads our allotment can be sustained or whether the fact that we have equipped ourselves both materially and physically in the matter of public services should also be taken into account. We find that the total population of this Presidency is 46 millions, out of which the Hindus are 41 millions, Muslims 3.3 millions, Christians 1.7 millions, Europeans 12 thousands, and Anglo-Indians 28 thousands. The literates, Sir, in the several communities are: out of 41 million Hindus, the literate population is 3 million 684 thousands. Among the Muslims out of 3 millions, there are 347 thousand literates. Among the Christians, out of 1 million 774 thousands, the literate population is 322 lakhs. Among the literates, I had the curiosity to see how we stand with reference to literacy in English. I find among the Hindus out of a total of 3 million 684 thousands, the literates in English are 478 lakhs. Among the Muslims, 32 thousands are literate in English, out of 347 thousand literates. Among the Christians, out of a total of 322 lakhs, the literates in English are 110 lakhs. Sir, the Christian leads in the matter of education. The Christian leads also in the matter of literacy in English. Unfortunately, when the Indian Christian has taken care to equip himself in the matter of general and educational attainments and is fit to stand on terms of equality with the members of other communities, this

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communal rotation has come in its way, prejudicially to him. This rotation was never known, as hon. Members are aware, some years ago, and the Indian Christian was ready to run on terms of equality with members of other communities. Somehow or other the communal rotation has come to stay. May I now appeal to the hon. Members of the House to consider the fairness of keeping so many literates idle and putting them in a class with Anglo-Indians and non-Asiatics instead of letting them alone? The Brahman is 1 million 27 thousands. The literates among them are 50 per cent, and the literates in English are 1 lakh 76 thousands. For 1 lakh 76 thousand literates in English they get two chances. The Christian for 110 lakhs gets two chances classed with members of other communities. If, Sir, the Muslim brother and the Brahman brother could get two chances independently for themselves, does it not stand to reason, that the Indian Christian should also get similar treatment? There is one fact, Sir, that should be remembered with reference to the members of the Indian Christian community. It is all well known and it will seem as if I carry coal to Newcastle when I explain and I am sure it won't lose interest on account of repetition, that the Indian Christian members are recruited from various castes and communities. They are mostly converts and as converts they have come with empty hands into the Christian fold. We have no patrimony to fall back upon and most of the members of the community have absolutely no landed property but depend entirely upon their brains and their mental equipment. We therefore stand in need of greater assistance in the matter of procuring appointments. If it is possible for an Indian Christian to engage himself in commerce or in cultivation, I hope he would not lag behind any other community in pursuing it. Unfortunately, it so happens that the great majority of them are without landed interests and they therefore have necessarily to rely on their mental equipment and training.

“ If the hon. Members of the House and the Government will take into consideration these things and remedy the difficulties which have been complained of ever since the communal rule was introduced, the community would certainly be grateful. I do not wish to take up the time of the House any longer. I have already troubled the House with a lot of statistics. If hon. Members care to look into them, I am prepared to hand the statistics to them. I collected them only from the Census Report available in the Council Library.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Mr. President, there is a big clamour in the Telugu country that the Andhras are not represented in the Madras offices at all. This is one of the reasons why the Telugus are anxious that they should have a separate Province for themselves. The other day one of my hon. Friends elicited the information that in the Madras offices for every 200 Tamils, there is only 1 Telugu. This is a very unsatisfactory state. Now if you take the Telugu district offices, you will find that there also Malabarees and Tamils preponderate even among the clerical staff. It is said that the Madras Services Commission which

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is a creature of the Legislative Council is responsible for this dumping in the Telugu district offices and that for this reason the power of appointment should be placed in the hands of the Government. I do not agree with Mr. V. T. Arasu when he suggested this remedy. I would prefer this body to choose the men on their merits.

"Sir, about the way in which jamabandi work is carried on, I would like to say a word. Now the practice is for the officers concerned to stay in the taluk headquarters and call upon the village officers and others to come with their registers and so on. I would like that instead of putting the village officers to the necessity of staying at the taluk headquarters for 20 or 30 days for this work and making them incur unnecessary expenditure, it will be well if the Deputy Collectors or other jamabandi officers are made to go to the Revenue firkas and inspect the accounts there. Ordinarily these poor village officers have to stay at the taluk headquarters for 20 to 30 days, but if the mamul is not paid by them, their accounts would be subjected to further and further scrutiny. Further, Sir, as these Deputy Collectors and others would not get their daily allowance if their stay at one place exceeds ten days, they change their place of halt to suit their pockets and this increases the inconvenience of the village officers. Again, some time ago, for financial reasons, the allowance which these ill-paid men were getting was taken away. Now according to the Hon. the Finance Member, the finances have improved to such an extent that it is not necessary to reintroduce the pay cut, and so I suggest that the allowance paid to these men on Rs. 12 and Rs. 13 during jamabandi work, may be restored. I see no reason why when there is no need to cut down the pay of even the officers drawing Rs. 1,000 and Rs. 2,000, the small allowance of one or two rupees formerly paid to the village officers and vettis should be withheld.

"Sir, in my district, the Addanki Deputy Tahsildar's office was abolished as a measure of retrenchment. This step is causing considerable hardship to people in Ongole and other places as they have to walk 30 or 40 miles to go to the nearest Deputy Tahsildar's office.

"I want to mention another thing in this connexion. Sir, it is a well-known fact that village officers are asked to bring in supplies to the inspecting officers. Of course there is the farce of payment for the supplies and the less said about it the better. For instance, for one fowl supplied a payment of two annas is made. Does it come anywhere near the price? Similarly 4 annas is paid for a viss of ghee which sells at Rs. 2. I think, Sir, that instead of making the poor village officers pay for these things who will in their turn fall on the ryots and others, it will be better if the officers are made to arrange for these things themselves. This step will have the effect of giving a great relief to the poor village officers and vettis.

"Sir, there is another direction in which relief can be given to these village officers. The revenue collections made in a Deputy Tahsildar's office are usually sent through the poor vettis to the Taluk Treasury

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without a pie being paid to them for travelling expenses. These people are made to walk the whole distance. Sir, when you are making so many arrangements in the Legislative Council to prevent any mischief by revolutionaries, what steps are you taking to see that these village officers who carry money to the extent of Rs. 5,000 or even Rs. 10,000 are not waylaid and robbed of the Government money? I request the Hon. Member to permit the Deputy Tahsildar's office to keep the revenue collections with them. But if this cannot be allowed, you can very easily arrange for police constables to carry the money as a police station is always to be found located near a Deputy Tahsildar's office. In the alternative, as everyday some file or other is sent to the Taluk office by the Deputy Tahsildar, this might be sent along with it through a clerk or constable.

"I would in this connexion suggest that service stamps may be supplied to the village officers also. For want of this, if a single cover has to be despatched from the village office, a vetti has to carry it. This means that for saving one anna to the Government, the poor vetti has to walk long distances. These are all practical difficulties. The Government should consider these sympathetically. Now I want to mention this fact that they have got a central tapal system. I do not know why the Government of India have not prosecuted the Revenue authorities for running this system when they are prosecuting the local bodies for making their own postal arrangements.

"In the case of Educational offices, I find that every office is inspected by the higher officers. In the Revenue Department also, the Taluk offices are inspected by the Collectors and the Collectorate by the Members of the Board of Revenue. But, Sir, the District Educational Council office is not inspected by the Director of Public Instruction."

The Hon. Sir ARCHIBALD CAMPBELL:—"Is this in order, Mr. Chairman?"

* The CHAIRMAN:—"I think the hon. Member can reserve his remarks on education for the Demand under Education."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I am not offering any remarks on Education as such. I am only referring to the District Educational Council which is a district organization."

* The CHAIRMAN:—"But the District Administration referred to in this Demand has nothing to do with the District Educational Councils."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Then, Sir, I will reserve my remarks on these bodies for the Grant under Education."

"Sir, I was giving examples of the ill-treatment of the village officers. There are several Government Orders on the question of the treatment to be meted out to the village officers. But the pity of it is that these are simply ignored. They are treated as a dead letter. If the Hon. the Revenue Member is prepared to look into the question and take action, I can send bundle after bundle of papers relating to the grievances of these people. But there must be effective action taken.

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There is no use of my sending the papers to the Hon. Member if effective action would not be taken as my action might lead to harassment of these people by the taluk officers.

“ One other point I wish to dwell upon is that the district officers are mainly members of one community. When there are several communities in the districts, I do not see any reason why the officers posted to the districts should all come from one and the same community. As it is, all the district officers posted to our parts are Indians. It is sometimes desirable to have some European officers also in the districts. That is what I feel personally. I request the Hon. Member to consider the matter and do the needful.”

* Rao Sahib Pandit GANALA RAMAMURTI then addressed the House in Telugu. The following is the English rendering of the same:—

“ Mr. President, Sir, the agitation that had been carried on by the All-India Viswakarma Liberal Federation to secure a legitimate share to the members of the Viswabrahmana community in respect of public services and representation in popular assemblies had fallen on deaf ears. The Local Government did not afford facilities for an interview to the leaders of the Viswabrahmana community with the Simon Commission and the Indian Franchise Committee to tender evidence before those august bodies. There is also a funny side of this picture. The political and social backwardness of my community can be revealed by the earlier Census reports. But when I interviewed Dr. Hutton, the All-India Census Superintendent in 1930 to know how he had classified my community, he remarked that the census was only intended to show the numerical strength of the population, devoid of any political significance. But strangely enough the Lothian Committee have prepared the lists of Scheduled Castes in various Provinces in consultation with Dr. Hutton. Thus, Sir, the claims of my community which is over 12 lakhs in this Presidency, according to the Census of 1921, have been overlooked. Though the Lothian Committee had recommended that the minor minorities should be provided with representation in the new Constitution, it is sad to think that the White Paper proposals do not contain any such provision. It is too much for me to say at this juncture whether the proposed Constitution is an improvement over the existing Constitution, but I am sure of one thing, namely, that it has abolished nomination in representative bodies while not securing the representation of minor minorities otherwise. Thus the fate of backward communities like mine seems to have been sealed under the new Constitution, unless it is duly altered. Communities like Kadar and Lohar in Bengal, Hill-Dom or Shilpkar in the United Provinces, Khatik in the Punjab and Sutradhar in Assam, which are but integral sections of the Viswabrahmana community, have been afforded representation in the respective Provinces by being included under the Scheduled Castes, while the same privilege is denied to the Viswabrahmans in this Presidency. If untouchability should be the sole criterion for such inclusion the *thattans* of British Malabar who are a component section

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of the Viswabrahmans should have found a place in the Scheduled Castes of this Presidency. I strongly urge therefore that by some means or other the representation of my community in Legislative Bodies as well as in the services along with that of the other backward classes in the Hindu fold should be secured. Representation in public bodies should be on population basis in the future Reforms without prejudice to the provision made for the Depressed Classes. If this is not possible, this ancient industrial community may be included under ‘labour,’ and seats in the Legislatures may be provided for the franchise for election being the artisans who pay professional tax in municipalities and who register their names as voters and all village servants including blacksmiths, carpenters and shroffs. In this regard the artisans may be treated separately, reservation of seats being made on the strength of population, from the All-India Trades Union Federation. Separate representation may be allowed also to the minor minorities in the Hindu fold known as ‘backward communities.’ By the way, I may be allowed to say that it is desirable that the qualifications for the membership of the Council of State and the Upper Houses in Provinces may include membership in the Provincial Legislatures and in the Senate of a University. Finally I trust that before the Constitution Act emerges from Parliament, provision would be made therein for adequate representation in the Legislative Bodies and in public services of the Viswabrahmana community and other backward classes in the Hindu fold.

“ In support of my arguments I would like to read a few sentences from a speech in the Legislative Assembly on the 24th August 1933 in connexion with the Hindu Temple-Entry Disabilities Removal Bill, and beg your permission for the same. Mr. Amar Nath Dutt, M.L.A., observed as follows:—

‘ I think I may claim to be a member of the depressed classes and I would like to be a member of the depressed classes; considering the Poona Pact and its effect on Bengal, I welcome to be a member of the depressed classes and the Kayasthas would welcome to be members of the depressed classes in view of the political advantage we are likely to gain in Bengal owing to the blessed Poona Pact.’

“ I endorse the sentiments expressed in the foregoing quotation and appeal to the Government that in the light of the above view they may be pleased to bestow upon the Viswabrahmana community the same privileges which were already granted to the so-called depressed classes, for the betterment of the members of my community.

“ Sir, by the way, I would like to say that I am one of those who welcome the proposed Constitution Act, outlined in the ‘White Paper’ though it falls short of the expectations of the Indian Nation who follow the principle of wholeheartedly accepting what is given and earnestly striving for what is ultimately to be gained, namely, Dominion Status. It is a welcome feature of the proposals for Indian Constitutional Reforms that the safeguarding of the legitimate interests of the minorities has been entrusted to the care of the Governors and the Governor-General. While providing for the due representation of the holders of

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agricultural and other interests the said proposals contain nothing to safeguard the interests of the artisan classes by affording proper representation to them. But the sentence, namely, 'nor must it be assumed that the present proposals are in all respects so complete and final, that a Bill would contain nothing which is not covered by this White Paper' occurring in the introduction, has brought me solace in this regard and has impelled me to make bold to put forward the claims of the Viswabrahmans of this Presidency for adequate representation in the popular bodies as well as in the services under the future Constitution.

"Sir, let me refer to the cut motion under Demand No. VIII which I had given notice of, viz., that—

"To reduce the allotment of Rs. 3,72,900 for Heads of Provinces and Executive Councils, Reserved, by Rs. 100 (to request the Local Government for recommending to His Majesty's Government to provide representation by any means in the future Legislatures, Central as well as Provincial, including Upper and Lower Houses for the Viswabrahmana community of this Presidency in particular and all other backward classes in the Hindu fold in general under the scheme of Reforms contemplated in the 'White Paper'." and that was not reached.

"I submit that the subject-matter of the above motion was first given notice of by me as an amendment to the Hon. the Revenue Member's motion that the proposals for Indian Constitutional Reforms contained in the 'White Paper' be taken into consideration with a view to raise a debate in the House regarding the future position of the Viswabrahmana community in particular and all other backward classes in the Hindu fold in general under the proposed Constitution. Though the said amendment was included in the agenda for 23rd March 1933, I am sorry to state that it was not reached. Hence I was unable then to bring to the notice of the hon. Members the disabilities of my community in respect of the new Reforms.

"Before proceeding to the subject proper of the present motion, Mr. President, with your permission, I read the said amendment for the information of the House—

'Add at the end of the Revenue Member's motion:

And on such consideration, this Council is of opinion—

- "(1) that the constitutional proposals contained in the 'White Paper', in so far as they relate to the claims of the Viswabrahmana community of this Presidency, are unacceptable, as no provision is made for the representation of the artisan classes as is done in the case of holders of agricultural land and other interests despite the fact that representation is provided for the occupational grounds of Kadar, Lohar, etc., in Bengal, the functional castes of Hill Dom or Shilkipur, etc., in the United Provinces, the Khatik, etc., in the Punjab, the Sutradhar, etc., in Assam, which form part and parcel of the Viswakarma community by being included under the scheduled castes (hitherto known as the depressed classes) other than classes in Appendix VIII;
- (2) that the Viswabrahmana community of this Presidency may be included under the scheduled castes in the said Appendix under Madras, reservation of seats on population basis being provided for without prejudice to the existing arrangement of depressed classes; and

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- (3) that the same facilities be afforded to the unrepresented minor minorities in the Hindu fold known as the backward communities including all village servants".

"I must not forget to mention in this connexion the yeoman service done by His Excellency the Governor and the Hon. the Home Member in affording various facilities for the depressed classes and the backward communities in the Hindu fold and in otherwise improving their lot. Taking advantage of this opportunity, on behalf of the backward classes including Viswabrahmans, I beg to offer my hearty congratulations to His Excellency Lieut.-Col. Rt. Hon. Sir George Frederick Stanley, P.C., G.C.I.E., C.M.G., on his appointment as Viceroy of India and the Hon. Sir Mahomed Usman Sahib Bahadur, K.C.I.E., on his unique appointment as Governor as one of the major Provinces. I would appeal to them to do their mite to uplift the backward classes and my community in future also and win their everlasting gratitude. In conclusion, I suggest to the Local Government to recommend to His Majesty's Government to provide representation of the Viswabrahmans of this Presidency and other backward classes in the Hindu fold by some means or other in the Legislatures under the New Reforms.

"Finally, I request that the Hon. the Member for Revenue be pleased to grant to the members of my community all political and educational concessions granted to the so-called depressed classes."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I have given notice of a cut motion under this demand and I would like to discuss it at this stage. Sir, in the matter of services, it is admitted on all hands that the depressed classes are occupying a very low position. When the Madras Services Commission was started, every one expected that it would be a great boon, especially to the minority communities, and if I may say so, to the depressed classes in special. Now, as it is, seeing what is happening in the Services Commission, there is no encouragement for the depressed classes. I think great injustice is done to the depressed classes after the establishment of the Services Commission in this Province.

"Sir, this community welcomes communal rotation. But going through the list, I find that not a single place has been given definitely to the depressed classes. It is clubbed with other communities. Taking the list as it is, depressed classes cover a very wide range of communities, and I do not see where the depressed classes come in. This question has been agitated in the Council for the last so many years, but still I don't find anything has been done to remedy it. Last year under a token cut we discussed this point elaborately, and I think the Hon. the Revenue Member said that this matter would be looked into. I do not think so far anything has been done.

"Sir, with regard to the communities that form the depressed classes it has been clearly defined in the Legislative Council Manual as to who are the 'Depressed Classes.' And after the enactment of the

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Local Boards and Municipalities Acts, it has been clearly defined as to who are Adi-Dravidas, the untouchable classes. And I don't know from which vocabulary the Services Commission has taken the definition of 'depressed classes.' I think they have mixed it up with 'other communities.'

"Of course we are thankful to the Government for what they have done so far in enabling members of our community to take to services in the Government; but I am afraid that the number will not increase in the face of the quota required on a population basis or a representative basis. Finally, I request the Hon. the Revenue Member, before he lays down his portfolio, to do something for the Depressed Classes by adopting a clear definition, following the Legislative Council Manual and the Local Boards Act, and thus save the community which is trying to be of service to this Province."

"With these words, Sir, I resume my seat."

"MR. A. PL. N. V. NADIMUTHU PILLAI:—" Mr. President, Sir, in my cut motion No. 497 under this Demand, I have suggested that a sum of Rs. 75 lakhs more can be easily saved by Government by further retrenching all their superfluous staff of gazetted and non-gazetted officers, and by the re-imposition of a 10 per cent cut in the salaries of Government officials. The probable savings by this and other means according to my calculations would amount to Rs. 75 lakhs. If this step is taken, I submit, Government will be in a position to give the 25 per cent remission that is asked for. It is a pity that Government have turned down this proposal. In other Provinces, this method, namely, of levying a cut in salaries has been resorted to. I would in particular point out the instance of the Punjab Government. Mr. Chairman, with your leave, I would read extracts from the speech of the Hon. Sir Henry Craik, the Finance Member of the Punjab Government—

'The Government have been guided by two principles in the management of the finances of the Province during the last few years. The first of these was the necessity of showing its practical sympathy with the cultivator in his present distress by means of remissions of taxation up to the utmost possible limit. To secure this end, we have been constrained during the last three years to draw our belts tight and deny ourselves many things, which, in more prosperous times, we should have regarded as indispensable. This policy of rigid self-denial, must, I fear, be continued for some time to come, for it was all important that the Reformed Constitution should have a start unhampered by financial embarrassments.'

"But, Sir, the Hon. Sir Hopetoun Stokes does not seem to be guided by such self-imposed ordinances. Sir Hopetoun's arguments in the matter resolves itself into this: 'Whatever may be the condition of the ryots, we do not care. They must pay their revenues in order that we might go on with the administration, and pay the same rates of salaries to our servants. The strength of our steel frame depends on the contentment of our servants. Therefore you should not touch a pie of their salaries.' Sir, this argument, I most respectfully submit, does no credit to the Government of which he is such a distinguished limb.

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[Mr. A. Pl. N. V. Nadimuthu Pillai]

"The number of gazetted officers of this Government has risen from 1,747 in 1924 to 1,840 in 1933. In the case of officers drawing salaries of Rs. 100 and above per mensem, they have risen from 7,360 in 1924 to 8,665 in 1933. A committee of officials and non-officials should be appointed soon by Government for effecting further sensible retrenchment of unnecessary staff and for simplification of the various departmental routine work. I will take a few instances in support of my statement:—

(1) Reduction of 25 per cent of the total number of Deputy Collectors.

(2) Investing District Munsifs with first-class magisterial powers and the institution of more honorary first and second-class bench courts.

(3) The investment of village panchayat courts with third class criminal powers and small cause civil suits up to Rs. 200 in value.

"Considerable savings of expenditure in General Administration have been effected by the Government of the Central Provinces. When that small Province with a revenue of 5 crores has effected considerable retrenchment of expenditure, I would ask the Hon. the Finance Member if it is not possible for this Government with a large revenue of 15 crores to effect a further retrenchment of 75 lakhs as indicated in my cut motion.

"In this connexion, I would like to draw the attention of the Hon. the Finance and Revenue Members to the memorial of Mr. Mahadeva Ayyar of Mudikondau, Tanjore district, which I trust would have been read by all the Members of this House, on the possibilities of further retrenchment of Government expenditure.

"In conclusion, I would appeal to the Hon. the Finance and the Revenue Members to give a sympathetic and statesmanlike consideration to my suggestions and accept the resolution of this Council for full 25 per cent remission."

The CHAIRMAN:—"The House will now adjourn and meet again to-morrow at 11 a.m."

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

[14th March 1934

APPENDIX I.

[Vide answer to question No. 784 asked by S. M. K. Beyabani Sahib Bahadur at the meeting of the Legislative Council held on the 14th March 1934, page 224 supra.]

Statement showing the number of injections given and the number of patients treated in the leprosy clinics during the years 1931, 1932 and 1933.

Districts.	Total number of injections.			Total patients treated.		
	1931.	1932.	1933.	1931.	1932.	1933.
1 Ganjam	3,999	14,074	28,955	189	886	1,076
2 Vizagapatam ..	3,358	26,308	27,118	446	1,906	1,425
3 East Godavari ..	39,780	30,696	29,421	3,880	3,352	1,918
4 West Godavari ..	4,377	16,013	35,313	250	562	2,149
5 Kistna	..	6,404	7,474	..	363	564
6 Guntur	523	2,718	7,661	84	264	727
7 Kurnool	..	1,033	2,384	..	79	171
8 Bellary	..	140	2,600	..	27	109
9 Anantapur	..	113	2,268	..	8	166
10 Cuddapah	404	5,223	2,842	68	425	191
11 Nellore	..	1,937	17,039	..	198	922
12 Chittoor	14,269	13,313	10,612	1,971	1,227	819
13 Madras City ..	7,513	18,404	38,496	542	1,140	2,774
14 Chingleput	11,963	43,938	64,180	300	2,340	2,884
15 North Arcot ..	3,339	4,843	30,604	182	568	2,467
16 South Arcot ..	13,420	18,099	70,973	1,423	2,297	9,069
17 Trichinopoly ..	413	674	33,324	78	103	2,916
18 Salem	23,486	84,829	167,567	1,139	5,977	7,789
19 Tanjore	2,386	20,365	30,406	59	1,534	1,485
20 Madura	23,939	32,789	28,608	2,273	2,116	1,846
21 Ramnad	1,190	2,912	12,503	61	297	760
22 Tinnevely	506	7,866	10,824	103	696	600
23 Coimbatore	466	3,629	4,368	124	253	294
24 Nilgiris, The ..	No leprosy clinics as the incidence is very low.					
25 Malabar	11,529	19,796	22,093	838	1,095	1,076
26 South Kanara ..	2,256	3,932	4,592	155	268	284
Total ..	159,116	380,048	692,225	14,165	26,963	44,381

NOTE.—1. Injections do not form the only method of treatment.
2. Figures for 1930 are not available.

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APPENDIX II.

[Vide answer to question No. 785 asked by Mr. Basheer Ahmed Sayeed at the meeting of the Legislative Council held on the 14th March 1934, page 225 supra.]

How many leper clinics have been established in the District of South Arcot and how many are proposed to be started.	What are the places where these leper clinics are located and to be located.	What are the qualifications of doctors in charge of these clinics.	What is the remuneration to each one of these doctors.	What is the number of patients that attended each one of these clinics during the period they have been in existence.	Total number treated.	Bi-weekly average attendance.	Whether any report has been called for or will be called for as to the progress made and the number of patients cured in the various clinics.	What is the total expenditure that has been incurred by the Government of South Arcot for relief in South Arcot and in the District.
(1) Thirty-four leper clinics have been opened.	Government— Cuddalore .. Chidambaram .. Villupuram .. Tindivanam .. Kallakurichi ..	L.M.P. L.M.P. L.M.S. L.M.P. and D.T.M. (Cal.)	Nil.	5,946 4,470 2,409 1,719 1,104	33,55 64,30 59,79 22,11 64,50	(4)	(5)	(6)
It is proposed to open one more clinic in one of the municipal dispensaries at Cuddalore.	Local Fund— Vridhachalam .. Tirukkottai .. Kunilipadi .. Nellikuppam .. Paruti .. Perko, Koro .. Kattumamarkoll .. Srinushnam .. Tittagudi .. Chinnasalem .. Sankarapuram .. Cundurpet .. Tiruvannamallur .. Vannur .. Merkanam .. Valavanur .. Gingee ..	L.M.S. and B.S.C. L.M.P. " " " " " " " " " " " " " " " " "	Nil.	337 1,261 141 349 258 90 160 439 273 252 242 407 218 50 64 134 1,250	37,63 202 41,90 80,22 63 28,76 56,75 105 65,18 59,30 97,80 70,66 45,90 10,04 16,73 26,66 177,08	(4)	(5)	(6)
Subsidized rural dispensaries— Kullanchavadi .. Thoonkan-pakam .. Kumaratchi .. T. Nedunjeri .. Settiatope .. Mangalampet .. Pennadam .. Tiruvannamallur .. Rettanai .. Vikkravandi .. Brahmadeseam .. Avalurpet ..	L.M.S. L.M.P. " " " " " " " " " " "	A remuneration of Rs. 100 per annum is paid by the District South Arcot Council to each subsidized rural medical practitioner who does leprosy work.	24 171 115 13 194 142 299 161 71 130 45 49 455	13,30 56,07 45,39 7,66 60,60 34,75 86 62,58 14 9,74 45 85,73	(4)	(5)	(6)	(7)

Avalurpet	..	..	leprosy work.	(	455	88.15)
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The figures do not include the cost of Social Leprosy propaganda conducted by Mrs. A. H. A. Todd and Mr. K. S. Curtis in South Arcot and Salem districts.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Thursday, the 15th 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.	Manikkavelu Nayakar, Mr. M. A.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.	Motherell, Mr. J. K.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.	Moses, Mr. P. C.
Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun.	Muthiah Chettiyar, Mr. M. A.
Raja of Bobbili, The Hon. the.	Nachiyappa Gounder, Mr. K. A.
Rajan, The Hon. Mr. P. T.	Nadimuthu Pillai, Mr. A. Pl. N. V.
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.	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.
Ari Gowder, Mr. H. B.	Pannirselvam, Rao Bahadur A. T.
Basu Dev, Mr. C.	Parthasarathi Ayyangar, Mr. C. R.
Bayappa Reddi, Mr. P.	Patnaik Mahasayo, Sriman M. G.
Beyabani Sahib Bahadur, S. M. K.	Patro, Kt., Rao Bahadur Sir A. P.
Bhanoji Rao, Mr. A. V.	Pattagar of Palayakottai, The.
Birley, Mr. F.	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 Parlakimedi, The.
Gopalaswami Ayyangar, Diwan Bahadur N.	Ramachandra Padayachi, Mr. P. K.
Harischandrudu Nayudu, Mr. A.	Ramakrishna Reddi, Mr. A.
Hood, I.C.S., Mr. H. M.	Ramalingam Chettiyar, Rao Bahadur T. A.
Jagannatha Raju, Rao Bahadur G.	Ramamurti, Rao Sahib Pandit Ganala.
Jagannatham, Mr. H. M.	Raman Menon, Mr. K. P.
Jayaram Nayudu, Rao Sahib C.	Ramaswami Ayyar, Mr. T. S.
Kesavaramamurti Nayudu, Mr. K.	Ramaswami Mudaliyar, Mr. V. M.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ranganatha Mudaliyar, Mr. A.
Kolanda Reddi, Rai Sahib C.	Ranganatha Mudaliyar, Mr. G.
Krishnayya Choudari, Mr. P. V.	Ranganatha Mudaliyar, Mr. M. D. T.
Krishnamurti, Rao Bahadur D.	Rangaswami Reddi, Mr. M. B.
Krishnan, Mr. C.	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Kumararaja of Venkatagiri, The.	Sahajanandam, Swami A. S.
Ladden, Mr. W. W.	Sami Venkatachalam Chetti, Mr.
Lakshmana Reddi, Mr. G.	Sesha Reddi, Mr. B. P.
Madanagopal Nayudu, Mr. R.	Shetty Mr. A. B.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	Simhachalam Pantulu, Mr. G.
	Siva Raj, Rao Sahib N.
	Sivasubrahmanya Ayyar, Mr. K. S.
	Smith, C.I.E., I.C.S., Mr. E. Conran.
	Sreshta, Mr. M. S.
	Srinivasan, Rao Bahadur R.

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PRESENT—cont.

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.
 Venkatarama Ayyar, Mr. K. R.
 Venugopal Nayudu, Rao Bahadur R. K.
 Viswanatha Rao, Diwan Bahadur V. N.
 Yahya Ali Sahib Bahadur, Khan
 Bahadur.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Factories

Appointment of Mr. Fyfe as the Chief Inspector of Factories.

* 787 Q.—Mr. SAMI VENKATACHALAM CHETTI: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that Mr. Fyfe was appointed as Chief Inspector of Factories;

(b) whether this appointee satisfies all the requirements of qualifications prescribed for the post;

(c) if not, why was he appointed;

(d) whether there is no other person qualified to hold the place in the service; and

(e) if so, why was he not appointed to the place?

A.—(a) Yes. He has been temporarily appointed.

(b) to (e) His qualifications as well as those of the persons in the service, their experience, service and suitability for the post are all still under the careful consideration of the Government.

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know how many persons there are in the service who are qualified to hold the post of Chief Inspector of Factories? ”

The Hon. Sir MAHOMED USMAN:—“ The whole question of qualification is under the consideration of the Government and it is not possible for me to say how many are qualified. ”

Mr. A. RANGANATHA MUDALIYAR:—“ May I ask whether there are any qualifications prescribed for this post? ”

The Hon. Sir MAHOMED USMAN:—“ Yes. ”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether it is proposed to supersede several seniors and appoint a junior? ”

The Hon. Sir MAHOMED USMAN:—“ As I have already said, the whole question is under consideration and it is not possible for me to say what the Government are going to do. ”

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Mr. ABDUL HAMEED KHAN:—“ May I know whether the particular gentleman who has been appointed to act as Chief Inspector possesses those qualifications which have been prescribed? ”

The Hon. Sir MAHOMED USMAN:—“ As stated here ‘ his qualifications as well as those of the persons in the service, their experience, service and suitability for the post are all still under the careful consideration of the Government ’. ”

Mr. ABDUL HAMEED KHAN:—“ May I know what his qualifications are? ”

The Hon. Sir MAHOMED USMAN:—“ It is not possible for me to say that. ”

Local Self-Government

Alleged irregularity in Salem District Board in the matter of disposal of tenders for the supply of stationery articles.

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

(a) whether representations have been received from certain members of the Salem District Board in the matter of disposal of tenders for the supply of stationery articles for 1933–34;

(b) what orders have been passed in the matter and whether a copy of it will be placed on the table; and

(c) if orders have not been passed in the matter, why it is still kept pending?

A.—(a) Yes.

(b) & (c) The Government do not propose to interfere in the matter.

Mr. K. A. NACHİYAPPA GOUNDER:—“ May I know, Sir, whether any definite orders have been passed with regard to this matter? ”

The Hon. the RAJA OF BOBBILI:—“ It is not possible for Government to take any action and Government will pass such orders as they consider necessary when the report of the auditor is received. ”

B. POCKER SAHIB BAHADUR:—“ May I know whether it is open to the district board to act in direct violation of the Government Order with reference to the acceptance of tenders? ”

The Hon. the RAJA OF BOBBILI:—“ It is not open to them to do so. ”

Mr. A. RANGANATHA MUDALIYAR:—“ May I know the nature of the representations made to the Government with regard to this matter? ”

The Hon. the RAJA OF BOBBILI:—“ These representations are that the lowest tender has not been accepted and some other tender has been reduced to the figure of the lowest tender and the latter was

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accepted. It is not possible for the Government to investigate each case. When the report of the Auditor is received we will take the necessary action."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask, Sir, what objection do the Government have to place the report on the table of the House? "

The Hon. the RAJA OF BOBBILI:—" Government do not consider it necessary to do so."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether Government have called for any report from the district board when these representations have been received? "

The Hon. the RAJA OF BOBBILI:—" Not in this particular case."

Mr. ABDUL HAMEED KHAN:—" May I know whether it is not generally the case for the Government to investigate cases of this character whenever they are brought to the notice of the Government and, if that is so, why in this case the Government have not thought fit to do so? "

The Hon. the RAJA OF BOBBILI:—" In all such cases we send the papers to the Auditor for his information so that he may send his report in due course."

Mr. ABDUL HAMEED KHAN:—" May I know whether this concerns only the auditor in the first instance and does not concern the Local Self-Government Department of the Government who are there to set right things which are not right? "

The Hon. the RAJA OF BOBBILI:—" I never said that it does not concern the Government or that Government are not responsible. What I said was that Government would take the necessary action when the report of the Auditor is received."

Mr. U. C. SUBRAHMANYA BHATT:—" When such serious allegations have been received, may I know why a report is not called for or whether the Government will not be pleased to call for a report in the matter? "

The Hon. the RAJA OF BOBBILI:—" I do not know from whom the hon. Member wants us to call for a report? "

Mr. U. C. SUBRAHMANYA BHATT:—" From the district board."

The Hon. the RAJA OF BOBBILI:—" Representations have been received in numerous cases and Government cannot investigate these directly at first."

B. POCKER SAHIB Bahadur:—" Is it the policy of the Government not to interfere with the actions of the district boards even when it is brought to their notice that certain boards have acted in entire violation of the strict Government Order issued by them? "

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The Hon. the RAJA OF BOBBILI:—" I have never stated that Government have no intention of interfering. What I said was that Government do propose to pass orders when the report of the Auditor is received."

Mr. M. DEVADASAN:—" May I ask the Hon. Minister whether the Government asked the District Collector to make an enquiry in the matter? "

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

Mr. M. DEVADASAN:—" May I know why the Government have not asked him to make an enquiry? "

The Hon. the RAJA OF BOBBILI:—" Government consider that it is a matter for the Auditor to enquire into."

Alleged irregularity in Salem District Board in the matter of the disposal of tenders for the maintenance works and roads.

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

(a) whether representations with regard to the disposal of tenders for the maintenance works on roads for 1933-34 by the President, Salem District Board, have been received;

(b) if so, when and from whom they were received;

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

(d) if no orders have yet been passed, what the reasons are for the delay?

A.—(a) Yes.

(b) From four members of the district board in 1933.

(c) & (d) The Government do not propose to interfere in the matter.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, when a reference was received with regard to this matter? "

The Hon. the RAJA OF BOBBILI:—" About two or three months back."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask, Sir, whether it was not in February last year? "

The Hon. the RAJA OF BOBBILI:—" I have to verify whether it was last year."

B. POCKER SAHIB Bahadur:—" Government say 'Government do not propose to interfere in the matter.' May I know what is their reason for saying so? "

The Hon. the RAJA OF BOBBILI:—" The answer that I have given to the previous question applies to this question."

B. POCKER SAHIB Bahadur:—" I want to know whether there is any special reason for Government saying that they do not propose to interfere in the matter of the disobedience of the district board of the

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order issued by the Government. I want to know whether there is any special reason for the Government saying so in this particular case."

The Hon. the RAJA OF BOBBILI:—"I have stated there are many cases of this nature. In all these cases the Government will interfere when the annual report of the auditor is received."

Rao Bahadur A. T. PANNIRSELVAM:—"Is there any rule which forbids the district board, from accepting any tender other than the lowest tender?"

The Hon. the RAJA OF BOBBILI:—"The rule says the lowest satisfactory tender must be accepted."

Mr. ABDUL HAMEED KHAN:—"Is there any rule permitting the District Board President to accept a higher tender and then reduce the amount of such a tender himself without the knowledge of others and then accept it?"

The Hon. the RAJA OF BOBBILI:—"There is no particular rule either forbidding or allowing it."

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

II.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND X—SECRETARIAT AND HEADQUARTERS ESTABLISHMENTS, DISTRICT ADMINISTRATION AND MISCELLANEOUS—RESERVED.

The Hon. the PRESIDENT:—"The discussion on Demand X will continue."

* Rao Bahadur C. NATESA MUDALIYAR:—"Now I want to discuss the omissions of the Madras Government in their administration of this Presidency. One of the very grave omissions is not tackling the unemployment problem. All the world over the unemployment problem has been tackled by various countries and they have come to some solution or other which they are putting into practice. Especially now at a time of world depression they are very active at it. But here in our country the Government have not moved their little finger towards it. Not only Germany but all the world over, in Italy, America and England this question is being tackled. Now commenting upon this debate the *Madras Mail* says:—

'In opening the Leipzig Fair Dr. Gobbels announced that the German Government had succeeded in reducing unemployment from 8,000,000 to 3,750,000.' and by a new campaign they are going to reduce this figure by another two millions. *The Madras Mail* says:—

'If the figures quoted are reasonably accurate the first has been remarkably successful and it would appear to be an example to all countries which are suffering from unemployment.'

About the national labour quoted the other day by the Hon. the Finance Member various countries not only Germany, but England, Italy and America have adopted that organization. They are having national labour corps, they are creating national building schemes and are engaging the work of the national labour corps upon such schemes.

DEMAND X—SECRETARIAT AND HEADQUARTERS ESTABLISHMENTS, 299 DISTRICT ADMINISTRATION AND MISCELLANEOUS—RESERVED

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Sir, this is done on a large scale in Germany. But only in Germany it is done in a quasi-military system. Now this unemployment question affects our Province socially, economically, medically and sanitarily. Economically because our labour power and brain power are being wasted and socially because it makes our society miserable and depressed. It was said by one lecturer the other day that a gentleman in Kumbakonam, a graduate not finding the means of livelihood took his wife and three children to the river Cauvery and drowned them and drowned himself. The other day a woman came to me with six children and said that they were a decently living family and somehow or other her husband had lost his appointment and he was unemployed for the last two years. As she belonged to a decent family she could not go and beg and she had not a morsel of food for the children, though she and her husband could starve even for the next meal. This is not a case for tears to be shed from our eyes but blood from our heart.

"Referring to another book, it is not a German that writes this book but Mr. Keynes, Fellow and Bursar of King's College, Cambridge, who mentions that there is danger to society on account of unemployment. To quote his own works:—

'Even if we refused to recognize any normal duty to the unemployed on the part of the State and the society we should still have to pay heed to the social dangers arising out of the fact that through no fault of their own hundreds of thousands or millions of human beings who are perfectly willing to work can find no employment for many weeks or months.'

Sir, this unemployment equally affects the health of our Province. Sir, 11-15 a.m. people without food and clothing and without necessities of life become de-vitalized and predispose themselves to the attacks of diseases. Here is what an American writer, a Professor of Chicago, writes about the effects of unemployment. He is not a German, Sir. He says:—

'The impairment of the food, clothing, and housing standards of the families leads in turn to an increase in illness. The Children's Bureau found that during the unemployment period of 1920-21, there had been some illness in two-thirds of the 300 families investigated.'

All over the world the people are trying to find a solution for the unemployment problem. The Governments are appointing professors of colleges and other experienced economists to make researches into the causes and effects of unemployment and find a solution for the evil. They want to find a synthetic solution for the benefit of humanity for this paradoxical fact, namely, that—

'Men must starve because they have produced too much food, or go naked because they have produced too many clothes, or sleep in the parks because they have built too many houses.'

The people all over the world are struggling hard to find a synthetic solution. But in India what are we doing? These are the gentlemen, the civilians, who have come to rule over us. I have always had an opinion about them. If a civilian occupies a post even for one hour, he thinks as though he would be there for all time and tries his level best to do as much good as possible. That is my opinion after having come into

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contact with many civilians and that was more than confirmed when I came into contact with Mr. Conran Smith when he was Commissioner of the Madras Corporation. In everything he did, he thought that the Corporation was his own and he should do as much good to it as was possible. Perhaps that is why they have erected a statue for him in the Corporation. There is one other thing about these civilians and that is they know more about our people than many of us do, because they have risen from the lowest rungs of the civilian ladder where they have had plenty of opportunities of coming into contact with the people. How can these civilians who have been in charge of districts neglect the interests of the people whom they know so well? In their own country, they have the National Insurance Act, the National Health Insurance Act, the Widowers, Orphans and Old Age Pensions Act, the Unemployment Insurance Act, the Unemployed Workmen Act, the Labour Exchange Act and various other schemes to safeguard the interests of the people of Great Britain, but the very officers have not moved their little finger to do anything in those directions in this country whose destinies are committed to their care to-day.

“There is another grave omission. There is no provision for poor relief. Sir, there is not one poor house in the whole Presidency. I read the other day, that in Germany they carry the relief to the very door of the needy people. If the bread-winner of a family is not earning enough to maintain his family, the Government or the local municipality go to his door and give him the necessary assistance. Of course, when I speak of Germany, I am not speaking of the present-day Germany, but of the Germany of the old days when it was a unified and a consolidated whole. I am speaking of that Germany which threatened to conquer the whole world and not of the present-day Germany as I have not known much about it. I am told, however, that in present-day Germany they have all the things I have mentioned just now and in addition they are organizing a National Labour Force. I do not want that we should copy the example of Germany where the papers say—I do not know whether it is true or not—that they are contemplating to allow the crippled children to be killed. I am afraid they carry economy too far. They do not know that even crippled people have their own contribution to make to the society in which they live. In these days it is not only the body but the brain too that contributes to the society. I believe health is preserved mostly in order that disease may be warded off. It was possible for a crippled lady, blind and deaf, to produce a valuable book, theological and philosophical. Therefore, Sir, I want to make it clear that I am not speaking of the modern Germany but that of the pre-war Germany. Now Germany might have improved upon that.

“I will now come to another serious omission on the part of the Government. There are hospitals to take care of the sick, whose diseases are curable, but where are the institutions to take care of people whose diseases are incurable, the diseased poor? In Germany, again, I am told that there are homes for such people. But what have our Government

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done in that direction? What about the poor diseased beggars, beggars suffering from incurable tuberculosis and burnt-out cases of leprosy? The Lepers Colony at Tirumani looks after lepers whose leprosy is curable and some burnt-out cases; but where is the institution to take care of the burnt-out cases of leprosy? They do not need any medical attention; what they need is a home and care. These are a few of the omissions and there are many more which I will in due course bring to the notice of these mature, ripened and seasoned civilians.

“I will now come to the Secretariat about which I should like to say a few words. There is a strong feeling in the country that all the communities should be adequately represented in the Secretariat. I cordially support this demand and I wish very much that the Depressed Classes get their due share and that one of them should even be appointed as a Secretary to Government. There is also a grievance that the Ceded Districts are not adequately represented in the Secretariat. Therefore, Sir, the Government should see that all the communities and all the districts are adequately represented in the Secretariat; the Government should appoint people from the various communities and the various districts if capable men are available in those communities and districts. With regard to our Secretary, Mr. Krishna Ayyar, he is a very able and clever man. It is our desire to keep him with us always. He must be given some promotion. I wish that the Government do not deprive the Council of his services by sending him somewhere on promotion. They might appoint him as Law Secretary, and keep him there permanently even relaxing the three years' rule as a special case. In that case, he will be immensely useful to us, and our Varma will be promoted to the Secretary to the Council.

“Now, my hon. Friend, Mr. Basu Dev, says that the backward communities are not taken care of. As far as the information and knowledge go, the backward communities are particularly taken care of. They are given half-fee concessions which are not given to members of advanced communities. I wish very much that Depressed Classes are given free education and that they are exempted from the payment of examination fees.”

Mr. C. BASU DEV:—“Sir, I was not referring to educational facilities for backward classes, but to their representation in Government service.”

* Rao Bahadur C. NATESA MUDALIYAR:—“From education comes the appointment. I wish very much that the Government, instead of adopting the policy of preferring the depressed or backward class candidate to a candidate of the other classes provided all other things are equal, adopt the policy of appointing candidates of depressed and backward classes especially depressed provided they possessed the minimum educational qualifications. There is a grievance that Vellala and Balija communities are not given encouragement in the services at present and that they do not get any educational concessions. I would ask these people to wait for some time till the depressed and

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backward classes come up to the level of the other communities. When the Depressed Classes have advanced sufficiently, then will be the time for us to tell them: 'Look at our condition; we have sacrificed for your sake and it is for you to see that we get sufficient representation now.' As we are responsible for their present position and for the 2,000 years of destructive work which checked their progress, we should submit ourselves to temporary difficulties till they come up to the level of the other communities.

"Now one word more with regard to the clerks of the Secretariat. They are all over-worked and I request the Government to give them a half-holiday on every Saturday in addition to the full holiday on the penultimate Saturday of each month. There is no use of working a man all through the week; his brain will deteriorate and his efficiency will be impaired. If you give him a half-holiday on every Saturday, perhaps he may go to the races or take to some other sports on Saturday, take complete rest on Sunday and return to the office on Monday quite fresh and invigorated for the week's work. I think he will be able to do much more, even double the work, in five and a half days than what he does now in six days. I also want that the clerks and officers should be compelled to take a month's leave every year. Otherwise what happens to these officers who work and work and work in order to please their superior? They get diabetes in their 40th year and die early. Of course our Finance Member may say: 'You have mentioned all these things; we have got so many problems to face; where is the money to come from for all these?' As regards that, I may say that I am not for increasing the prices of food-stuffs even by a pie. The prices are only at the pre-war level and we are far from the stage when rice was selling 16 measures a rupee. Therefore, I request the Hon. the Finance Member and the Hon. the Revenue Member to see that while the present people may be allowed to remain on the old scales of pay, the future entrants are given only 50 per cent of the present salaries. By adopting such a course, the new entrants will not be losing anything because they will be getting enough. The Government may also revise the salaries in such a way that the minimum will be Rs. 40 and the maximum Rs. 500, so far as the Provincial Service is concerned. As for the Members of the Cabinet and the High Court Judges, let the Government of India and the Secretary of State fix whatever salaries they think proper. As regards the European element in our services, if we want them here, we should pay them their present rates of pay and overseas and other allowances.

"I have said, Sir, that the clerks should not be overworked and that they should be asked to work only for five and a half days a week, so that they may have as much rest as possible. I wish you, also Mr. President, make us work only for five days a week and give us holidays on Saturdays and Sundays. We cannot bear the strain of the discussions and conversations here for six days a week and we very much want a holiday on Saturday also. Similarly also, I would ask the Government of India

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or whoever is the competent authority in the matter, to alter the rules of the High Court so that Wednesday also may be a holiday for the High Court Judges in addition to the Saturday and the Sunday, because in the case of the High Court Judges the strain on their brains is very great and adequate rest is necessary."

* Mr. G. R. PREMAYYA:—"Mr. President, Sir, this Demand needs a thorough examination. The district administration is getting from bad to worse. This will be explained by the facts which I am going to place before the House, because facts are facts and they cannot be denied. When Mr. Tampoe and Mr. Rutherford were in Guntur, they granted hundreds of acres to the Depressed Classes. They made personal visits to the places and labour colonies and co-operative societies were formed for the Depressed Classes. All that was done for the benefit of the people, especially the Depressed Classes. But the Collectors who came afterwards have completely spoiled the good work done by these eminent I.C.S. officers. Mr. Rutherford and Mr. Tampoe were looked upon as the emancipators of the Depressed Classes.

"When Messrs. Rutherford and Tampoe were in Guntur, they 11-30 a.m. granted lanka lands to the Depressed Classes. My hon. Friend, Mr. Moses, the other day obtained the special permission of the Hon. the President to explain to the House fully well how these people were ill-treated. I am not going to reiterate the same. But I should like to point out the difficulty felt by the people. These lanka lands were granted to the Depressed Classes ten years ago. When the land was granted, it was full of wild weeds. The Hon. the Revenue Member must be very familiar with this matter as he was Collector of Godavari district. Weeds generally grow on the lanka lands and to clear one acre of land it will cost to the Depressed Class member Rs. 200. These Depressed Classes spent not only Rs. 200 to clear an acre of land but their time, energy and everything on it; all that they have already earned they spent on the removal of these wild weeds. They have been on the land for the last ten years. When the land has been brought to a condition fit for cultivation, the Government propose to sell this land in public auction. I said that our people are on the land for the last ten years. When the land is going to yield abundantly now, the Government come and say 'you cannot have this land; it must be sold in public auction because it is valuable land.' Our people made the land good, by clearing the land and making it fit for cultivation. I hope the Hon. the Revenue Member will take note of this point and give his sympathetic consideration to it.

"We have another difficulty, Sir. There is forest land to the extent of 2,000 acres in Palnad taluk of the Guntur district. This land had been handed over to a forest panchayat. Long before this land was assigned to the panchayat, there were Oddars living by quarrying. This quarry land is in one corner of the forest land. Two years after this land was given to the panchayat, these Oddars are asked to go out. Ten or fifteen days ago, my hon. Friend, Mr. Moses, and I went to this

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place and had a long talk with the Tahsildar and the Deputy Collector; the matter is now under the consideration of the District Collector. I presume that this land is going to be granted to the panchayat for the use of cattle and the human beings who are living on the land by quarrying are going to be turned out. About 300 people are going to be turned out and the land is going to be given to cattle. If the Depressed Classes are treated worse than animals, where do they expect the justice from?

"There is Ovveru forest in the Nellore district. Here also we have some difficulty. The lands in this forest were given to the Depressed Classes four or five years ago. They were asked to clear off the jungle on the promise that the land would be assigned to them. After prickly-pear and other shrubs are removed, the Government say you cannot have the land; it should be sold in public auction as it is valuable land.

"In my speech some time back I explained fully well our difficulties in Romperu drain which is in Bapatla taluk, Guntur district. I simply referred to that difficulty and left it off; the Depressed Classes people are there for the last 60 years; they have been cultivating the land; and they have been enjoying the produce all these years. I cannot understand the reason why the Government are turning out these people. They are imposing heavy penalty and also selling the crop in auction. This is the state of affairs we are living under.

"Now I wish to speak about karnams and village munsifs. They are suffering a lot under the present district administration. The allowance that was promised to them has been taken away. Now they are not given any allowance at all. These karnams and village munsifs are very poorly paid Government servants. In the discharge of their duties they have to go to the taluk headquarters miles away from their villages; they are put to much difficulty especially with the jamabandi work. They are required by the jamabandi officer to go to a place which is convenient to him for looking after the jamabandi work. These people are supposed to be there for about ten or eleven days, during which time they generally arrange meal for themselves. The arrangements they make for food is not only for the karnams and village munsifs but also for the jamabandi staff. The Collector of the district and the jamabandi officers know full well that the money that is going to be spent for this purpose, has to come from the ryots. The village officers extract money from the villagers for expenses connected with jamabandi. This arrangement is made by the revenue inspector. At all times this arrangement is looked after by revenue inspectors assisted by village officials; if anything goes wrong, a report is made against the revenue inspector and he is made the victim. It is an open secret; the Hon. the Revenue Member knows it full well; this thing has been going on for a very long time and it will continue for years unless the Hon. the Revenue Member takes a firm attitude and directs its stoppage. If this thing is allowed to go on unchecked, it will cause a lot of hardship to people.

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"I wish to refer to one more matter before I conclude my speech. The vettis also are low-paid Government servants. They have a lot of difficulties and grievances. As my hon. Friend, Mr. Srinivasan, said some time ago, these people are voiceless. They have to carry out the business given to them by karnams and village munsifs. At least twice a week they have to carry tappals from their villages to the taluk headquarters or the district headquarters; they have to walk 30 or 40 miles a day for this purpose. These vettis are paid Rs. 6, Rs. 7 or Rs. 8 as the case may be. When they go to the taluk or district headquarters, they have to spend one or two rupees for their travelling expenses; if Rs. 2 is taken away from their salary of Rs. 8 only Rs. 6 remains. They find it difficult to manage with the balance of money.

"Sir, I wish to bring another point to the notice of this House. Sunday is considered as a Government holiday. Our King Emperor is the defender of the Faith. When the Christian vettis are asked to go to distant places on Sundays, if they refuse, they will be seriously dealt with afterwards. If they are sent away on Sundays, they cannot offer their Sunday worship; our Muslim Members of the Legislative Council here wanted time to offer prayers and it was given; recently my friend wanted a place for worship and that was also given. So we must respect the feelings of the Christians also. If the vettis are forced to go to distant places on Sundays, it will be very hard. I sincerely request the Hon. the Revenue Member to give his sympathetic consideration to the suggestions I have made."

* A. M. AHMED MEERAN SAHIB Bahadur:—"Mr. President, Sir, I should like to say a few words in connexion with the Services Commission. There are very many defects in the practical working of the statutory rules and orders issued for the guidance of the Services Commission. They have been elaborately dealt with at the time when the administration report of the Services Commission was considered and disposed of by this House. It is not my intention to traverse the same ground again. Therefore I wish to confine myself on this occasion only to one or two aspects which are important and bear repetition. In the first place, the general prescription of the age of 25 as qualifying for appointment to any posts in the service of Government works as a serious hardship in the case of minority communities, whose members have taken to modern education very late in the history of their community. It is no doubt true that for certain posts in certain departments a higher age-limit has been prescribed for Muslims and other backward communities, but this I submit is not of very great advantage to the Muslim community or other communities because the posts that fall vacant in such departments are so few and qualified Muslims are also fewer still that it is rarely that this concession is availed of. I would therefore urge that the age of 27, if not 28, should be prescribed for entry into all the departments generally in the case of Muslims and other minority communities and in technical departments of course, the age qualifying for appointment in the case of Muslims may be fixed at 30 and above as the

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requirements may make it necessary. In this connexion, I am also to point out that the fixing of the age-limit for Muslims and other minority communities at 27 for clerical posts in certain departments of Government for only a period of five years will not enable the Muslim candidates to derive any benefit therefrom. If the community has even to-day remained where it was, in spite of the last 100 years ceaseless efforts and endeavour to promote education, it is futile to expect that within the next five years the Muslim community and other minority communities would become universally educated and will be able to stand on a level with the other communities. It is therefore necessary that the rule granting this concession only for a period of five years should be modified and the higher age-limit of 27 should be in operation until such time as the community comes to its own in the matter of education. In the matter of recruitment to Veterinary Service, the age-limit prescribed appears to be 27 in the case of all communities. No special age-limit seems to have been prescribed to the backward communities of Muslims and other minorities. This works a serious handicap in the case of Muslims and other minorities. For there happen to be only one or two Muslim candidates admitted in the Veterinary College from year to year. Even these boys at the time of admission happen to be at the age of 24 or 25.

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“ By the time they finish their five years' course in the college, they happen to be usually 29 or 30 years of age and according to the present age-limit they cease to be eligible for appointment. Such a state of affairs is what actually obtains in the case of Muslim Veterinary graduates and the result is that there are to-day only a handful of Muslims in Veterinary departments as such. It is therefore very necessary and desirable that the age-limit in the case of Muslim Veterinary graduates should be raised from 27 to at least 30. Hon. Members are aware that several Members had tabled a resolution urging upon the Government to raise the age-limit from 27 to 30. The resolution was balloted and was set down on the Agenda paper, but owing to want of time, the resolution could not be discussed and disposed of. It therefore behoves the Government to take early steps to give effect to the legitimate desire of this House and also redress a reasonable grievance of the Muslim community in particular.

“ I hope the Hon. the Revenue Member will not hesitate to pay his kind attention to the suggestions I have made and do his best to comply with the request without delay.”

* Mr. M. DEVADASAN:—“ Mr. President, Sir, I rise to speak on my cut motion, to discuss the general policy of the administration. The general administration of the Presidency hinges upon the permanent village officers, viz., the karnam and the village headman. They are hereditary officers in virtue of the Madras Hereditary Village Offices Act. Their hereditary tenure of office enables them to do whatever they like.

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

“ Though the Government have got great regard for the village karnam and the headman, the people do not have the same amount of regard for them. The Government, I must say, seem to consider them as their milch cows; whereas the people treat them to be the demi-gods of the village who, if not propitiated by the villagers, would wreak vengeance upon the villagers by means, fair or foul. The vagaries of the village officers are too many. I shall refer to some of them. Since they are hereditary permanent officers, they are emboldened to do anything they like according to their predilections and prejudices. The village headman, invested as he is with powers of civil and criminal jurisdiction, exercises those powers to the disadvantage and detriment of the poor people. The village karnam and the headman consider their offices to be their birthright. The idea of hereditary offices may of course be repugnant to those who hold strong democratic views. I do not say that these offices should be abolished, but I say that there should be some restraint placed upon these officers. It is really strange that these officers should be kept in their offices from their cradle to the grave. Even when they take leave, they depute somebody to act for them in consideration of some money. In the case of the minors who cannot carry on their duties, arrangements are made on their behalf for the division of the pay between the acting men and the minors for whom they have been appointed to act. According to the rules of the Government, nobody can sell his office except on pain of being prosecuted under the law. The village officer is however at liberty to bargain and sell his office. Most of the civilians know that there is such a practice of bargaining going on in respect of these offices. The pay of the village officer might be Rs. 15 or so, but when a man acts for him he still continues to get a moiety of his pay; and unless the acting man makes some money in an underhand manner, he cannot eke out his livelihood, as it will be impossible for him to get on with the small pay that he is entitled to get in virtue of the agreement he has entered into with the permanent incumbent.

“ Another serious defect that I would refer to is the fact that the village karnam and the headman are kept in their offices in the same place practically for life. Government generally do not like the idea of keeping anybody in an office for all time, and they generally transfer officers from place to place once at least in two or three years, with a view to improve the administration. But in the case of the village officers, I do not know why they are allowed to continue in the same place for all time. In Travancore, the village officers who are called ‘ Provarthikars ’ are transferred from place to place; but in our Province, village officers are kept in the same place till they retire from service. The fact that they are in the same place makes them side with one party or the other, should there be any faction in the village. We find that these officers are doing some mischief and further they foment troubles in the villages. For instance, when an inspection or survey is going on

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in the village, these officers manage to record Government nattam as private nattam belonging to some big landlord who may be their friend or relation. Most of these nattams happen to be the habitations of the depressed classes; and if the depressed classes do not abide by the wishes of the castemen or the landlords—I am really sorry I have to say all these things in plain language—the upshot is that suits are instituted in the civil courts for their ejection from the cheries. Even now there are several suits pending in the civil courts of the Tinnevely district for the eviction of the depressed class people from their habitations. Government used to acquire some land for housing the depressed classes, in the past, but that procedure seems to have been dropped now. Now, some of these habitations are claimed by the landlords as their private property, although they have no manner of right, title or interest in such lands. Even in the preparation of the list of heirs, on the death of pattadars, the village officer inserts the names of people who are not real heirs or legal representatives of deceased persons. If any heir does not propitiate the karnam while he prepares such a list, the names of other people who have no title to the property, are brought in. Thus, he creates room for endless litigation. These are the troubles, Sir, to which people are subjected at the hands of the village officers. I urge upon the attention of the Hon. the Revenue Member the necessity of transferring these village officers, if he cannot find it possible to abolish the permanent tenure of these offices.

“Turning now to the administration, in general, I must say that the revenue officials like the District Collector and Revenue Divisional Officers are losing their popularity and the good opinion of the people in the districts. According to the Board's Standing Orders, the Revenue officials have to allot a certain day for the ryots to meet them in order to put forward their grievances. I ask the Hon. the Revenue Member whether this rule is adhered to by the officers in the districts. So far as Tinnevely is concerned, I must say that no day was set apart for enabling the ryots to meet the Revenue officials.

“Again, Sir, jamabandi which is an annual festival held by the officers, has become a source of trouble to the people. They post a number of cases on jamabandi days and make the parties wait indefinitely, sometimes even late in the night. Jamabandi itself is carried on sometimes very late at nights, causing great inconvenience and discomfort to the counsel, to the litigant public and to the general public. I ask the Hon. the Revenue Member to issue instructions to the officers holding jamabandi that in future on days when jamabandi is held, no criminal cases or other kind of work should be posted in the courts.

“As regards the question of relief to people who suffer damage by fire or flood, the officials are not prompt in giving such relief to them. I have put some interpellations on these matters, and the answers when ready will be placed before this House. I hope the Hon. the Revenue Member will find that the officials are very slack in coming to the aid of people who suffer damage on account of fire or flood.

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“Another important point that I wish to deal with is the participation of the village officers in the elections of the local bodies. Several village munsifs and karnams actively participate in these elections and dissipate their energies. Sometimes they go from place to place for conducting election propaganda and at other times they stand as candidates themselves and become members of taluk boards and district boards or other boards. I submit, Sir, that Government servants as a rule are not allowed to take part in any election and the village headman and karnam are also Government servants, because they carry on the duties of the Government and they receive their pay from the Government. Perhaps they have been exempted from the usual restrictions imposed on Government servants and are allowed to contest these elections. I would urge on the Government the fact that by allowing these village officers to participate in the elections, they are doing a great injustice to the people. The village headman and karnam cannot devote their entire attention to their work to which they have pledged themselves and for which they receive salaries from the Government.

“My friend, Mr. Appadurai Pillai, referred to the Christian community as a homogeneous class; but it is not so. My hon. Friends, Rao Bahadur Pannirselvam, Daniel Thomas and others, will kindly excuse my saying that people call themselves Christians when they apply for posts, but as soon as they get into office they claim to belong to some particular caste. Of course, Mr. Pannirselvam might say that the caste system is ingrained in the social system of this country and that we cannot give up caste suddenly. (Rao Bahadur A. T. Pannirselvam: ‘I never said so.’) I only said the hon. Member might say so. (Laughter.) I am speaking about the Christians calling themselves Mudaliyar, Pillai, Nadar, Nayudu or Reddi as soon as they become officials, according to the communities they profess to belong. Though there is no caste system in Christianity, these people observe it. Such being the case, Christian officials who style themselves as mentioned above might as well be absorbed in the castes from which they embraced Christianity. But, so far as the Depressed Class Christians are concerned, they have no caste either before or after coming into Christianity. Before conversion, they were treated as a class of people having no caste. So, I plead that appointments reserved for Christians should be given to those who do not observe caste. After all the number of educated Depressed Class young men is very small, and I hope that the more enlightened classes will sacrifice their chances in favour of Christians who belong to the Depressed Classes. In this connexion, may I state that there is a feeling of discontentment among the educated young men of the Depressed Classes that their claims have not been properly attended to by the Government? And several meetings have been held and they have urged on the attention of the Government the need for taking a liberal view of their case in the matter of appointments. I confess that the Hon. Member has been very considerate and has extended the concession of entry into Government service till the 27th

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year in the case of certain minority communities inclusive of the Christians belonging to the Depressed Classes. I am very thankful to him for this concession.

“ Though these concessions exist, men belonging to the community find it difficult to enter service. So many young men apply for such posts as Sub-Inspector of Police, Inspector of Excise, Sub-Deputy Registrar of Co-operative Societies, Sub-Registrar and Co-operative Inspector. But very few succeed in the selection. The reason is that they have no god-fathers to back them up. Of course, there is one Christian gentleman as a member of the Public Services Commission. I have no quarrel with either the Commissioner or that gentleman. But it is my humble submission that the claims of the young men belonging to the Depressed Classes Christian community have not been properly considered.

“ My hon. Friend, Mr. Sreshta, was saying yesterday in connexion with the debate on Reforms that the Government have nominated two Christians to represent the Depressed Classes in this Council. May I say that it is not because we happen to be Christians that we are here but because the Government thought that we would represent the Depressed Classes, at least as much as the members from the Depressed Classes themselves if not much better? I must however thank my friend for having included these two among Christians. For statistics we are reckoned as Christians. But I should say that Christians are exploiting the Depressed Class Christians just as the Hindus are exploiting the Hindu Depressed Classes. In the circumstances, I would appeal to the Hon. Member for Revenue that the Depressed Classes Christians should have the first claim on his attention. It is necessary for the orderly progress and the Constitutional advance of a country that all classes of people should be well treated. It was stated by Mr. M. C. Raja in the Legislative Assembly in connexion with the debate on the Temple-Entry Bill that the Depressed Classes Christians constituted 85 per cent of the Christian population. I have to submit that only a handful of men are now in service. As such, I request the Hon. Member to issue instructions that more men from the community should be appointed in Government service.”

* Rao Bahadur A. T. PANNIRSELVAM:—“ Mr. President, Sir, let me, first and foremost, offer my congratulations to the Local Government on the success they have achieved in persuading the Government of India to stop the dumping of rice, news of which we have had in the papers yesterday. Let me also take this opportunity of expressing the thanks of the poor agriculturists of the Province to the Government of India for the promptitude with which they have given this help and stopped further import of rice into the country. Let me hope that this action on the part of the Government of India would indeed have the effect of relieving the distressed condition of the people at least to some little extent. I do not know if this order is in any way going to

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immediately raise the price of paddy. But I feel certain that it would at least have this effect, that it may not for the time being further reduce the prevailing price of paddy.

“ Next, Sir, I should like to say a few words about what the hon. Member for the City of Madras (Mr. V. T. Arasu) said regarding the Board of Revenue (Mr. Abdul Hameed Khan: ‘ The hon. Member for the whole Province ’) and the Madras Services Commission. With regard to the Board of Revenue, his suggestion was that it should be abolished. That is a matter about which Members of this Council have been expressing their views for the last 25 years. It has become a fashion to say that the Board of Revenue furnishes a mere fifth wheel to the administration of the Province, and that therefore, there is no point in retaining it any further. I have always wondered how many of those who have advocated the abolition of the Board of Revenue have really studied the question in all its implications and of the repercussions such abolition would have. We know that in some other provinces, there is no Board of Revenue; but we also know that in its place they have the Divisional Commissioners. I wonder if the advocates of the abolition of the Board of Revenue realize that by the abolition of the Board of Revenue which consists of three members, we would be driven to the necessity of creating a large number of Divisional Commissioners, who, on the whole, may cost this Province more than what the Board now does. Without further facts and figures and without knowing the reaction of the proposed abolition, I should not be able to support the hon. Member for the whole Province as Mr. Hameed Khan would have Mr. Arasu to be.

“ As regards the Madras Services Commission, I think it is absolutely necessary that this House should express its disapproval of the manner in which the hon. Member thought fit to attack the Services Commission. The Commission is an institution which is occupying almost a judicial position. It should be as sacrosanct as far as criticism goes as the High Court itself. In the interest of the proper and efficient administration of the Province, it seems to me that it should be the object of this House to see that the Madras Services Commission is a body which commands the respect not merely of the Government, not merely of the people in the services, but which commands the confidence and respect of all in the Province. But on this score, I do not say that the Services Commission should be above criticism; but before we venture to criticize, it seems to me that we should be absolutely certain of our case and have concrete instances where the Services Commission has gone wrong, and deliberately gone wrong. Even then, it will be more a matter for departmental enquiry by the Government rather than for ventilating grievances in a public body like this and ventilating them on the basis of stray instances—probably without a knowledge of the facts pertinent thereto; from such cases, we should not say that justice has not been done. The hon. Member has, I feel, treated the question in a light-hearted manner. He has not realized

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that in the future Constitution the Commission is going to play a very important and indispensable part. It has been constituted with a view to relieve the heads of departments from the dangers concomitant to a system which enabled them to make appointments to suit their own particular fancies. I may confess that I have at times felt that to satisfy my own requirements it would have been better that the Services Commission was not there. People in the Legislative Council being naturally in a more advantageous position than the general public and as such able to approach this head of the department or the other for appointments for their nephews or sons-in-law, find these opportunities denied to them now, because the Services Commission does everything in accordance with the rules which it has prescribed for itself and which I am glad to say they have observed to the strictest letter so that it is not possible for any one to bring any sort of pressure to bear on its members.

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“It seems to me, Sir, that the sooner this sort of criticism which was indulged in by my hon. Friend, Mr. Arasu, is put an end to the better for everybody and I could only hope that this Council would certainly express, when an occasion arises, its disapproval of criticism of that type.

“Turning now, Sir, to the question of communal representation in the services, a question which has been dealt with at considerable length by more than one hon. Member while on this motion, I may state that it is too late in the day for people to put forward the bogey of efficiency suffering by reason of communal representation. My hon. Friend, Diwan Bahadur Appadurai Pillai, found it necessary yesterday to preface his statement that he was for communal representation with the other, that of course efficiency was not to suffer at all. I may say, Sir, that I am an unrepentant and unabashed advocate of communal representation and I have no fears that efficiency will ever suffer by reason of enforcing communal representation. There was a day, not so long ago, when it seemed to be almost an article of faith with the Government and with some people that if the Treasury Bench—either in Reserved Half or the Transferred Half—was not occupied by a gentleman from the sacred community of Brahmans, the Madras Government would crumble. Well, Sir, a bold experiment has been tried for the last four years, the Treasury Bench of the Madras Government has been able to get on without a Brahman on it and get on very successfully, and get on in such a manner that we are going to have in the very near future the first Indian Governor drawn from the self-same Treasury Bench. I refer to it only to show that efficiency is not confined to any particular community and efficiency can be achieved by enforcing as strictly as possible the policy of communal representation.

“Coming to the question of Christian representation, last evening my hon. Friend, Mr. Appadurai Pillai, gave us detailed figures and pointed out how even in enforcing the principle of communal representation, this third most important minority in the Province, has not

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been given fair-play. He pointed out how the Brahman community which numerically is inferior to the Christian community, how the Brahman community in which the literates in English are not very much higher than those in the Christian community, how that community has had a preponderating share in the offices, while the Christians come nowhere near them. He also made it a grievance and very legitimately so, that instead of the Christian being given two places in every rotation of twelve—for this is exactly the number given to the Brahman—I do not want in this connexion to drag in my Muslim friends for this reason that they are twice our number, even though as far as literacy goes, they may not be very much below us—but comparing us with the Brahman community, why should that community which is numerically inferior to us and whose literacy is not far ahead of us, why should they be given two seats all to themselves, while the Christian is clubbed with the Anglo-Indians and Non-Asiatics? My hon. Friend, Mr. Appadurai Pillai, pointed out that the Anglo-Indians should not be identified with us. I am not prepared to go so far as that. Personally, I think that there will soon come a time when the Anglo-Indians will have to identify themselves almost wholly with the Indian Christian community and numerically their number being only 28,000. I should not be sorry if they merge themselves with us or are classed as one with us. But why insult the Indian Christian community by clubbing it with non-Asiatics? Why should we be put down on the same level as foreigners to this country? Are we not as much Indian as our Muslim friends, our Hindu and Brahman friends? Of course, I am not prepared to endorse the statement of my hon. Friend, Mr. Appadurai Pillai, ‘I am an Indian first and Christian next.’ Sir, I am a Catholic first and because I am a Catholic, I am also an Indian to the same extent. Because my religion does not prevent my being an Indian and it seems to me that Government should certainly remove that stain from the Indian Christian community of being clubbed with the non-Asiatics. If they want to give a place for non-Asiatics, by all means give them a place quite apart and separate from the Indian Christian community, but let us be put exactly on the same footing as other communities, whether Hindu, Muslim or Brahman.

“Turning to my hon. Friend, Mr. Devadasan, I have no quarrel with him for the strain in which he spoke. I do not want for one moment to deny that the Christians who have been originally drawn from the Depressed Classes are economically and in many cases even socially, no better than the Hindu Depressed Classes themselves and it is not for the first time that I am acknowledging it on the floor of this House. Several times, myself and the other Christian representatives of this Council—I am talking of the elected representatives—have pleaded before the Government for the necessity for special consideration being shown, almost on equal terms with the Hindu Depressed Classes, to the Depressed Class Christians. I do not wish for a moment to deny the necessity for special treatment and personally speaking, I should be the last person to make—nor for that matter no other Christian would

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make—it a grievance even if all the Christian seats and the appointments available are given to the Christians from the Depressed Classes. But I would only make a suggestion to Mr. Devadasan, that he is not going to benefit his own caste by antagonising the other Christian representatives here or the so-called caste Christians elsewhere. The spirit of caste among the Christians has certainly existed for a long time; but I must inform him that that spirit has been waning away and the largest amount of sympathy of the educated section of Christians is always available for the so-called Depressed Class Christians.

“Just one word, Sir, about the Secretariat in which the Christian community has not been given its legitimate share. As I said once before, no important place in the Secretariat is being held by an Indian Christian; none of the Assistant Secretaries, none of the Deputy Secretaries and of course none of the Secretaries are Indian Christians, but I may be told as my hon. Friend, Mr. Basheer Ahmed, said the other day, ‘What grievances could the Indian Christians have, when all the Secretaries, Indian Civil Service officers who are Europeans, are Christians?’ That was, I believe, the argument which my hon. Friend, Mr. Basheer Ahmed, advanced the other day when he said that the Indian Christians have their cause championed by the European Christians who are at the head, and so the Indian Christians would have no need for any grievance at all. With due respect, and meaning no offence at all to any of the European Christians, may I say, Sir, that from the point of view from which we advocate the cause of the Christian community here, whether it be in the matter of services or in the matter of representation in the Council or in the matter of the social and political amelioration of the Indian Christian community, that we do not consider them Christians at all, but they are here as European officials and they have no concern about the interests of this particular community as against that of another. If we come in for any special treatment at all at their hands, it is for the purpose of being completely ignored, ignored because we are not as vociferous as my Muslim friends or as powerful numerically as my Hindu brethren. (Mr. Abdul Hameed Khan: ‘Not to-day.’) Therefore, Sir, I believe we are perfectly justified in claiming *vis a vis* the Hindus and *vis a vis* the Muslims, proportionate, proper and adequate representation for the Indian Christian community even in the Secretariat.

“Let me say a word about the hardship which the shorthand-typists are put to by reason of the periodical examinations which they have to undergo if they are to continue to earn the special allowances. It seems to me, Sir, that examinations, however easy they might be to pass, are an unwelcome institution. They might have been necessary evils in your younger days, but as you grow older, aversion to examinations becomes more and more deep-rooted and it seems to me to be a real hardship that these clerks who have put in a continuous service and who have been in the work of taking down shorthand notes and transcribing them, should be put to the necessity of sitting for a special examination

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periodically, if they are to continue to receive their allowances. I mean, they are mostly persons or clerks who work directly under responsible officers and, if their efficiency by any means suffers, it would be certainly open to the officer under whom he works to tell him off and say that he is no more a shorthand-writer and that he cannot do that work and then put him on to the regular line. When there is that very effective check and when the officer under whom he works can day after day check the efficiency of the stenographer, where is the necessity for asking them—some of them probably in their forties and fifties—to undergo the ordeal of an examination? It seems to me that this is a grievance which can be very rightly removed.

“In conclusion, Sir, I once again plead that the Indian Christian community, considering its importance numerically and what is more important, the contribution that that community has made towards the welfare and progress of the Province, especially in the educational field, should be entitled to special consideration and special treatment.”

* Mr. M. A. MANIKKAVELU NAYAKAR:—“Mr. President, Sir, if I now speak on this Demand, it is to urge upon the Government that early steps should be taken for giving proper and adequate representation to the backward Hindu communities. Sir, it may be said that in these days it is not quite proper to make special pleading for representation of particular communities. No doubt, I am inclined to agree with that contention, but if you take facts as they are, the position is that Government have recognized the principle that representation should be given to particular communities whether in the matter of services or in the matter of reserving seats in the Councils and local bodies. Government having recognized the principle of giving special representation to the minority and other communities and taking things as they are, there is no going behind the fact that at least for some time to come communities which are backward have to be given some special representation. If I say special representation, I do not mean that they should be given any undue favour or anything of that sort. Their claims should be considered justly having regard to their population 12-30 and other qualifications also. It will not even come in conflict with p.m. the so-called theory of efficiency. I do not want particular communities should be given places at the expense of efficiency. Let the principle of efficiency also have full play. But their just claims should not be denied owing to some arrangements which have now become old and quite useless under the present conditions. Sir, before I proceed further, I will give an idea of what the backward classes are. The backward classes in the Hindu community are quite different from the Depressed Class communities. They have recognized the introduction of an arrangement to give appointments in a certain order. Their population, I think, Sir, is about 6 millions in this Presidency. The backward Hindu communities include about 97 communities with a population ranging from about 2,000 to even 30 lakhs in a single community. Taking my own community, the Vannya community, they

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number about 30 lakhs of people. That is about double the population of the Brahman community and nearly equal to or a little more than the whole population of Muslims in the Madras Province. We tried, Sir, by waiting on His Excellency the Governor, not the present Governor, but the previous Governor, to urge upon him that some steps should be taken to evolve a scheme by which this community should be given special representation in the services. It was pointed out by His Excellency that it would be rather difficult to give special representation to each and every community. The fact that ours was a large community of about 30 lakhs and it would be desirable to give them special representation was admitted. But it was said that if representation is provided on that basis, there would be so many other communities coming forward claiming special representation and it would be difficult to arrange to give representation for every one of the communities. There was force in that contention and therefore we looked about to make a concrete suggestion by which it will be possible for the Government to give special consideration to these backward classes as a whole. Taking the educational grant-in-aid code—where the names of communities which are treated backward on the basis of education—there are 97 communities. We thought that all these communities might be grouped together and classified for the purpose of Government service as a separate group. No doubt, Sir, it is not possible that each and every community in that group can have scope for appointments in service. But we have to give and take. It does not matter so long as any one community in that group gets a place or office because that is the only practical way of solving the problem of backward communities. I understand, Sir, in the Bombay Presidency, there is special representation for backward Hindu communities and there is a backward class advisory board for which representatives are taken from the Legislative Council and from other bodies and which advises the Government in the matter of appointments to Government service. Now, here the Government get over the preponderance of certain communities by means of the present communal order by which they have allotted a certain number of places to each community. For Brahmans they have given two places; for Muhammadans 2 places; for non-Brahman Hindus as a whole 5 places; for the Depressed Classes 1 seat; for Christians 1 seat, and probably 1 place for Anglo-Indians and Europeans. So far as Muhammadans, Christians and Brahmans are concerned, there is no difficulty. But the difficulty comes with regard to the group called the non-Brahman Hindus. Five places are given to the non-Brahman Hindus. In that group it is only the advanced communities that are getting the appointments. So if that group gets the appointments, the Government are satisfied that the non-Brahman communities are provided. But they are mistaken. Since the appointments as a matter of fact go to the advanced communities among the non-Brahmans, the bulk of the non-Brahman communities, namely, the backward classes are not at all represented. The population of the backward Hindu communities is about 17 millions, i.e., about more

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than one-third of the population of the Province. These 17 millions practically go unrepresented in the matter of Government service. So I would urge the Government that it is now time to devise a scheme for providing places for those backward communities. If Government is willing to give a separate additional group called the backward classes, well and good. But, if they think these communal groups are being multiplied, I would request the Government that they be pleased to abolish the existing two groups, namely, the Brahmans and non-Brahman Hindus and call one the backward class group and the other as non-backward. Thus a separate group for the backward Hindu communities is created. Since the Brahmans are well advanced and well represented in the services, and since the advanced non-Brahman communities are also well represented, there is no special need to give special representation to advanced non-Brahmans and Brahmans. It is due to the non-Brahman movement that this Brahman, non-Brahman classification was recognized and now followed by the Government. Now, what I wish to submit is that scheme has outlived its purpose. It has achieved what was desired by the promoters of the non-Brahman movement. It is now time for Government to think that other schemes are provided by which the backward Hindu communities are properly represented; and the only way of encouraging them is to provide a separate classification for them. Sir, with regard to this, I want to give comparative figures of the population of different communities to justify my claim for a separate backward class group. The Muhammadans—I have no grievance against them—have a population of 3 millions in this Province, and they get 2 seats, out of 12. The Brahmans who are $1\frac{1}{2}$ millions are given two places and taking their population, their representation is more than adequate. But, to the non-Brahman communities which form the bulk of the population only 5 seats are given which is very low. Even among the five, most if not all are secured by the advanced communities among the non-Brahmans and the other communities called the backward classes forming about 17 millions, i.e., more than one-third of the population go practically unrepresented. I believe, Sir, my hon. Friend, the Member for Labour, Mr. C. Basu Dev, waited in deputation on the Hon. the Revenue Member and stressed on this point. More details were asked for. This is the situation of the backward classes (Hindus) and when we agitate for this, is there no substantial ground and justification for it? It is on behalf of more than one-third of the population of this Province that we plead and they deserve consideration by the Government and the latter should at once try to change the manner in which the appointments are reserved for certain communities. In this connexion, Sir, I may also point out that the present scheme by which half-fee concession is given to backward communities should also be revised, because it was framed long ago when many communities were not advanced. Among those communities, now there are many who have considerably advanced. It now entails a large expenditure on the part of the Government on account of this backward class concession. The result is, the rule is now enforced very strictly.

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Therefore I request the Government to revise the backward class list and see that communities, which are really backward at present should be in the list and those who are advanced should be removed from the list so as to afford greater facilities to the really backward people."

Mr. G. SIMHACHALAM PANTULU:—"I am highly thankful to you, Sir, for having just called me at a psychological moment when the poor Brahman is being hit hard by the two previous speakers. But I am only sorry that I have not got the gift of the gab to answer them in a suitable manner. I may at once state here that we are not here to fight about the intellectual superiority of any particular community. I know that intellect is not the monopoly of any particular community. The hon. Member from Tanjore, Mr. Pannirselvam, had the courtesy to say that the Government is able to get on without a Brahman in the Cabinet. It is not for him to judge. Place any man you please, and he will get on. We know what the feeling outside is about it. It is not for him to say or for me to say that the Government is able to get on without a Brahman. I sympathize with him when he fights for equality of rights. The Indian Christians forget that their elevation is due to missionaries. Otherwise, he will not be in a position to say this. We the Hindus are also responsible for their elevation to a very great extent. We have suffered so much on account of their elevation because it interferes with the interests of other classes considerably. The village communities also suffer a great deal. Many of them (Christians) are fighting for appointments everywhere, in the Mission schools and colleges, and they are being appointed, even ousting experienced Hindus. Well, what about the poor Brahman who has sold away all his properties for purposes of education and who has served the Government so long loyally for centuries together? Is it an argument to be advanced that the prevalence of the preponderance is due to Government? It is a wonder to me why the Brahman should submit himself to criticisms. I am not trying here to criticize my hon. Friend, Mr. Pannirselvam, who is a personal friend of mine, but I am only sorry that he should have made such a reference on the floor of this House. Coming to the subject proper, namely, the communal Government Order, we have heard it said on all sides that the communal Government Order is a Government Order which is unworkable in a Province like this where there are many communities and sub-communities. I do not like to go into the genesis of the whole question. Mr. Manikkavelu Nayakar has given out the clue. It is the non-Brahmans that fought for this communal Government Order. Probably now they are disappointed with the results and are trying to influence the Government, by their agitation, to alter it. Whatever it may be, one who wants to please all, pleases none in the end. The Brahman is hard hit and the Hindu non-Brahmans, not proportionately served and the Muslims, the Indian Christians and the Adi-Andhras have not been adequately served. This is the wonderful result of the working of this Government Order for the last five or six years. Therefore I wish to urge upon this Government the abrogation of this Government Order.

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If this is done, there will be no more criticisms and it will satisfy all sections of the House. The policy of survival of the fittest is the only sound policy that should be followed by the Government hereafter. In those days when the appointing authority had unfettered freedom to make the appointments, the authorities were only anxious to maintain the highest level of efficiency. Sir, whether there is efficiency or not in the various departments as a result of the various communal Government Orders, it is for the administrators and the Executive Councillors to say. They know the extent to which deterioration has set in. They know the position better than others. But to me it seems that it is always better to give absolute freedom to the appointing authority. When there is a vacancy, let him (appointing authority) call for applications, examine the applicants and select the most competent among them irrespective of caste or creed. Instead of doing this, to vest this power in an outside body is only to expose our mutual distrust. We do not believe our Ministers and our Executive Council Members; we put our trust, on the other hand, in an alien institution like the Public Services Commission. I heard my hon. Friend, Mr. Pannirselvam, laying stress on the sanctity of this institution and praising its activities. Well, Sir, I have got concrete instances to show that they have tried to boss over the Executive Councillors and say that the Executive Councillors did not act according to their advice. It is this body which my hon. Friend, Mr. Pannirselvam, had the audacity to raise to the status of the High Court of Judicature. There are three people, there, Sir—three superannuated gentlemen (laughter) sitting there without any real responsibility for administration of this Province. In one case they recommended punishment for an officer for some fault while in another case they stated that though it deserved punishment, they do not want to award any punishment. Is that justice, Sir? Is this the body that should be considered as a tribunal to sit in judgment over the Executive Councillors and others, Indian Civil Service officers with ripe experience in the districts? Why should this body hold examinations of candidates who have passed several Government examinations? I do not call them irresponsible, but it is a fact that the three gentlemen composing this body have nothing to do with the administration of the Province. I dare say that no useful purpose is served by retaining this institution. It is, besides being superfluous, a huge white elephant. The functions that it performs are not really worth mentioning. They hold examinations, as I said. Why should examinations be held at all? If a vacancy occurs, why not appoint a man for routine work and give him training? For ministerial work, of what use is it to have a knowledge of fisheries? But it is this sort of questions that one finds in the examination papers prepared by the Commission. If an examination is at all considered necessary, why should not the concerned department hold it?

"Then, Sir, it is said that nobody should say a word about the term of office of the Secretary of this Commission. It seems that he should be there for ever. Even in the case of the Indian Civil Service Secretaries

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to Government, the term is fixed. In the whole history of British Administration you cannot find another case of this kind where absolute power is given to an institution to retain its Secretary permanently. If this can be allowed, let the Secretaries to Government in the Departments also be continued in the Secretariat for longer periods. As I was saying, this body calls for applications, collects moneys and holds worthless examinations. They do no good to the public service. I am against the holding of such examinations; but if any examination is considered necessary at all, I can understand questions being asked about the method of arranging a paper, preparing an office-note or giving a disposal to a communication. But what is the good of asking questions about the kinds of fish that are available in the Atlantic Ocean? Supposing a candidate does not know this, is he to be considered unfit for ministerial work? For conducting examinations of this kind a body such as this which is only creating distrust is not at all necessary.

“ I have to refer to two or three points more. The Government have framed a rule fixing the age at 45 for Deputy Collectors. It is anomalous that the communal Government Order has been made applicable also to persons who have been long in service. This rule is barring the claims of many deserving claims of officers belonging to all the communities. I would request the Hon. Member either to cancel it or make it not applicable to persons who entered service prior to the date of the rule. I do not know the purpose of this rule, but as it is, it will deny promotions to many deserving officers. I would request the Hon. Member at least to explain the object of it. Several interpellations were put in this Council in respect of this matter and no satisfactory answer was given to any one of them. I therefore take this opportunity to bring to the notice of the Hon. the Revenue Member the disastrous results of this rule and request him to remedy this evil. Another anomaly I wish to mention lies in allowing the Revenue Board, with the connivance of the Government to exercise their discretion in fixing the age-limit for deputy tahsildars and tahsildars at 40 and 45 years respectively. When I had occasion to interview the Hon. the Revenue Member in this connexion he said that there was no such statutory rule. Now I ask why, even in the absence of a statutory rule to that effect, the Board of Revenue should be allowed to exercise their discretion in this direction and reduce the number. Is it in this case, again, a policy of elimination, Sir? There is no purpose in introducing such a rule and inconveniencing people who by mistake entered Government service in the past. Of course I can understand if this rule is to be applied to men entering service in their 25th year. Such men after a service of 15 years, on account of this rule, if they are not able to get promotions to these posts, might have to retire as upper division clerks. But the case of a recruit is different from that of persons already in service. It is a real hardship and it has to be removed.

“ Sir, now I must refer to one or two cases in which exemption was refused by the Services Commission. There are two Government Orders

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governing this question. One of these has laid down that persons who have put in one year's continuous service or two years' active service in the aggregate prior to 1st January 1931 are to be exempted from the necessity of appearing for the examinations held by the Public Services Commission. In the case of a clerk who has put in a service of one year and eleven and odd months—a few days short of two years—and who subsequently had eight months' continuous service in addition, in a Collector's office, exemption was refused because of this Government Order. The other Government Order I have referred to says that persons who exceeded 25 years on 1st April 1931, whatever may be the length of their acting service, need not sit for the examination held by the Commission. It should be noted in this connexion that the Services Commission held the first of their examinations in the month of March 1931. Are not the persons I have spoken of entitled to the benefit of the latest Government Order on the subject? This is another question that should be looked into by the Hon. Member.

“ Now I will briefly refer to the Village Officers' Act. In the course of this debate, most of our Friends have referred to the village officers and their hardships. Sir, my relation with the village officers is more intimate. I had the honour of presiding over many district associations of village officers and on several occasions their grievances were brought to my notice. I had also an interview with the First Member of the Board of Revenue and I placed before him their grievances. Sir, under section 10 (4) of Act III of 1895, if a village officer is dismissed by the Collector, no enquiry is provided and the appointment is kept vacant till the man dies. It is really very hard and it deserves some modification. The office of the assistant munsif is treated as non-hereditary in certain districts although the same kind of responsible work as the casba munsif's is done by them. After the revision some assistant karnams were also treated as hereditary office holders, whereas the others were not so treated. I request that all these office holders may be treated alike and brought under Act III of 1895.

“ With regard to village inams, the inam-holders were rendering service to the village communities by doing service as barbers, washermen and so on. Under the Act there is no effective control over these people except what is provided in Board's Standing Order No. 157. There is a lot of litigation about these service inams in summary suits. The High Court once decided that these inam-holders had power to alienate their property and the alienation was valid so long as the inamdar is alive and continues to render service and then there was another decision contrary to it. In this state of affairs it would be very helpful if these cases are provided for in the Statute itself.

“ As regards the jamabandi allowance given to the village officers which has now been stopped, I would plead with the Hon. Member to restore it. With regard to the planting of subdivision stones they were

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getting some kind of allowance. That has also been stopped now. I request the Hon. Member to consider this point.

“Only one point, Sir, and I am done. Interpellations were asked in this Council bringing to notice the paucity of Andhras in the Secretariat and other offices in the city. In reply to a question put by me on 24th February 1934 the Hon. the Revenue Member furnished a statement which showed that out of thirteen superintendents in the Board of Revenue and ten superintendents in the Chief Engineer's office, not even a single person is an Andhra. Again, out of a total fifty superintendents in the Secretariat only two are Andhras. Even that strictly speaking is not substantially correct. To my knowledge there is only one Andhra superintendent in the whole of the Secretariat. Even in the case of upper division clerks the representation is very poor. The attention of the Hon. the Revenue Member was drawn year after year to the poor representation both in the Secretariat as well as the mufassal offices but nothing has been done. As regards the Andhra gazetted officers, the number is again poor. I hope, Sir, that the Hon. the Revenue Member not only makes promises that he would look into those cases carefully but will also translate his promises into action. I request the Hon. the Revenue Member to remedy this state of affairs almost immediately.”

* Mr. M. S. SRESHTA:—“Sir, the discussion on this demand has taken a very lively turn and very interesting questions have been raised. With regard to the question that has been raised about Revenue Board, I quite agree with my hon. Friend, Mr. Pannirselvam, that the Board of Revenue must be retained. I do not know whether it is possible to carry on the work without the Board of Revenue. In Upper India you have got Commissioners. Such appointments do not exist here. If the Board of Revenue is abolished, we should have Commissioners to look after their work. I think that such an arrangement would cost more than the Board of Revenue. The only question, therefore, is whether the number of Members of the Board of Revenue cannot be reduced by a system of delegation of duties and by the system of abolishing overlapping of work. A good deal of powers now exercised by the Collectors can be delegated to the Revenue Divisional Officers and in that way the work of the Collectors can be reduced very much. The Collectors in turn can be invested with powers of disposing of many matters which are referred to the Board of Revenue. If this is done the number of Members of the Board of Revenue may be reduced. But I do not think that any case has been made out for abolishing the Board of Revenue.”

“The next question is the communal ratio. I do not say that communal representation is a very good thing but as the lesser of two evils, I think it must be continued. The time has not yet come when we can give up that principle. I would make a suggestion to mitigate the so-called evil of communal ratio. Why should we not have reservations for backward and small communities saying that so many appointments should be reserved for non-Brahmans, so many for Muhammadans, so many for the depressed classes and so many for the Indian Christians.

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The minimum may be fixed but not the maximum, so that the minimum may be less than the present ratio. The more advanced communities may come by competition. The objection to communal representation is that it tends to inefficiency. I think, therefore, that a system of reservation would meet the difficulties in either direction. By fixing a certain minimum backward and small communities are provided for; and members of such communities have an incentive by exerting themselves to qualify themselves for a larger number of appointments. Within the limited time at my disposal I am not able to elaborate on this point.

“Then with regard to the Madras Services Commission, I would have thought that it was too late in the day to suggest that the Madras Services Commission does not fulfil the purpose for which it was appointed. I am surprised that Mr. Arasu who is a democrat of democrats should have said that the Madras Services Commission has not been doing its work properly and that therefore there is no necessity for its continuance. It is not possible to carry on a democratic Government without such a Commission. Otherwise all the appointments would go into the hands of the party in power. It is not desirable that a party in power should have anything to do with the appointments. I may say that I may be informed by the Hon. the Revenue Member—I trust I am not mistaken—that a Cabinet Minister who came here from England said that he did not know who all were his subordinates and had nothing to do with their appointments. That is the correct practice to follow and any Cabinet Minister or Government Member should have nothing to do with his subordinates. They should entirely get rid of the system of patronage. Even in England this system of patronage led to so many evils in the past and the Public Services Commission was appointed. In America also recently a Commission sat and that Commission copied the English system. I believe the system of patronage in America is very much reduced now. I think it is too late in the day now to suggest that the Madras Services Commission should be interfered with in any way. The system of holding competitive examination for making appointments to services was very seriously considered in England and this is what Mr. Gladstone says—

“The principle of open competition was again defended by Mr. Gladstone, who combated the view that patronage contributes to the strength of the executive Government and declared his belief that it was “not in the wit of man to devise a plan for the promotion of education so effective and powerful as the throwing open of the Civil Service.”

“Mr. Gladstone has also stated somewhere that every appointment given on the basis of the results of competitive examination would give a great incentive to education. Just as scholarships are a great incentive to the promotion of education, the possibility of getting good appointment would be a great incentive to education. Another argument put forward by an hon. Member was that these examinations should not require a knowledge of subjects like geography, because that is not the knowledge which is required in the service for which the candidate is

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required. Sir, this argument is not a new one. It was raised and met long ago. This is what Macaulay says—

‘Why should we put boys out of their way? Why should we force a lad who would much rather fly a kite or trundle a hoop to learn his Latin grammar? Why should we keep a young man to his Thucydides or his Laplace when he would be much rather shooting. Education would be a mere useless torture if at two or three and twenty a man who has neglected his studies were exactly on a par with a man who has applied himself to them exactly as likely to perform all the offices of public life with credit to himself and with advantage to society.’

“Sir, knowledge of geography or geometry is very useful to develop the intellect of man and surely a man who has been educated in these matters would, other things being equal, be better in the service than a person who has not got that knowledge. I would personally insist that this system of competitive examination should be extended as much as possible. I have pointed out more than once on the floor of this House that certain appointments are not filled up by the system of competitive examinations, but as a result of interviews with the candidates. The latter system is not desirable. It must be remembered that this latter system brings so much discredit to the Madras Services Commission. I think the Madras Services Commission is absolutely beyond any criticism with regard to their activities. There are thousands of applications and only one man gets the job. Naturally the others will feel aggrieved and say that the Commission is not acting properly and so on. I myself happened to be a member on the Board of Selection once and I used to receive letters from several candidates. One of them once asked me on what grounds he was not considered fit. Therefore I feel that wherever possible the system of competitive examination should be introduced. If certain physical and other qualifications, etc., are required in appointments such as those of Sub-Inspector of Police, Junior Inspectors of Co-operative Societies and Reserve Sub-Registrars, the candidates may first undergo the combined competitive examination for a number of services and a few appointments at the top may be reserved for such services. If the candidates possess the qualifications required for the particular departments, they can be selected. This system will remove a great deal of complaint which is now made against the Madras Services Commission. If the system I have suggested is followed even those who are not successful will feel that the best men have been selected. They will feel that they have been unlucky.

“As regards competitive examination, I wish to point out another thing. A large number of people going for degrees such as B.A., B.L., or M.A., M.L., think that they can improve their chances of securing appointments. So if it is made clear that all the appointments are to be filled by means of competitive examinations and if the qualification fixed for such examinations is S.S.L.C. or Intermediate examination, very few will study for the higher degrees except for the sake of culture or research. A considerable wastage of expenditure on higher education can be saved. The percentage of men going in for higher education is

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very large now. A large amount of the tax-payers' money is now wasted by the Government on higher education. We cannot resist the desire of people going up for higher education because they think that if they pass higher examinations, they will get higher appointments. I hope the Hon. the Revenue Member who is in charge of this department will fully consider this question and see whether it is not possible to extend the system of examination to all possible services.

“Now I come to two small questions. One is with regard to shorthand writers. It seems to be very hard that a man who has got into service rightly or wrongly should be asked every two or three years to submit himself to an examination. I have been asking for competitive examinations. But on that account to hold examinations every two or three years to test a man's capacity is carrying the system of examination too much. Supposing a Member of the Indian Civil Service is asked to pass an examination periodically, will he be able to pass it easily? I think that the Government should abandon this 1-15 system of asking people to pass periodical examinations. For after a.p.m. certain number of years, one cannot type as fast as he was typing when he entered service. I may point out the case of signallers in the Postal department. There they have got to show a certain amount of speed when they enter service, but they are not asked to sit for periodical examinations except once and at that examination also they are not expected to show the same speed which they showed when they entered service. Similarly here also the same sort of humane consideration should be applied, and I hope that the Hon. the Revenue Member who is very sympathetic would carefully consider the matter and see that justice is done to this class of employees.

“The last question is about a certain class of officers in the Secretariat. At present there are certain rules governing the promotion of clerks from the lower division to the upper division. If a clerk gets into the upper division direct and acts there, he gets his usual increments till he is confirmed when there is a vacancy. There is no question of probation for them at present. In the case of men recruited by the Madras Services Commission, they have to put in a period of one year's probation at present. Now, under the new rule which is under consideration, for all these people whether they have been recruited by the Madras Services Commission or whether they are promoted from the lower division, a probationary period of two years is prescribed. In the case of the Madras Services Commission recruits however, there is a provision which protects them. Such men as have already been recruited need not undergo two years' probation and they will be governed by the old rule. But as regards men promoted from the lower division to the upper division, such a protection has not been afforded and they come under the rule of 2 years' probation, although they entered service at a time when no probation was necessary. I think it would cause hardship if in the new rule protection to old entrants is

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not given. I hope that the Hon. the Revenue Member, whose attention has not perhaps been drawn to this matter, will carefully consider this point and see that justice is done to these men."

* The ZAMINDAR OF MIRZAPURAM:—"Mr. President, Sir, I am very thankful to you for having given me an opportunity to express my views on the floor of this House. I have been carefully and patiently listening to the speeches of my hon. Friends and I think it is my duty to express my personal views on some of the points raised in the debate.

"My hon. Friend, Mr. Basu Dev, pleaded for adequate representation of the backward classes in the Secretariat and I have great pleasure in giving him my full sympathy and support. Then, Sir, coming to the speech of my hon. Friend, Mr. Krishnayya Choudari, he in his usual manner started abusing the District Officers and said that District Officers during their tours paid only annas 2 for a fowl. I am really surprised that an hon. Member of this House should make such a statement. I know of many District Officers who when they go on tours readily pay their expenses to the full."

Mr. P. V. KRISHNAYYA CHOUDARI:—"As a personal explanation, I wish to challenge the hon. Member to say whether it is not a fact that really District Officers are paying only annas 2 or annas 4 for a fowl."

* The Hon. the PRESIDENT:—"This is not a personal explanation and I do not think that challenges are allowed in this House."

* The ZAMINDAR OF MIRZAPURAM:—"Mr. President, Sir, my hon. Friend has challenged me and I am prepared to take the challenge if he really means it. I have known many District Officers who tour in the districts more for the good of the people than for making money out of. It is really surprising that the hon. Member should have made a statement of that kind and should further challenge me when I said that his statement was absolutely incorrect. I have known more officers of the districts than my hon. Friend, Mr. Choudari. (Interruption.) I have known villages too, more villages than my hon. Friend in the Opposition. Anyhow I leave the matter there and I do not want to pursue it any further.

"I come now to the speech of my hon. Friend, Mr. Arasu. Of course, he has in his usual manner criticized everyone in this world. And I will not be surprised if he criticizes himself. He says that the power of selecting candidates should be given to the heads of departments and that the Services Commission should be completely scrapped. Of course, if the Services Commission is scrapped, he would turn round and say that the heads of departments would be influenced by the members of the Party in Power with the result that appointments are given only to people belonging to the Party in Power. I think, Sir, it has become a very common thing, it has become the fashion nowadays, to criticize people."

Mr. V. T. ARASU:—"Is it in order for the hon. Member to anticipate what I would say on a future occasion?"

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* The Hon. the PRESIDENT:—"I do not exactly understand the hon. Member's point."

Mr. V. T. ARASU:—"The hon. Member said that, if a certain thing was done, I would say this and that. I want to know whether it is in order for him to say so."

* The Hon. the PRESIDENT:—"It is quite open to him to anticipate arguments and reply to them."

* The ZAMINDAR OF MIRZAPURAM:—"Sir, I honestly feel that the Services Commission are doing a really useful service. Heads of departments have been considerably relieved of their responsibilities and saved from the criticism to which they would be subjected if the powers of selection were left in their hands. I do not mean to say that the heads of departments cannot exercise these powers properly if they are left to them. What I mean to say is that the present procedure is the proper one and that it spares the heads of departments from public criticism as the selections are made by the Services Commission. Of course, there will be many people who are disappointed, because we cannot expect the Services Commission to select every candidate who applies to them. As far as the personnel of the Commission is concerned, I must say they are perfect gentlemen with a record of long service and good experience behind them. It is unfair for hon. Members to criticize such gentlemen and say that they are not making the selections properly. I would therefore earnestly appeal to the Government to continue the Services Commission.

"I now come to the question of a cut in the salaries of Government servants. I heartily congratulate the Hon. the Finance Member for not imposing a cut in the salaries. My hon. Friend from Guntur stated that the departments are corrupt, but at the same time, he wants a cut in the salaries, perhaps to make the departments more corrupt. He has suggested that the Deputy Tahsildar's office at Addanki may be re-opened. When he is so anxious for economy, I cannot understand why he wants to re-open the Deputy Tahsildar's office, when he could very well get on with the Tahsildar who is now in charge. I strongly oppose any suggestion of imposing a cut in the salaries, for unless the officers are well-paid we cannot get any satisfactory service from them.

"With regard to the salaries of village officers, of course the present salaries are not enough and the Government may consider the advisability of giving them more. (Mr. Krishnayya Choudari: 'There you agree?') Yes, I do.

"One word about the Andhra representation in the Secretariat. In this connexion, I do not want to criticize my Tamil friends, but I only request the Government to be pleased to take more and more Andhras in all departments and thus give them adequate representation in the Secretariat."

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III.—ALLOTMENT OF HALF A DAY TO DISCUSS A MOTION *re* EXCISE DUTY ON SUGAR AND MATCHES, AND ONE DAY FOR THE CONSIDERATION OF THE LAND MORTGAGE BANKS BILL BY CUTTING DOWN THE DAYS ALLOTTED FOR BUDGET DISCUSSION.

1-30
p.m.

* The Hon. Sir MAHOMED USMAN:—"Sir, Dr. Subbarayan has given notice of a motion under rule 24-A of the Legislative Council Rules regarding the excise duty on sugar and matches. It has been represented to the Hon. the President by Leaders of Parties that facilities should be given for the consideration of this motion and for the consideration of the Hon. Mr. Rajan's Land Mortgage Banks Bill and that the number of days allotted for the Voting of Demands for Grants might be cut down by 1½ days for this purpose. The Hon. the President having no objection, His Excellency the Governor has, in deference to the wishes of the Leaders, agreed to cut down the number of days for Budget discussion by 1½ days, and to allot half a day for the resolution of Dr. Subbarayan and one day for the consideration of the Hon. Mr. Rajan's Bill. The resolution will be taken up on Saturday morning and the Hon. Mr. Rajan's Bill on Monday morning."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

II.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND X—SECRETARIAT AND HEADQUARTERS ESTABLISHMENTS, DISTRICT ADMINISTRATION AND MISCELLANEOUS—RESERVED.

* The Hon. the PRESIDENT:—"The Demand has to be put to vote at 3 p.m."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I shall confine myself to the main points raised in the debate, as I fear it will not be possible to deal with all the points raised, as they cover a very wide field. One very important point touched upon by several Members is with regard to the proposal commonly known as the cut in salary; opinions on the subject are divided; as was rightly pointed out by one Member, such a cut is open to the danger that it may lead to an increase of corruption in the service. There is much to be said on the subject but as the matter was fully dealt with at the time of the general discussion of the Budget, I think I had better devote the short time at my disposal to other matters."

"The suggestion was made by Mr. Muniswami Pillai that the salaries of future entrants should be 50 per cent less than the salaries which present incumbents are now drawing. The question of reducing the rates of salary of future entrants has been very carefully considered by Government in consultation with the Retrenchment Committee, and we have made reductions in them, which will ultimately result in reducing the expenditure on salaries by 20.7 per cent in the case of gazetted officers, and 10.1 per cent in the case of non-gazetted officers. And I do not think any further reduction can be effected in the present circumstances."

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"Mr. Krishnayya Choudari referred to the cut in the salary of village officers. I don't think the salaries of those in service have been reduced. We have only revised the salary of future village officers. The pay of village menials has not been reduced. (Mr. P. V. Krishnayya Choudari: 'I was referring as to why, in the case of some village officers, their salary was reduced from Rs. 15 to Rs. 13.') That was done some years ago in connexion with the restoration of some village officers whose services were dispensed with some time previously; we had the consent of this House, that their restoration should not involve any extra expenditure and the pay had therefore to be reduced to Rs. 13."

"A suggestion was made by Mr. Basu Dev that in all the Government offices there should be half-holiday on all Saturdays instead of a whole holiday on the penultimate Saturday. And Mr. Muniswami Pillai suggested that for the Secretariat there should be half-holiday on every Saturday in addition to the present penultimate Saturday, so that the clerks may go to the races. (Laughter.) If we adopt the suggestions of the hon. Members, the number of working hours will be reduced by one hour a week and either the clerks must stay in the office for longer hours on some other day or additional staff must be appointed for the disposal of work; the latter will involve additional expenditure to the Government. This suggestion was considered on a former occasion, some thirteen years ago, and it was finally abandoned. The reason was that on every Saturday the clerks would have to return home in the middle of the day in the hot sun; in the second place the daily tapals cannot generally be distributed to all the clerks concerned in time to dispose of such papers as may require immediate attention before 2 o'clock; and so generally some of the clerks would have to remain till later to deal with these papers; it was considered that the clerks would get more benefit by the grant of a full holiday on one Saturday in the month as they can then get a rest for two consecutive days. On the whole, I think, it is better to maintain the present arrangements."

"The undesirability of holding periodical examinations for shorthand writers was raised. We have decided that there should be a periodical test for stenographers, who are drawing a special allowance in some form or another on account of their shorthand capacity. We have decided that they should have a triennial examination. The test is not a very severe test; they have to take down a passage at the rate of 100 words a minute for ten minutes. The test is made to see whether their proficiency is maintained, and each is still capable of carrying out the duties, for which he is drawing the special allowance. We have come across cases where persons were drawing this allowance, even though they were not actually doing any shorthand writing. I do not think anybody who is really doing this work every day in the office will find any difficulty in passing this test."

"Mr. G. R. Premayya drew attention to certain grievances of the depressed classes and particularly to the grant of land in the Guntur

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district and the action taken by the Collector subsequent to the grant. Secondly he referred to the resumption of lanka lands which had been cleared by the Depressed Classes. Thirdly he referred to certain forest land which had been cleared and occupied by Oddars in the Guntur district which has not been handed over to a forest panchayat. Fourthly he referred to certain forest land in the Nellore district; the undergrowth was cleared by the Depressed Classes on the understanding that they would be granted the land and would not be asked to pay its full value; but now it appears the land is to be sold in public auction. Fifthly, he referred to the prohibition of the cultivation of land within a six-furlong limit in the Romperu drain. I am not quite sure whether in the last case the land is patta land. (Mr. P. V. Krishnayya Choudari: No, Sir, it is not patta land. I understand they are there for the last 60 years.) With regard to these matters I shall have inquiries made.

2-45 p.m. "The Board of Revenue, as usual, has been mentioned. Mr. Arasu proposed its abolition; Mr. Pannirselvam and Mr. Sreshita are opposed to its abolition. This matter has been threshed out at considerable length on former occasions, and has been discussed on special resolutions. I do not think I should take up the time of the House now by going into the details of the arguments advanced for and against the suggestion. Suffice it to say that the Board is serving a very useful purpose, and if it were abolished, more expensive machinery would have to be set up to do the work now done by the Board of Revenue. The Board of Revenue has to discharge very responsible duties; it acts as an appellate authority from the orders of Collectors, supervises the work of the Collectors and their subordinate officers and attends to a most important portion of the administration of the country. I am quite sure it will be a very great mistake to abolish the Board of Revenue.

"It was suggested by Mr. Devadasan that village officers should be transferred from one place to another. I cannot see that any advantage will be obtained by the transfer of village officers. Their families have usually resided in the village for centuries; they generally possess land in the village; their interests are bound up with the welfare of the village. No doubt at times they take sides when there are factions in the village, but in such cases any abuse of their powers can be dealt with by the local revenue authorities. Mr. Devadasan also suggested that the office of the assistant munsifs and assistant karnams should be made hereditary by amending the Act of 1895. That Act did not make any new office hereditary. It applies to offices which were already hereditary. An Act of this Legislature would be necessary to carry out Mr. Devadasan's suggestion. I do not however think there is any necessity to make these minor offices hereditary where they are not hereditary now. Now we can select the best man whatever is the family to which he belongs.

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"It was also suggested that village officers should be supplied with stamps and that village tappal system should be abolished. If we send all the village tappals through the post, it would involve considerable expense. We must have a larger number of post offices as at present. There are very few post offices scattered in the villages. Further village menials will have to carry the tappals from the village to the nearest post office, but if we have to meet the extra expenditure on stamps, etc., it should be done by reducing the number of menials. I do not think, Sir, that that would be an advantage. The present system has worked very well for a great number of years and I think it need not be altered.

"The payment of jamabandi allowances was sanctioned in 1920 on the recommendation of the Salaries Committee and it was abolished in the year 1926 to meet the cost of the restoration of village officers, but it has been continued in the case of village menials. I am afraid that, in view of the fact that it was abolished in order to provide for the restoration of certain village officers, we cannot go back on that decision now.

"Complaint was made that mamuls were taken from village officers attending jamabandi. The House is no doubt aware that this matter can be dealt with by the local revenue authorities. Where mamuls are demanded, the village officers have only to report to the District Collector or the Revenue Divisional Officer and I am quite sure that it will be stopped within a short time. It may be said that village officers are afraid of what would happen if they made any complaint; if the people of the taluk combined together and refused to pay these mamuls, I am quite sure that they would be stopped.

"My friend, Mr. Choudari, said that jamabandi should be held in every firka headquarters; that used to be the old custom; that was done in order that the jamabandi officer might get into close touch with the ryots in the villages. But it has been given up largely, I think, on account of agitation which has been voiced in this Council from time to time objecting to a large staff being quartered in a small village even for three or four days. It is now too late to revert to the old system.

"Mr. Basu Dev put in a plea on behalf of village officers who had been dismissed on account of their participation in the Non-Co-operation Movement. He referred, I understand, to the Non-Co-operation Movement in the year 1921 and to the subsequent movement of the same nature. I believe, Sir, that, after the 1921 movement collapsed, several village officers, who made apologies for taking part in politics and promised to be of good behaviour in future were restored to their offices. But in certain cases it was found that it was not legally possible to restore them, for people had been appointed permanently in their places. I have to invite particular attention to the Act XIII of 1922 passed at that time which affects persons who were dismissed owing to

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participation in a movement against the Government. If however any particular cases are brought to my notice, I shall be glad to have them examined.

"Complaint was made regarding the supplies which are made to touring officers. It was suggested that touring officers should not ask for supplies when there are shops in the village, and that they should always pay for the proper value of the supplies made. We have issued very stringent orders on this subject and these are embodied in the Board's Standing Orders; I need not read the Standing Order on the subject in full, but it includes the following rules: all indents for supplies shall as far as possible, be in writing; the assistance of village officers should not be applied for when supplies can be obtained without it and all unnecessary demands on village officers shall be avoided; thus, in large towns, where there is a regular bazaar and provisions can be easily procured, it should generally be unnecessary to trouble the village headman; every touring officer must obtain receipted bills for supplies obtained through village officers and retain them for reference, if necessary, for a period of twelve months. He has personally to see that the village headman's bill has been paid in full before he leaves the village; no supplies except of articles made or sold locally shall be procured under these rules. I do not know whether we can do anything more than we have done; we have issued the necessary orders; it rests with the local officers to enforce these orders. I am quite sure if any case in which these orders are not carried out is taken to the notice of the Collector of the district, he will do his best to put down the abuse.

"Reference was made to the participation of village officers in elections. We have recently considered the part which village officers may reasonably play in elections to this Council or to local boards, or to municipal councils, and we have passed an order to the effect that in this respect karnams should be treated as whole-time servants of the Government. We have directed that if a karnam wants to stand for any election or take part in politics, beyond recording his vote, he should resign his office first. That is exactly the same as any other Government servant has to do. As regards village headmen we have directed that they should take no part in politics beyond recording their votes, so long as they are actually in office and discharging their duties as headmen. If a village headman wishes to stand for any election, he should first apply for and obtain leave of absence or resign his office. If he obtains leave of absence and is elected to a legislative body he must continue on leave so long as he is a member of that body; if he is elected as a member of a local body, he will, if he so desires, be allowed to resume his duties as headman on the expiry of the period allowed for objections and, if any objection is raised to the election, after the case has been decided; but if he accepts office as president or vice-president of a district or taluk board or as chairman or vice-chairman of

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a municipal council, he must continue on leave or obtain leave, as the case may be, for so long as he holds any of these offices. There will be no objection to his discharging the duties of village headman while he is president or vice-president of the panchayat board of his own village."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the present village karnams are permitted to do these things?"

The Hon. Sir ARCHIBALD CAMPBELL:—"These rules will be applied in future. They were passed only in January of this year. I hope these orders will meet the objections raised with regard to village officers taking part in politics.

"I will turn to other matters. Suggestions were made that we should reduce the number of gazetted officers, especially Deputy Collectors. During the last two years we have reduced the number of gazetted officers—as is seen from the tables placed before the House—from 1,897 to 1,849. This matter has been very carefully considered in every department; I doubt whether further reduction can be made without interfering with the efficiency of the administration. It was suggested that we should reduce the number of Deputy Collectors by placing revenue divisions in charge of Indian Civil Service Officers; while that will reduce the number of Deputy Collectors, it will necessarily add to the cost of administration, because an Indian Civil Service Officer is more expensive than a Deputy Collector.

"Mr. Arasu suggested that the Madras Services Commission should be abolished and supported his case by quoting two instances in which the Government disagreed with the Madras Services Commission. My friend considered that the Government were right. I think we must accept the fact that there will be occasions when the Commission and the Government will not be able to see eye to eye. In those two cases we happened to differ, but it must be remembered that in a large number of cases we had agreed. The Commission has rendered valuable help to the Government in various ways besides advising us on disciplinary cases, e.g., by holding examinations for various appointments and discharging various duties in respect of recruitment to several services. Every one now agrees that it is carrying out its duties very well. There are many Members of this House who have pointed out the very useful part the Madras Services Commission is playing and will play in future in the administration of this country.

"The rules of communal recruitment came in for a certain amount of criticism and modifications were proposed in certain directions. It was suggested that provision should be made for backward Hindu communities numbering about 17 millions. I have no time now to go into details. I have refused to consider any alteration of the rules in favour of small communities but as the number is so large in this case I will consider whether anything should be done in this instance. As regards Indian Christians, objection is taken to the inclusion of Anglo-Indians and non-Asiatics in the same category. It should be remembered however

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that the non-Asiatics will generally be members of what is known as 'the domiciled community.' Under General Rule 5 (b) of the rules,

'No candidate other than one who has been born in the Presidency of Madras or who has been domiciled therein for a period of not less than ten years immediately preceding the date of his application shall, except with the previous sanction of the Local Government and except in accordance with such conditions and restrictions as they may lay down, be included in any list of approved candidates. Such sanction shall not be accorded unless the Commission certifies that a sufficient number of qualified and suitable candidates so born or domiciled is not available.'

So, if the number of persons who are to be employed cannot be found from among the Indian or domiciled communities, then only the question of appointing non-Asiatics from outside India will arise. If we do not include this particular community in this category, it is difficult to see in what other category the candidates can be suitably included, for they are too small in number to justify their inclusion in a separate category by themselves.

"One hon. Member referred to the inadequacy of representation of the Andhras in the services generally and in the Secretariat in particular. As I have pointed out on previous occasions, supporting my statements with figures, the principal reason for the under-representation of Andhras in the Secretariat is the paucity of applicants for the posts; this is a matter which can be set right by the Andhras themselves to a large extent and I am sure that we shall have an improvement in this respect, as the education of Andhras advances."

* The Hon. the PRESIDENT:—"May I remind the Hon. Member that the time for putting the Demand is up?"

* The Hon. Sir ARCHIBALD CAMPBELL:—"There is only one other matter, Sir, which, with your permission, I shall briefly refer to; and that is the question of the age-limit prescribed for admission to the Executive Branch of the Madras Civil Service and the limits placed by the Board of Revenue on the age for promotion of revenue subordinates to be Deputy Tahsildars and Tahsildars. It must be borne in mind, Sir, that the Madras Civil Service is one of the most important provincial services for it is from among the ranks of the Deputy Collectors that we have to choose men to take the place of Indian Civil Service officers. The restriction as regards the age for selection of Deputy Collectors has been prescribed with a view to get the efficient men, who are still active and who after getting sufficient training in the department, will be of service to the country for a period of about ten years before they retire. It is from these men that we have to select officers for promotion to listed posts in the Indian Civil Service and it is undesirable that they should be so promoted just at the end of their service."

Mr. C. BASU DEV:—"With the permission of the House, I beg to withdraw my motion."

The cut motion was, by leave, withdrawn.

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* The Hon. the PRESIDENT:—"The question is—
'that Government be granted a sum not exceeding Rs. 2,29,63,400 under Demand X—Secretariat and Headquarters Establishments, District Administration and Miscellaneous—Reserved.'"

The Demand was carried and the Grant was made.

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

The Hon. the RAJA OF BOBBILI:—"Sir, on the recommendation of His Excellency the Governor, I beg to move—

'that the Government be granted a sum not exceeding Rs. 4,47,300 under Demand XI—Ministers, Civil Secretariats and Miscellaneous—Transferred'."

* Mr. C. BASU DEV:—"Mr. President, Sir, I move that—
'the allotment of Rs. 1,65,300 for Ministers—Pay of Officers, be reduced by Rs. 100.'

"The object of my motion is to draw the attention of the Hon. Ministers to certain points which require attention in the interests of the people of this Province. Sir, it is a matter well-known to all that too much attention is being paid to what is called 'public opinion.' Public opinion in this Province unfortunately is not well-informed, nor is it properly focussed, but it is one which cannot lightly be neglected. The Hon. Ministers have been doing their level best to satisfy public opinion as far as possible, consistent with their duties as responsible Ministers to the Government.

"The Hon. the Chief Minister, ever since he took charge of his office, has been responsible for pushing through this Council a series of enactments calculated to promote the welfare and prosperity of the country. He has done so at a considerable sacrifice of his time and energy; and I am sure it will be admitted that he has given his best to serve the people of the Province."

Mr. M. S. SRESHTA:—"Sir, may I rise to a point of order? Can the hon. Member who speaks be prompted by the Secretary to one of the Ministers?"

Mr. C. BASU DEV:—"Sir, I may say that it is the height of impertinence on the part of a Member to suggest that another Member is incapable of speaking for himself and that if a word or two has been uttered by somebody sitting by his side, he is being instructed or prompted by him. I wish, Sir, that the hon. Member withdraws that suggestion.

"Sir, I was referring to the work of the Hon. the Chief Minister. The latest of his achievements is the abolition of the taluk boards which certainly is a measure which required a great amount of courage and tact. I congratulate the Hon. the Chief Minister for having successfully piloted the measure into an Act, thus abolishing the taluk boards, which have been found to be eating into the vitals of this Province.

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"I would like, on this occasion, to invite the kind attention of the Hon. the Chief Minister to the humble request of the municipal employees. At the time when the Bill for the appointment of commissioners for municipalities was being discussed, the Hon. the Chief Minister gave the assurance, that, as far as possible and consistent with efficiency of administration, he would give preference to municipal officials. I would respectfully remind him of that assurance and hope that he would translate it into action. The recent appointment of some Government servants as Commissioners has caused considerable anxiety in the minds of the municipal employees, and I hope the Hon. the Chief Minister would take early steps to dispel that fear and reassure such of those who are efficient in the municipal services that their claims would not be left unconsidered, and that they would be absorbed in the category of commissioners.

"Coming next to the Second Minister, Sir, I think I must congratulate him on the work he has been responsible for, during the last year, though I would wish that in the matter of co-operation, greater attention was paid and much stricter supervision was exercised by the officers of that department. On the whole, Sir, the Hon. the Minister has done well in administering the departments entrusted to his care. I think I will not be unnecessarily wasting the time of the Council if I repeat once more that the officers of the Co-operative department should pay more attention to and exercise greater supervision over the working of the co-operative societies and co-operative banks in the Province. I would even go further and request him to see that the loans that are applied for to them are properly and usefully spent by the persons who take such loans.

"In the department of Agriculture, though the department has been doing good work, I am afraid it has only just begun to co-ordinate its activities with those of the Co-operative and Industries departments. Only the other day I read in the papers that the heads of these three departments went to Bezwada to find ways and means for co-ordinating their efforts in order to promote the prosperity of the ryot. I hope, Sir, that such co-ordination will increase as days go by resulting in greater prosperity of the people.

"The Hon. the Minister is now engaged on the Land Mortgage Bank Bill. Sir, there is a considerable amount of doubt as to the benefit it is calculated to confer on the ryots. Whatever it is, the hope is there, that the Land Mortgage Bank Bill, if properly worked, would promote the happiness and relieve the indebtedness of the ryots. In that hope, Sir, I am sure this House in the course of a few days will pass into law the Bill which has been sponsored by the Hon. Minister.

"Coming to the Third Minister, Sir, in the department of Education, it was my privilege to draw his attention last year, and the year before last, to the abuses of the Text-Book Committees and other educational authorities in changing text-books year after year. The Hon. Minister had given us an assurance in this House that he would pay

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attention to this matter. I am sure, Sir, that in the course of the next year, he will investigate the matter thoroughly and take necessary action to remove this abuse which works a great hardship on the parents of boys and thereby give them the necessary relief.

"So far as Education is concerned, I cannot agree with the policy the Government are now following. That is only my personal opinion, an opinion with which a good many in this House may not agree. We are spending far too much money on elementary education without any commensurate result. If I am convinced that the results are good, I will be the first to vote for even double the amount now spent on it. I feel that it would be far better to entrust the matter of educating children to responsible members in villages forming what I may call educational panchayats and give them such facilities from time to time as financial aid and supervision. Fortunately, by the abolition of the taluk boards, the dual control over elementary schools would, to some extent, be minimized. Let us hope that the committees of the district board, dealing with elementary education, would raise the standard of education and do all that is necessary for effecting considerable improvements."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, the 3-15
Legislative Council passed a resolution which was supported by most P.M.
of the Members of the party of which the Hon. the Raja of Bobbili is the leader. The Hon. Ministers have not as yet made any statement on the attitude taken by the ministry in this regard. Some days ago, the Hon. the Chief Minister prided himself on the loyal support his party had given him in the matter of the Local Boards (Amendment) Bill. No doubt, it is acknowledged on all hands that, though there were differences of opinion on the question, they submitted themselves to the views of the leader of the party. But, Sir, I find that when the followers have been so loyal, the leader himself has not been loyal to his party in that the leader himself being in the Cabinet has not done anything to carry out the wishes of his party in regard to the resolution on the 25 per cent land revenue remission. I would request the Hon. the Chief Minister to make a statement on the floor of this House on the effort he and the other Hon. Ministers have taken in the Cabinet, so that we, on this side, may know what actually took place.

"Recently, after the Council had passed the Local Boards (Amendment) Bill, we heard that the tolls were going to be introduced. Now, I am glad to hear that the question has been dropped. I must congratulate the Hon. Minister at least now and would request him not to think of bringing it again to the Council at any time.

"Sir, a word with regard to the power taken by the Government in the matter of nominations during the transitory period. When once the Government have given up the powers of nomination by Dr. Subbarayan's Bill, I think it is undesirable to revive it even during the transitory period. If it cannot be helped, I would request him to use these powers very carefully, and in cases of emergency, and

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even there I hope he will not dump his own party men and people who are unconnected with the party, but will nominate representatives of the backward communities and women.

"Sir, the Raja of Chellapalli was appointed an honorary organizer by the Inspector of Local Boards and the Government have cancelled it. If there was any irregularity, the Government could have given him a chance of being heard and could have asked him to resign. I consider this is not a desirable step on the part of the Hon. Minister.

"In the district of Guntur, a panchayat officer was appointed by the district board president. The Government raised some objection that applications were not called for, though some two to three hundred applications were received in the office, and that the appointment was not desirable or some such thing. But, when subsequently they took the power of appointing panchayat officers, they did not call for any applications; and they state that about 2,000 applications were received. I feel that the Government have not themselves followed the procedure of inviting applications which they said the president of the district board should have followed.

"I would request the Hon. the Second and Third Ministers to start industries for the benefit of the agricultural classes. I see they have not provided any amount for this purpose in their present budget. As a matter of fact, I think the Government of India have taken more prompt action than the Madras Government have taken in the matter of import of rice into this country. No doubt, Diwan Bahadur Ramaswami Mudaliyar and others have agitated in the Legislative Assembly and have procured this protection to our agriculturists; but our Hon. Ministers seem not to have taken any action for the last two years though we have been repeatedly urging on them the necessity for immediate action."

Mr. C. BASU DEV:—"Mr. President, Sir, on a point of order . . ." (Hon. Members: 'Order, order.')

* The Hon. the PRESIDENT:—"Let us hear Mr. Basu Dev."

Mr. C. BASU DEV:—"Sir, the recent ban on the import of rice is certainly due to the efforts of the Hon. Ministers."

Mr. ABDUL HAMEED KHAN:—"Is this a point of order?"

Mr. P. V. KRISHNAYYA CHOUDARI:—"I know whether it is due to the Hon. Minister's action or due to some outside agency in the Legislative Assembly. It is for the Hon. Minister to reply to me on this point. If there has been any action taken by the Hon. Minister, I will certainly acknowledge it and thank the Hon. Minister for the trouble he has taken in this regard. I wish the Hon. Minister will make a statement and I do not expect Mr. Basu Dev to make it."

Mr. C. BASU DEV:—"On a point of personal explanation, Sir, I would draw the attention of the hon. Member to the glaring head-

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lines in the *Madras Mail* on the subject." (Voices: 'Is this a personal explanation?')

* The Hon. the PRESIDENT:—"The hon. Member does not seem to have made out on both the occasions either a point of order or a personal explanation."

Mr. P. V. KRISHNAYYA CHOUDARI:—"As regards concession freights by the Madras Southern Mahratta Railway nothing seems to have been done. The Government have been saying that they are corresponding with the Government of India. The matter is urgent and they should have reminded or wired to the Government of India for an early decision on this question.

"I find, Sir, that it is not through the efforts of the Madras Government that the Marketing Board is going to be constituted. So far as I could see, it has not been through the initiative of the Madras Government.

"In conclusion, I would appeal to the Hon. Ministers, as the representatives of the people, to bring home their opinion to the Reserved Half; they have done so in one case, but still, Sir, as they have not made their position clear, I request them to make a statement on the floor of the House so that the suspicions in the minds of the people may be allayed."

* Mr. V. T. ARASU:—"Mr. President, Sir, may I suggest that this motion of Mr. Basu Dev be put to vote as no serious discussion, on a motion moved by an hon. Member sitting behind the Ministers, can take place."

* The Hon. the PRESIDENT:—"If this motion is to be put to vote, other motions to discuss policy cannot be discussed. There are other motions. As a matter of fact, when larger questions of discussing policy have been taken up, minor questions may not be taken up separately. If the hon. Member wanted it, he could have moved for leave of the House to take up such of the items as would have suited him."

* Mr. V. T. ARASU:—"Mr. President, Sir, when my friend moved his motion for a token cut in the salaries of the Hon. Ministers I thought he was going to provide this House with some pyrotechnics. But I was very disappointed. It is a well-understood Parliamentary convention that any hon. Member giving notice of a cut motion means it seriously, that there is something wrong in the policy pursued by the Ministers and therefore their salaries ought to be cut down to the extent to which he has given notice. I was surprised that, while the motion of the hon. Member is 'to reduce the allotment of Rupees 1,65,300 for Ministers—Pay of Officers by Rs. 100 to discuss their policies,' he went on praising the Ministers one after another without giving us any idea as to what was wrong with the policy of the Ministers. He has himself in the course of his speech supported."

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MR. C. BASU DEV:—"Mr. President, on a point of personal explanation, Sir, may I say that, in speaking on my cut motion, as far as I could appreciate their policy, I have appreciated it. I have given certain suggestions to be acted upon and have pointed out some faults. The object of my cut motion was merely to discuss policy."

MR. V. T. ARASU:—"I should in the first instance like to ask the Hon. Ministers as to what advice they have tendered to His Excellency the Governor in regard to the country wide demand for a remission of at least 25 per cent in land revenue. As has been rightly pointed out by my friend, Mr. Krishnayya Choudari, as representatives of the people at large, they ought to have tendered the right sort of advice to His Excellency the Governor on such an important issue. Perhaps, Cabinet convention may prevent them from revealing on the floor of the House what advice they gave to His Excellency. Nevertheless, I believe they are quite free to make a statement as to what their policy or attitude is in regard to this Demand and whether . . ."

MR. C. BASU DEV:—"Mr. President, Sir, may I know if it is in order for the hon. Member to criticize the Hon. Ministers over a subject which is not under their jurisdiction? The subject is a Reserved one under the control of the Hon. Member for Revenue."

* THE HON. THE PRESIDENT:—"I must deprecate the hon. Member getting up very often and trying to interrupt hon. Members on the opposite side. If he has any sound points to make, such occasions are rare, he may not make them so very often."

* MR. V. T. ARASU:—"I was saying, Mr. President, that the Hon. Ministers should come out openly and say what they think of this demand, whether the demand for remission for 25 per cent in the rate of assessments on land to which the majority of the members of their own party have subscribed is legitimate or not. Let them make a categorical statement as to what they feel whether this demand on the part of the ryot for 25 per cent remission is legitimate or not."

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p.m.

"Then, Sir, coming to the activities of the Hon. the Chief Minister, no doubt the year that we are closing now has been one of great legislative activity, and we must say that the Hon. the Chief Minister has taken a great deal of pains in regard to the legislative proposals which he has placed before this House. But, having said that, I must say frankly, that the legislative proposals which he has placed before this House and passed into law were all carried through hurriedly. If I remember right, the Hon. the Chief Minister during the time he was a non-official Member occupying a seat on the non-official benches, put in a very strong plea in favour of the establishment of Second Chambers in this Province. One of the arguments that he then advanced in support of Second Chambers was that they would act as a check on hurried legislation and would give an opportunity to the electorate to express its views on any legislation that the Government

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might bring forward. Sir, I am sorry that the Hon. the Chief Minister has forgotten that dictum of his and has made himself responsible for hurrying through this House a measure like the Madras Local Boards Amending Act within a span of about 15 or 20 days at the most, from the publication of the original Bill to the passing of that measure. But, I do not propose to go into the merits of the Bill, for you will remember, Sir, the question was discussed on the floor of this House when the Bill was considered clause by clause, and I am sure, whatever opinions we may hold in regard to the Bill, it has now passed through this House and is going to become law in the course of a few days. On that matter, I am sure the country at large would express its opinion one way or the other, whether the step taken was the right one or not, when we all face the electorate, which I hope would be ere long.

"Secondly, I would like to make a few remarks regarding the policy pursued by the Hon. the Chief Minister in the matter of the appointment of commissioners to municipalities. Sir, when the Madras District Municipalities Act Amending Bill was on the Legislative anvil, I believe, the Hon. the Chief Minister gave an undertaking in this House that he would appoint commissioners only to the municipalities mentioned in the schedule to the Act—I believe the number included in that schedule was somewhere about 11 or 12. But, I find, subsequent to the passing of that Act, as a result of the reserve powers vested in the Government by one of the sections in that Act, the Hon. the Chief Minister has been going on appointing commissioners to the various municipalities one after another, and that too, in spite of the strong and repeated protests both on the part of the municipalities concerned and on the part of the public at large in those municipalities. I can quote a number of instances where commissioners have been appointed by the Hon. the Chief Minister, although there were several public meetings in the places concerned protesting against Government's intention to appoint commissioners; and yet commissioners have been appointed to those places. After all, the idea with which our local-self-governing institutions were formed, seems to me to be that non-official gentlemen should be given an opportunity to gain administrative experience, so that they might make use of such experience when they are called upon to occupy high positions in life. If it is the policy of the Minister to appoint commissioners and thus deprive non-officials of the opportunity to gain administrative experience, I ask, how would it be possible for non-official gentlemen to gain administrative experience. Sir, another reason that is usually advanced in support of the appointment of commissioners to municipalities and other local-self-governing institutions is this, that corruption is rampant in those bodies and unless a Government official is put there as a commissioner, it would grow worse. That is one of the reasons advanced by some of the advocates of this procedure. Sir, I ask whether Government servants, simply because they happen to be

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Government servants, can be said to be incorruptible. Several instances have been brought to my notice—and I believe, every hon. Member of this House must also have come across such instances—wherein Government servants have often been found to be corrupt. Therefore it cannot be made a general rule that simply because a Government servant is appointed a commissioner, he will be incorruptible and that the administration will go on smoothly and safely.

“In the matter of these appointments the other great mistake that the Minister has committed is the choice of persons. All sorts of people have been selected for these appointments. In some cases Deputy Collectors have been chosen, while in others ordinary clerks in the Secretariat have been chosen for these posts. It seems strange, Sir, that persons from such wide range of cadres, who have had no acquaintance with the working of these institutions, should have been chosen for these places.

“Now, as regards the Tolls Bill, I wanted to say very much, but I now think I need not dwell at any great length on that subject; because I understand the question of bringing it up has been dropped for the present. I wish it were dropped for ever, but if the Hon. the Chief Minister should have any idea of bringing it up again before this House at any future date, I should like to tell him that it would be a retrograde step and a step which will be resented by large sections of the public and particularly the rural population.

“Sir, there is also a legitimate complaint on the part of some of the local bodies in the Tamil districts that in the matter of the distribution of grants and loans to local bodies, differential treatment is meted out. There is a strong feeling that the local bodies in the Telugu districts get a lion's share in the matter of grants and loans, and particularly in the matter of the distribution of funds which this Government get by way of subventions from the Central Road Development Fund. I am very sorry to note that very nearly 70 or 80 per cent of that fund is being given year after year to the Telugu districts to the detriment of the Tamil districts. From the report of the working of the local self-governing institutions, which I have in my hand, I find that during the last two or three years some of the Telugu districts have been spending large sums of money on bridges and trunk roads. The total amount of money spent on bridges which have been completed or in progress now in the Ganjam district is about 10.7 lakhs—I am referring to the total amount spent during the last two or three years—and in the West Godavari district, it amounts to about 13 lakhs; in Nellore about 11 lakhs; in Vizagapatam 19.89 lakhs. On the other hand, in the case of the Tamil districts, I find that sufficient funds have not been placed in their hands to enable them to spend such large amounts for the construction of bridges and the laying of first-class roads. I may mention here that there was a request from three district boards in the Tamil area, namely, South Arcot, Tanjore and Trichinopoly, asking the Hon. the Chief Minister to give them about 1½ lakhs

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for the construction of two important bridges on a roadway which connects Villupuram with the lower anicut, which is a very important road from a strategical point, and which is the shortest route to Tanjore. This is a road which connects Villupuram with the lower anicut via Sethiatope and is the shortest route from Madras to Tanjore. This very important road has been neglected for the past several years and if only Government would give to the district boards concerned the sum of about 1½ lakhs out of the Central Road Development Fund, in order to enable them to construct these two bridges, I am sure that road will be made available to the public at large and thereby a great boon would be conferred on the people. But, in spite of the repeated requests on the part of the three district boards mentioned by me, nothing has so far been done by the Hon. the Chief Minister.

“These are some of the acts of commission and omission on the part of the Hon. the Chief Minister and I would like to take this opportunity of referring to the activities of the Hon. the Second Minister who is supposed to be in charge of the Development Department. I do not know what he has been developing. For once at least, I think, I can agree with my hon. Friend, Mr. Basu Dev, in what he said, namely, that the Hon. the Second Minister has succeeded in growing two blades of grass where only one blade of grass was growing. I think that is all that he has been doing. In the matter of the Agricultural department, which is capable of conferring great benefits to the agriculturists, he has not done anything in the matter and the agriculturists are in the same position as they were before this Development Department was inaugurated in the year 1920 as a result of the reforms.

“Now to the Third Minister, the Hon. the Minister for Education. The period under review has been one of glorious inactivity on the part of the Third Minister. The imperfections of the Elementary Education Act have been only too often pointed out to the Hon. the Third Minister. He has been, year after year, holding out promises to this House that he would take up the question of amending the Elementary Education Act as early as possible; and that ‘as early as possible’ I believe, Sir, has not yet come.

“Then, Sir, about the educational policy of the Government, I think I will have an opportunity of speaking at great length when the Education Demand comes up for discussion before this House. However, I wish to take this opportunity of finding fault with the Hon. the Minister for Education for not having done anything in regard to the recommendations made by Mr. Champion for imparting efficient education to children. Mr. Champion, the Special Officer, appointed by the Government, recommended certain proposals to the Government regarding the ways and means by which efficiency can be secured by Government and by which inefficient elementary schools can be put an end to and efficient central schools may be established. This report of Mr. Champion came up before this House for discussion on several

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occasions. The Hon. the Education Minister has given us the impression on all such occasions that the view of the Government whether they would accept the proposals or not, would be expressed at a very early date. I do not think that Government have till now come forward with any definite statement whether they are going to accept that report or going to reject it. I want the Hon. the Minister to make a definite statement on that.

"Sir, these are some of the points which have been uppermost in my mind regarding the policy pursued by the Hon. Ministers who are occupying the Treasury Benches to-day."

3-45
p.m.

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, Sir, I too add my support to this cut motion and make some observations not in the same way as my hon. Friend, Mr. Basu Dev, did, but in the real sense of a cut motion. With regard to the policy pursued by the Hon. the Chief Minister, Sir, I may say that he is going far too much to help his party men. The questions which have been answered this morning, will show that the Minister ought to have dealt with the complaints made to him in a more satisfactory way. The Government have issued strict instructions with regard to the disposal of tenders and yet I find, Sir, when definite charges are placed before the Government with regard to the violation of the rules which they themselves have issued and wanted them to be adopted, they say now they do not propose to take any action. I can understand, Sir, the position of Ministers in helping their party people; but I must humbly submit to you that they should not go to such lengths. Then, Sir, I must also make mention with regard to the way in which papers received in his department are dealt with. I am glad, Sir, that whenever any complaint is made to the Secretary and the Hon. the Chief Minister, they are good enough to acknowledge, but the final disposal is taking an unduly long time. As a matter of fact, I may quote one instance, namely, the disposal of papers relating to tender disposal in Salem District Board which I have placed before the Government in February last year. That has not been, I understand, finally disposed of even to-day. From the answers furnished to questions which came up this morning, I understand Government are not inclined to pursue the matter any further. But even that is not definitely replied to me. Almost a year has passed, and I have sent half a dozen reminders and once or twice I have even requested the Secretary and the Minister personally to look into the matter. In spite of all these, it has not been disposed of yet and I have not been given any definite reply so far. Some other references are also pending with the department and I hope they might be able to make quick disposals of all these references. Then, Sir, I may pass on to the Tolls Bill. I am glad the Hon. Minister has realized the mistake that has been committed and he has been prudent enough to drop the Bill at present. It would have been very well on his part if he had not published the Bill at all. The publishing of the Bill produced great consternation in the minds of the public, and the

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very publication of the Bill forced people to convene meetings and to take all sorts of precautionary methods to prevent the Bill being passed into law. I am extremely glad, Sir, the Hon. the Minister has realized the mistake before it was too late, and has taken it out of sight now. But I wish that he takes it away during his regime and his successors will also see that it does not come up again for ever. In the matter of tolls, I am of opinion that the ryots should not be taxed in that manner, for almost all the cart-owning people are ryots and they contribute to these local bodies in the shape of cesses on the land revenue, etc. For these, they are not getting adequate benefit—these cesses called road-cess, railway-cess, etc.—and now the aggregate amount collected only as local fund cess are contributed by ryots for roads, and other amenities. Since they have already paid their quota for all these things, I ask the Hon. Minister whether it is right to tax them again in the shape of tolls. So, Sir, I am not able to make out the position of demanding double tax from the ryots for the benefit they are getting and for which they are already paying their share.

"With regard to the Hon. the Second Minister, Sir, I wish to draw his attention to an important fact which merits his immediate action. That is the present position of the District Urban Bank, Salem. I am reliably informed, Sir, that the working of the bank is almost at a standstill now. For your information, Sir, I may state that the election of the board of management was conducted in October last, in the very presence and immediate direction of the Registrar of Co-operative Societies, in a very orderly manner without the least objections being raised then with regard to the conduct of that election. But subsequently objections were raised by a member, and referred to the Registrar, who in his turn forwarded the same to the Deputy Registrar of Salem for disposal. The Deputy Registrar though he concluded the enquiry during the third week of December 1933, kept the paper with him till the middle of January and pronounced judgment on the eve of Silver Jubilee celebration of the bank, stating that the elections held at that time were not valid. If the Hon. Minister is here, he will remember, Sir, that he himself was inconvenienced on that occasion, because at that time the board decided to celebrate the Silver Jubilee of the bank under his presidency, and he was to go to Salem for the purpose. The Hon. Minister has just come into the hall, and he knows that he had to cancel his journey to Salem. The Silver Jubilee celebration was fixed for the 21st of January last and this decision stating that the election was not valid was announced on the 15th of that month. So, the Silver Jubilee celebrations were cancelled as there was no legal body to represent, since the election was declared invalid. It seems at present, the affairs of the bank are at a standstill, because of the conflicting orders from the Registrar. It seems that he has first of all ordered that the existing board will continue to function until fresh elections are held. Next to that, he seems to have ordered that the board which existed before the election which was declared invalid

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will revive and continue to function. Because of this sort of conflicting orders I am informed that the work of the bank is suffering very much. I am told more than Rs. 50,000 loan applications are pending disposal at the bank as it is not stated beyond doubt as to who is to carry on the administration of the bank now, and I wish the Minister will look immediately into the matter and set things right.

"With regard to the Excise Minister, I should like to make a few observations and then I have done. I could have talked about them on the Excise demand, but since I could not have an opportunity then and since I have the privilege to state them now, I am bringing them to his notice. In the Excise policy of Government, it was their intention and assurance also to effect complete prohibition within 20 years, and as was already pointed out by some hon. Members at the time of Excise demand, that 20 years is being shifted from year to year for the past six or seven years and even now, it is still 20 years. I am very much doubtful if in these 20 years, taking it from this day even, they will effect complete prohibition. In the district which I have the honour to represent, the Government was kind enough to introduce prohibition in some places. But I must state that because of the policy they pursued and for want of effective supervision, the prohibition failed, because we cannot expect all people to be pure. There may be a large percentage of them willing to have prohibition, but even then there will be a small section which will always be addicted to drink. If the department could have effectively prevented liquors being imported into the dry area and also have a genuine interest that they should carry on this prohibition, my opinion is that they could have done it. The policy of prohibition which was adopted by Government is defective in this respect, because they have taken a single place of about five miles radius and introduced prohibition in that area alone having liquor shops all around it. That is not the way to effect prohibition, because if they close the shop here, some of the rural people who do not understand the consequence and evil of drink once they are addicted to it, go to the next shop which is nearby and continue their habit of drink. If the Government had tried prohibition by closing all the liquor shops in an entire district, I could very well say that prohibition would have become a complete success. So, the policy adopted in the matter of prohibition was not a sound one and it cannot at all be successful in the circumstances obtaining now. So, I request the Government to examine the question thoroughly and launch prohibition on effective lines. With regard to the Excise department, I must bring to the Hon. Minister's notice that the department is not exercising its duties properly. In the matter of sale of liquors they are not enforcing the rules strictly. In very many villages, we find toddy and arrack are sold in unlicensed places. Apart from being against the rules, it also demoralizes the whole area. I must say that ^{1 p.m.} it also reduces the income of the Government from the sale of the toddy and arrack shops. If the Government would strictly put down illicit

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sale surely they stand to gain. I request the Hon. Minister to pay his earnest attention to this point and see that no illicit sale of liquors in unauthorized places takes place.

"With regard to education, Sir, I would like to say something."

* The Hon. the PRESIDENT:—"May I inform the hon. Member that we have four hours for the Demand under Education?"

* Mr. K. A. NACHIYAPPA GOUNDER:—"Thank you, Sir, for the kind suggestion. I shall take my chance then under that Demand. But my doubt is whether I will get an opportunity to speak on it."

* Mr. DANIEL THOMAS:—"Mr. President, Sir, if this motion which was moved by my hon. Friend, Mr. Basu Dev, is to be taken as a serious motion for expressing any sort of lack of confidence in the present Ministry or for expressing any criticism on the policy pursued, I would say that there is an air of unreality about it. I believe, Sir, that this air of unreality has been created not only by my hon. Friend, Mr. Basu Dev's speech, but equally so by the speeches of my hon. Friends on the Opposition benches.

"My hon. Friend, Mr. Arasu, in dealing with the speech of Mr. Basu Dev said that the Parliamentary convention is that, when a cut motion of this sort is moved, the mover is expected to make serious criticisms in support of it. But I would ask this House to judge Mr. Arasu's professions from his own practice. In dealing with the Hon. the Second Minister he said that the Second Minister succeeded in growing two blades of grass where only one blade was growing. I believe, Sir, that that is praise of which any Minister in any Province of the country should be proud (loud laughter). I think that praise, coming in the garb of a criticism from the Opposition benches, must be really considered to be a valuable one. I do not know what my hon. Friend Mr. Arasu's ideas of loyalty are. I have heard that some people are colour-blind. Perhaps my hon. Friend is capable of seeing only deep colours and can only see the extremes. Sir, the fact that my hon. Friend, Mr. Basu Dev, in support of his motion laid stress on a few points here and there, points which were more in the nature of suggestions than anything else, is no excuse for my hon. Friend, Mr. Arasu, commenting on party loyalty and all that sort of thing. Sir, he has poor ideas of loyalty if he thinks that that should prevent anybody from giving friendly suggestions or criticisms for improving or ameliorating certain points which require criticism or amelioration. Every Member sitting on this side of the House is loyal to the Ministry. It does not follow therefore that we are debarred from offering friendly suggestions or criticisms to our own Ministry. Apart from that, I believe, it is the same thing that has been followed by my hon. Friends on the Opposition benches in respect of this motion. I would say, Sir, that it is a matter which has been universally acknowledged that the Hon. the Chief Minister deserves the warmest gratitude of the people of this Presidency for successfully piloting a Bill for the

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abolition of the taluk boards. The thing was bound to come sometime. It is only a question of time. As a matter of pure logic and as a matter of pure administrative arrangement, duplication of machinery had to be abolished. There was no justification for the existence of two bodies dealing with the same matters. Sir, the fact that the Hon. the Chief Minister, in the face of vested interests, in the face of an outburst of criticism from interested quarters, ventured to initiate such a measure and get it passed, speaks volumes in praise of the Ministry that is now in charge of the affairs of this Province. But, at the same time, I should like to say that after all we are only in the beginning of affairs so far as that matter is concerned. The Bill no doubt has been passed, but in the working out of it, in the bifurcation of the various district boards and in following up the principle of the Bill, I submit, Sir, a good deal of care, a good deal of caution has to be exercised if it is to fulfil the expectations of its framers. My hon. Friend, Mr. Arasu, said that the Bill was hurried through this House with precipitancy. I do not see any point in that criticism. The financial year commences on 1st April and, if this Bill is to become operative early, there must be sometime between the date of passing thereof and the 1st April to permit of arrangements being made for its operation from the commencement of the new financial year. Therefore, if anything, for this achievement, it is not blame but praise that is due to the Hon. the Chief Minister.

"There was some criticism made with regard to the appointment of commissioners of municipalities. I am surprised, here again that my hon. Friends in the Opposition benches should think of criticising the Ministry for this thing. The Bill which secured the approval of various sections of the House, pre-eminently the approval of the Members of the Opposition, was none other than the one piloted by my hon. Friend, Mr. Ranganatha Mudaliyar, for the appointment of Commissioners to municipalities. Now, Sir, the Hon. the Chief Minister is only following the policy laid down in that Bill and exercising the powers vested in him under that Act. I submit therefore that there is really no point in the criticism of hon. Members in this matter.

"As regards the Tolls Bill all sections of the House have expressed themselves in favour of its being delayed and it has been also stated that the Hon. the Chief Minister has done well in not bringing it up. In connexion with this Bill the financial implications and other things have to be examined and I believe in the light of such examination the Hon. Minister will bring it up.

"So far as the Hon. the Chief Minister is concerned, I do not find that anything more serious has been said against him by the Members of the Opposition benches.

"As regards Education there was some criticism about the Champion Scheme. Here again, I submit that it is open to the Government to adopt or reject the Champion Scheme. It is not as if the whole thing

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has to be rushed through. Each individual scheme will be examined on the merits and orders passed. For my part I believe that in the matter of the Champion Scheme the Government ought not to be too precipitate as it is a matter which concerns such an important subject as elementary education. In a matter of that kind which concerns the future of the whole Province so deeply and intimately, we cannot afford to make experiments. The wiser course would be to take typical areas, urban and rural, in each district, put the scheme in operation there and in the light of that experience extend it to other areas. I am sure the Hon. Minister for Education will consider this aspect when schemes come up for orders.

"In conclusion I submit, Sir, that this motion is only a sort of friendly motion intended to draw the attention of the Ministry to certain aspects of the administration. Seeing that the object has been achieved, I believe, my hon. Friend will withdraw his motion."

* Mr. P. PEDDI RAJU:—"Sir, if I rise to offer a few remarks, it is neither to congratulate the Ministry nor to congratulate my hon. Friends who have spoken on behalf of the Ministry. All that I now wish to say to the Ministry is that they ought not to form part of the bureaucracy but that they ought to realize the interests of the people whom they are expected to represent here.

"Now, Sir, the question is whether the Ministry has made any provision in the Budget for improving elementary education or medicine, or public health or village water-supply and village communications. My hon. Friend, Mr. Arasu, was saying that several lakhs have been allotted for the construction of bridges all over the Presidency, especially in the Telugu districts. It is not a matter of much concern for me whether in every district there are bridges under construction or in contemplation. But my hon. Friend further on said that, so far as the Telugu districts are concerned, they are much favoured. Sir, so far as the West Godavari district is concerned, from the report I find that an allotment for a bridge of Rs. 27,000 has been wrongly shown as Rs. 3,37,000. Anyway, I do not care whether you have bridges on the trunk roads or second-class roads. My point is whether you have made sufficient provision for village communications, and sufficient provision for village water-supply. I see from the Budget that a large sum was asked for, but that it was cut down to a large extent. My hon. Friend, Mr. Langley, the other day when arguing about village communications said that the main duty of the Government is to provide more village communications and better village water-supply. What have the Government done? I see from the Budget that only 1½ lakhs are granted for village water-supply for the whole Presidency. Out of this sum what is it that is going to be distributed by the Inspector of Local Boards? What is it that the Ministry is going to give to the several local bodies in the Presidency? For village communications such a small sum as 2½ lakhs has been

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provided. With this amount what do you expect the Inspector of Local Bodies to do? What can he do with this paltry sum of Rs. 2½ lakhs? I submit this is not dealing fairly with the district boards and panchayats. From this I conclude that the Ministry has not been able to mirror the public opinion in the Presidency. It has only been strengthening the bureaucracy and not caring for the interests of the masses. If the Ministry says that the present financial condition of the Presidency is not favourable to push forward any big scheme, all I can say is that the Ministry is trying to fit the shoe without squeeze or pinch to the Reserved Half.

4-15
p.m.

"Is that the way, I ask, the Ministry should function? We do not want that so much money should be spent on the establishment for Education, or that you should construct a hospital in the City at a cost of Rs. 24 lakhs. I only ask, cannot you spend every year Rs. 10 lakhs towards village communications and village sanitation? I ask is it just to provide for school building for elementary education a sum of Rs. 16,000 only for the whole Presidency? Does the Hon. Minister think that with this sum he can build one elementary school building in a whole year? Then again you are going to spend only Rs. 30,000 on secondary education. When you are doing all these things, that is why I say, you are not discharging your duties and you are not responsive to public opinion.

"Coming to the Second Minister, Mr. Arasu said, of course, he had been able to grow two blades of grass where there already grew only one. I do not think he referred to the development of agriculture when he said that. I think it is with reference to the development in Mr. Rajan's body (Laughter) when he said that. So far as I can see, the Agricultural department has not been beneficial to any. So I appeal to him to see that something is done for the masses, and not be satisfied by saying that they have constructed a number of hospitals here and there, that they have appointed a number of officials either as surgeons or agricultural demonstrators or agricultural experts and so on. In this connexion I would ask the Hon. Second Minister one other thing. Some years back the Government issued an order proposing the establishment of a hospital in Tadepalligudem taluk in West Godavari district. Though that was sanctioned and a house was engaged for rent, all on a sudden the matter was dropped, and in spite of repeated memorials and representations, nothing has been done in the matter. I wish to know from the Hon. the Minister what has become of it. Finally once again I appeal to Hon. Ministers that they must voice the opinion of the people. They must respond to the wishes of the masses in general and not those of the townspeople alone."

* Mr. M. A. MUTHIAH CHETTIYAR:—"Mr. President, Sir, it may seem strange that the Chief Whip of the party should rise to speak on a motion like this and it is because the cut motion has now turned into a motion of compliment to the Ministry. Even those who spoke

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from the Opposition have more or less complimented the Ministry on its work rather than criticized it. (Opposition voices: 'No, no.') In this House it has become an usual thing to withdraw cut motions. Even yesterday we saw the Leader of the Opposition withdrawing his motion on the Reforms. (Opposition voices: 'No, no.') However it is a fact that the Leader of the Opposition withdrew his motion. For the last few days we have seen that cut motions are generally withdrawn. I have no doubt that Mr. Basu Dev will withdraw his motion too. (Opposition voices: 'No, no.') Probably it is his intention to withdraw; and I know he will do it. (Opposition laughter.) I am really thankful to Mr. Basu Dev for his cut motion, as it has afforded me an opportunity to speak on this occasion. In fact this is no cut motion; it is only a motion intended to compliment the Ministry. During one year the Ministry has done very good work, and the details of it have been ably dealt with by my hon. Friend, Mr. Daniel Thomas. The Chief Minister had introduced legislation not merely in the matter of local self-government institutions, but in other departments also under his control. The recent legislation was a very great success. The way in which it was piloted evoked unstinted praise from all parties; and the chorus of congratulations which came forth from all sections of the House only shows that the Bill was a much needed one, and it was in the best interests of local self-government. This also shows that though the Ministry is run on party lines, the measure was conceived and put through in the larger interests of the country. The Local Boards Amending Bill was a contentious measure, but the fact that it was practically agreed to both by the Select Committee and by the Council only shows that the Justice Party are alive to the needs of the people and that they are ready to initiate any legislation or any matter provided it is beneficial to the people. The Council has already seen our policy with regard to the appointment of commissioners to municipalities and various panchayat officers. They are all very contentious acts. It has been usually said of every Minister that for every appointment he makes, he is sure to create at least nineteen enemies. But I should certainly say that with regard to the appointment of commissioners, it is not so, as people have welcomed such appointments. And we are now looking forward to a time when we shall have commissioners for all municipalities. The feeling in this Council is that executive officers should be appointed even to district boards. Though the Chief Minister was willing to insert such a provision in the recent amending Bill, he was more anxious to get through that Bill without complicating it by this provision, conscious as he was that the proposed reform of local boards had already evoked strong criticism from certain quarters.

"I am very glad that the Justice Party has had a glorious record under the leadership of the Chief Minister, whose fair and outspoken attitude on many questions evoked the appreciation of the leaders of parties in this Council. It is a matter of congratulation that the Chief

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Minister has, during one year, been able to put through a bold programme of intensive legislation. By singling out the Chief Minister, I do not in any way belittle the administration of the other departments by the other Ministers.

"One thing I wish to say now is that last year when we were discussing this demand, it was only two or three months since the Chief Minister assumed office, and so it was then premature to offer our congratulations or to pay our compliments to him. But now 14 or 15 months have elapsed since his accession to the Ministry, and during that period he has passed through a great ordeal and has come out of it quite successfully. And I am quite sure that during the coming year he will be able to see that the local self-government institutions, the very backbone of the country, are well developed. As far as I know the Chief Minister, he is one who will not hesitate to introduce any legislation, if it is in the best interests of the Province; and he is one who believes that he should do the right thing irrespective of criticism. And I am glad that the leaders of parties in this Council, on such occasions, have always expressed their sense of appreciation quite frankly and ungrudgingly. I am sure he will be approved by the public, and I have no doubt about that. In future, I wish the policy of the present Ministry is followed by all parties whoever be in power. And should this wish fructify it will only result in the growth of a healthy rivalry of doing good to the Province. I would welcome such a thing and I am glad to see that Mr. Hameed Khan also is echoing that sentiment by his nod.

"Sir, there is another thing I should like to say. Mr. Peddi Raju complained that the Hon. Ministers have not been able to do this thing and that. To this I have to say, that if they have not introduced any of those things, it is because none is more alive to the present financial stringency than they. And again this also shows that the Ministry is prepared to co-operate with the Government and work Diarchy in the best way possible. It is only with that object that they have not pressed several schemes. So, Mr. Peddi Raju should not think that they have not considered them at all. In fact it is not the fault of the Hon. Ministers; it is due to the present trade depression, which, we are all hoping to get over shortly.

"Finally, Sir, one thing on which I wish to congratulate the Hon. the Second Minister is the happy announcement made last night that the import of foreign rice has been prohibited. And I am sure it is also due to the efforts of the Hon. Second Minister and the Government of Madras that the Government of India have been induced to put this ban. I dare say the agriculturists of this country will welcome this news, and I hope it would go some way towards helping them in their distress."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I am not going to occupy the time of the House at any length, but I do want to ask one

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or two serious questions of the Hon. Chief Minister in connexion with his reply to a question put by Mr. Gopalaswami Mudaliyar on the 24th March 1933 during the discussion of the Tirumalai-Tirupati Devasthanams Bill. Mr. Gopalaswami Mudaliyar asked:

"Mr. President, in seconding the motion, I would like to have an assurance from the Hon. the Minister that one of the members of the Committee would be an Adi-Dravida."

To this the Hon. Raja Sahib replied:

"Mr. President, if it is the unanimous wish of the House that this amendment should be accepted, on behalf of the Government, I have no objection to support the motion. As regards the other suggestion of my hon. Friend from Bellary, I can assure my Friends of the Depressed Classes in this Council and also outside the Council, that it will be the duty of the Government to see that all the interests and communities are properly represented in the Committee."

Mr. President, I do not mean to say that the Hon. Minister has committed himself to anything by his answer. The answer is very clever and evasive. But the impression left in the minds of Members of this Council, representing the Depressed Classes, by that answer was that, if the amendment was withdrawn, the wish of the House would be accepted. For there was then every chance of that amendment being carried through the House; because I know, the House was very keen that at least in this respect the spiritual ban should be removed, and they should be allowed to serve on committees which may be appointed to manage the affairs of the Devasthanam, even though they may not be allowed to get into the temple. But as a matter of fact even that elementary right was not given when the nomination was made. I carefully went into the nomination list. I must confess that the Hon. the Chief Minister did consult me with regard to the nomination of a certain gentleman to the Committee, but all the same he did not nominate any member of the Depressed Classes. I can testify to the fact that he did not make these nominations on a party basis. Therefore I should like to point out that I was rather surprised that in spite of the undertaking he gave by that rather evasive answer, he did not consider the appointment of a member of this community to the Devasthanam Committee. If really the party in power—and I know the principles of the party in power well—had committed itself to the uplift of this class—and it is because the Justice Party has committed itself to this creed it is in power to-day—then it ought to have done something on behalf of this downtrodden and oppressed community. If the Chief Minister had been bold enough to appoint a member of this community to the Tirumalai-Tirupati Devasthanam Committee, I think he would have justified the principle of the party, and would have taken a bold step and it would have redounded to the credit of his name. I am sorry that that step was not taken, and I hope when the next opportunity occurs he would rectify this grave error, because I know it is a grave error. That is one point.

"The second point I wish to state relates to Education. But, as you yourself observed, Mr. President, that there are full four hours allotted to the Education Demand, I will not state it now.

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"There is no doubt a feeling in the minds of the people that by means of the provision for nomination, which has been secured in the amendment passed in the Local Boards Act, it may be used for party purposes. But I do not want to press that point any further. I was glad of the assurance given by the Hon. the Chief Minister at the end of the debate of the Local Boards Act, that that was not the purpose of the amendment, but that this power which is vested with the Government would only be used for the purpose of seeing the members of communities, who deserved representation but who do not find a place in the bifurcated boards, adequately represented.

4-30
p.m.

"We have heard a great deal about the question of land revenue and I believe my hon. Friend, Mr. Basu Dev, raised a point of order in which you did not see anything to show that it was right on the part of any Member of this Council to raise that question on this debate. But as the Government of this Province has been working—at least hon. Members can give me the credit of knowing something of the inner working of the Government in this Province—I do feel that if joint responsibility is to be a point that is to be emphasized, the Hon. the Ministers ought to have the courage of conviction to state exactly what part they played in the matter of land revenue remission. As my hon. Friends on this side of the House have said very often, it is a growing question and it is the crying need of the hour. The people, especially the agricultural population of this Province, have felt that with the tumbling down of prices it is not possible to pay the land revenue as a whole for the simple reason that they do not have the same market and the same prices as they had in times of yore. Settlements in some districts were made quite recently and such districts do find it hard to pay their land revenue in these days and, as I mentioned, Mr. President, during the land revenue debates, it is not possible for the ordinary agriculturist to go on paying land revenue as usual because the source from which he could pay is getting dried up. I am sure the Hon. Ministers realize this as well as any other Member of this House. Therefore I would like them to state categorically the part played by them in the matter of land revenue remission. I know they feel as strongly as we on this side of the House. I also know from the inner working of the Government that it is not always possible to get all we want. What I want them to state is as to exactly where we stand, whether they agreed with the policy pursued, or whether they are for any definite remission at least to the extent of the recommendations of the Finance Committee.

"Mr. President, I am sure that Members who have spoken from this side of the House have not spoken in any spirit of criticism. I think my Friend, Mr. Daniel Thomas, was quite right when he said that. If I am not letting out the secret, the Hon. the Education Minister felt nervous. At least he said if the cut motion was withdrawn the compliments paid to the Ministers might also stand

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withdrawn. (Laughter.) I do not think the Education Minister need be afraid of this, because there is the Press report and the report of the Legislative Council and the praises that have been conferred on the Hon. Gentleman will certainly find themselves recorded in the Press report this evening and in the proceedings of the Council when they come out published."

* The Hon. the PRESIDENT:—"May I know how much time the Hon. the Chief Minister will take for his speech?"

* The Hon. the RAJA OF BOBBILI:—"About 20 minutes."

* The Hon. the PRESIDENT:—"I may inform hon. Members that this Demand will be put to vote at 5 o'clock exactly and the Hon. Minister also wants to reply."

* Rai Sahib C. KOLANDA REDDI:—"Sir, this is the first time that I stand to speak on any Demand and I thought I would be allowed 30 minutes. I shall try to be brief and have my say within 10 or 15 minutes."

* The Hon. the PRESIDENT:—"I must correct the hon. Member. I do not know if he has not spoken on a Demand two days back. To-day we have dealt with only two Demands and the hon. Member will have to close within 5 or 6 minutes."

* Rai Sahib C. KOLANDA REDDI:—"Very good, Sir. I have given notice of two cut motions. One is a token cut which concerns the Hon. the Chief Minister in respect of his administration of the Local Self-Government Department. The other is of course a tangible cut of Rs. 1,000 per month in the salary of each Minister. I wish to confine myself to the first motion and say a few words upon it. I am doing away with all the preliminaries. There is absolutely no time for me to say anything upon the sins of commission and omission of the Hon. the Chief Minister in respect of the administration of the Local Self-Government institutions in the mufassal. Nor do I want to dilate upon his activities,—or rather non-activities—with regard to particular municipalities or district boards. I shall confine myself to my own district and that too to my own municipality. I think it may not be out of the valued memory of hon. Members of this House that the Bezwada Municipality was suppressed, rather superseded, in April last. Of course there was a hurry and scurry about this supersession on which I will say a word or two. As soon as supersession was ordered, it was put in the next day's Gazette. It was communicated by wire to the Collector, the Sub-Collector and the Chairman. This supersession took place hardly one week before the district board elections. The result was that only in Bezwada circle the Ministerial Party succeeded and in all other circles of the Revenue division, the Opposition succeeded. From this you can see whether or not there was any political purpose underlying this supersession. If the Hon. the Chief Minister had waited for a week more after the expiry of the elections to the district board,

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the result would have been different. When my hon. Friends, Dr. Subbarayan and others, were drawing the attention of the Hon. the Chief Minister to the fact that the powers given to him under the Taluk Boards Abolition Act might be abused, the Hon. the Chief Minister replied that they were under a misapprehension in thinking so. I ask whether the instance of the supersession of Bezwada Municipality is not an illustration in point. I can also mention another thing, viz., the appointment of the Raja of Chellapalli to be Honorary District Panchayat Officer. That is all past history.

"Now I come to the Bezwada Municipality. The Hon. the Chief Minister was good enough to appoint a Tahsildar of Guntur district by name Mr. Bhagavatula Adiseshayya as the Special Officer of this municipality. Since he took charge of the municipality he began to play the role of King Stark. He went on dismissing one clerk after another in the municipality so that within a couple of months some 40 non-Brahmans were sent away. If you will allow me, I shall read from a list which I have got with me. . ."

* The Hon. the PRESIDENT:—"That may be too long even for 20 minutes."

* Rai Sahib C. KOLANDA REDDI:—"Fortunately or unfortunately in the case of these poor people appeals were made to the Collector and they were returned with the endorsement 'he has no jurisdiction.' Then appeals were made to the Local Self-Government Department and they were returned again with the endorsement that they should be sent through the Special Officer. They were kicked from post to pillar and from pillar to post. They became really tired of sending these appeals. Some of these appeals were hanging fire for some time and I do not know what the result of those appeals was. Sir, after this retrenchment of 40 clerks, the Special Officer appointed some 40 or 50 people in their stead. All these people come from Guntur as if there is paucity of men in Kistna district. It is an unwritten law with regard to the administration of local self-governing institutions that employees are picked from the locality itself. We do not go in for outsiders unless they are specialists or something of that sort. Another peculiarity is that most of the people who have been brought in are Vaidikies because this Special Officer happens to be Vaidiki. It has been the boast of the Justice Party that it has been started for giving equal opportunities to all communities. When such is the principle on which the Justice Party was started, this officer does not, under the aegis of that party, appoint the people of the locality even for posts of peons. Probably the men of Bezwada are not fit even to be put in as peons.

"Sir, then we come to Public Works. With regard to Public Works, I have to say something about the position of roads. We do not have the luxury of cement roads or tarred roads in the mufassal. There

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we have only rubbish roads and metalled roads, of either soft or hard metal. After the advent of this wonderful genius he has made the roads a hotch-potch of chips, big and small rubbish and slightly metal, either soft or hard (laughter). It is a conglomeration of all these. This is the composition of all the roads which he has repaired. There were petitions and mahazars sent from respectable people to all the higher authorities, but absolutely no action was taken against him. With regard to the construction of buildings and the making of furniture, grants were made liberally, perhaps by my Hon. Friend, the Secretary to the Local Self-Government Department, and all these have been spent away in so many beautiful ways.

"Coming to taxation, his doings are creditable in one respect. He goes on increasing taxation. For instance, profession tax has been doubled. In these days of economic depression when every one of us prays to the Government to accord remission to the ryots and when trade is at a stand still, here is a specimen of an administrator who has actually doubled some of the taxes. If there is to be an appeal for things of this sort, the people will have to pay first the amount of taxation and then make an appeal. He goes on increasing the house and other taxes too. Perhaps his ambition is to increase the revenue of 6 lakhs which we are now getting to 12 lakhs. I do not know whether it requires a genius to do this. I think a man who is fit to be sent to Mental hospital would do better."

* The Hon. the PRESIDENT:—"The subject matter on which the hon. Member is speaking would be a proper subject for discussion in the Municipal Council, Bezwada."

* Rai Sahib C. KOLANDA REDDI:—"My municipality is superseded."

"Sir, as I submitted we are getting as much as 6 lakhs and are spending 6 lakhs. We can well afford to have a Deputy Collector, a nice man with a vision and imagination. There are plenty of such people in the Presidency.

"Of course, in reply to a question of mine, the Hon. the Chief Minister said that the municipality could not afford it, but why not give some Tahsildar who is a capable man, a Tahsildar who is honest and god-fearing? Unfortunately this Special officer had an unsavoury past. As Tahsildar of Guntur there were complaints galore of corruption against him in respect of tank repairs (minor irrigation works), construction of cattle-pounds, grant of agricultural loans, grant of house-sites, cutting of babul trees in porambokes, etc. There were enquiries by successive Deputy Collectors, Messrs. Padbanabha Rao, James and Humayun Sahib. Sir, when he was something like a daughter-in-law under the control of her mothers-in-law, that is to say, under the control of Collectors and Deputy Collectors, even then, he was capable of doing so much and giving cause for so many complaints

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against him. But now, Sir, he is the lord of all he surveys and there is no one to dispute his right. As Special officer, he is both Chairman and Council combined. . . ."

Mr. G. SIMBHACHALAM PANTULU:—"On a point of order, Mr. President, I must say that all those petitions were rejected as being frivolous and vexatious." (Some hon. Members: "It is a point of information, not a point of order.")

* The Hon. the PRESIDENT:—"Order, order. I will now call upon the Hon. the Chief Minister to make his reply."

Rai Sahib C. KOLANDA REDDI:—"Mr. President, may I make a prayer? A prayer, Sir?"

* The Hon. the RAJA OF BOBBILI:—"Mr. President, before I answer the various remarks made by hon. Members concerning the portfolios under my charge, I wish first to refer to the question which has been raised by several Members including the Leader of the Opposition about the attitude of the Ministers on the resolution of this Council regarding the 25 per cent reduction in land revenue. In this connexion I need not say very much except this: hon. Members are aware that land revenue is a reserved subject and not a subject in charge of the Ministers. As regards the attitude we have taken up in the Cabinet, I believe, Sir, the Ministers have done what in their opinion is their duty to the party and to the country. As regards the attitude of the party, I am sure no doubt has been left in the minds of the Members of the Opposition as well as of the public by the various speeches made, on the floor of this House and by their attitude with regard to the cut motion.

"Now coming to the other subjects, I may assure my hon. Friend, Mr. Basu Dev, that we have not forgotten the undertaking given to safeguard the interests of municipal employees in the appointment of commissioners and also the question of the taluk board employees. Before long, the Government will be able to take stock of the situation and have a clear idea of the position when they will decide what steps will be necessary to provide employment to those who will be found surplus to the immediate requirements.

"My hon. Friend, Mr. Krishnayya Choudari, wanted to know the reasons why the Government Order appointing the Raja of Chellapalli as election authority to conduct the elections to panchayat boards has been cancelled. If the hon. Member goes through the Local Boards Act of 1930, he will find that the main policy of the Act is to have the elections conducted as far as possible by official agency. This power of appointing election authorities has been delegated to the Inspector. We found that the Inspector had appointed the Raja of Chellapalli as election officer to conduct some of the panchayat elections in the Kistna district. I may state for the information of the House

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that it has never been the practice to appoint presidents of district boards, after the new Act came into force, to conduct these elections. The cancellation of this order is not at all a reflection on the Raja of Chellapalli. It has been cancelled, because it is against the policy of the Government and not because the Government have come to know of any instances in which the Raja of Chellapalli has abused the powers vested in him.

"As regards the appointment of a panchayat officer made by the District Board President, I have answered questions on the subject on numerous occasions and I do not think any useful purpose will be served by my repeating them again.

"My hon. Friend, Mr. Krishnayya Choudari, has considered that the recent order of the Government of India which has appeared in the *Madras Mail* prohibiting the import of foreign rice is chiefly due to the efforts of the elected representatives of this Presidency in the Assembly and that the Ministers have failed in their duty to urge the claims of this Presidency. Sir, while acknowledging the services rendered by the Madras Members in the Assembly in this regard, I may state that this Government have done what lay in their power to bring to the notice of the Government of India the urgent necessity among other things to prohibit the import of foreign rice or to impose prohibitive duties in the interests of Madras and other rice-producing provinces of India. I may also state for the information of the House that this Government have not yet received any official confirmation of this report.

"Sir, some of the criticisms made by hon. Members have to some extent been answered by other speakers on the floor of this House and as the time available is very limited and as I do not wish to take up very much of the time of the House, I do not propose to deal with all the details. My hon. Friend, Mr. Arasu, has stated that the Government have rushed through the Local Boards Bill, but he has not made out a case showing that the Government or this House have committed any mistakes in dealing with this Bill by rushing it through. Probably, being an irresponsible critic, he has not realized the present critical position of local bodies, but the Government being responsible for the administration of local self-government have to take the necessary action in the best manner possible. We feel that the Act should be brought into force at the beginning of the next official year and that this measure has not been brought forward a day too soon. And if my hon. Friend reads the speech I made in connexion with this Bill, he will realize that the main principle of the Bill is a question which has been under consideration since 1926 and that no new matter has been sprung as a surprise on the public and on this House.

"As regards the appointment of commissioners to municipalities, I believe he has fallen into another error. If he goes through the proceedings of this House he will find that the Opposition have gone to

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the length of criticizing the Government for not including a larger number of municipalities in the original schedule. I do not see any justification for the hon. Member to attack the Government for seeking to implement the legislation passed by this House and carrying out the policy laid down by this House. I may also state that this measure of appointing commissioners to municipalities is neither a retrograde step nor is it undemocratic. It is not intended to handicap non-official chairmen in gaining experience of local self-government institutions. It is really a measure intended to give much needed relief to honorary workers by placing the executive duties and routine matters in the hands of the permanent executive as is done in many advanced countries.

"Then with regard to grants, my hon. Friend has stated without giving any figures for all the districts, that preference is being shown to the Telugu districts. Probably this is an attempt to play upon the feelings of Telugus and Tamils. He gave some details of grants to Ganjam, Vizagapatam and East Godavari, but I do not know how he deduced from those figures that no grants were given to Tamil districts. If he analyses those figures he will find that most of the grants for the bridges in these three districts have been sanctioned about three or four years ago. The probable reason why it was found necessary to give larger grants to those areas three or four years ago was, I believe, the fact that bridges on the majority of trunk roads in the southern districts had already been completed and in order to complete the scheme of bridging all trunk roads, it was necessary to make these grants to the Northern Circars. He has also criticized the Government for turning down the request of the Trichinopoly, Tanjore and South Arcot district boards for a grant of Rs. 1½ lakhs for constructing a certain bridge. Sir, I do not know where he has got this information from; probably he has not taken the trouble to verify it. No doubt, Sir, a request was made, but that was long after the time fixed for applications for grants and up till now we have not received any detailed estimates or plans. Before recommending grants from the Road Development Fund for the sanction of the Government of India, it is necessary that we should give all these particulars to the Government of India. Without them, it will not be possible to recommend grants.

5 p.m. "I hope these local bodies will approach the Government next year in time with their requests which will be considered with care. My friend, Mr. Nachiyappa Gounder is apparently not satisfied with the replies to the questions delivered on the floor of this House and he has again put to me questions regarding tenders. I have stated that the Government have issued an Order, to the effect that the lowest satisfactory tenders should be accepted, and in the case of complaints it will not be possible for the Government to make enquiries themselves. What we do in those cases is to transmit the papers to the Examiner of Local

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Fund Accounts who is also a Government officer who would submit a report in the usual course with his audit reports.

"My friend, Mr. Daniel Thomas has advised the Government that great care should be exercised in giving effect to the principles of the new Local Boards Bill. I do realize, Sir, that the principles underlying the Bill are of far-reaching importance and will be of permanent value to this province and in bringing the Bill into operation, the Government will exercise the greatest possible care and try to administer it in the best way possible and in the interests of the province.

"My friend, Dr. Subbarayan, has mentioned about the undertaking which I have given to nominate a member of the Depressed Classes to the Tirupathi Devasthanam Committee. No doubt I would have been very glad if it has been found possible to nominate a member of this community in the first instance. But I must first of all state that no undertaking was given that a member of a particular community would be appointed but I stated that the interests of all communities would be safeguarded. After further consideration the Government found. . ."

Dr. P. SUBBARAYAN:—"May I state that I myself took care to say that it was not an undertaking? But the amendment was withdrawn on the undertaking given that consideration would be paid to the question of nominating a member of the depressed classes to this Committee."

The Hon. the RAJA OF BOBBILI:—"My hon. Friend, the Leader of the Opposition is well aware what the present general law of the country is. I believe, Sir, he is the Member who gave notice of the Temple Entry Bill; on further examination the Government found that under the existing law, members of the Depressed Classes. . ."

Dr. P. SUBBARAYAN:—"May I remind the Hon. Minister of one fact? If I remember right, a member of the Depressed Classes was appointed to the South Arcot Temple Committee which looks after many religious temples including the great shrine at Chidambaram; no objection was taken and no legal measures were taken."

The Hon. the RAJA OF BOBBILI:—"I know that a member of the Depressed Classes community was appointed to this Advisory Committee for South Arcot and there will be no objection to such appointments. But the Committee under the Tirupathi Devasthanam Act is empowered to deal with the administration of the temple and the Government were advised that members of this community are not permitted to go to the hill. In these circumstances the Government feel that it will not be desirable, until further legislation is enacted, to appoint a member of this community who will not be free to go to the hill top or to inspect the temples and other things. Of course my hon. Friend seems to think that this appointment alone is going to ameliorate the condition of the Depressed Classes. As I have already stated,

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although I am never for racial discrimination amongst castes and communities, nor am I against temple entry, I may state that in my opinion the real development and advancement of these communities will depend more on the economic and educational development and the manner in which many of those who speak and champion the cause of these communities actually treat them in social life. Coming next to my hon. Friend, Mr. Kolanda Reddi, I may state for his information that on the materials available to the Government, they passed this order and the materials which came into possession of the Government afterwards really show that Government have not been a day too late in superseding the municipality. Even before this, I have deprecated the attempts of certain hon. Members—taking advantage of their privileged position in this House—to make uncalled for and unsubstantiated attacks on public servants. I would only request my hon. Friend, if he has got the necessary materials, to bring definite charges against this officer when Government will certainly make necessary enquiries and take such action as is necessary in the public interest; I am sure that in making such complaints, he will not forget all the charges he made on the floor of this House to-day. In the opinion of the Government this officer is one of the best officers in the Revenue Department. . . .”

Rai Sahib C. KOLANDA REDDI:—“On a matter of personal explanation, Sir, many petitions have been placed before me; so many people are prepared to give tangible evidence about all the items I have placed before this House. I wanted to place all the full facts before this House but I was not allowed. I have as much responsibility as any other Member of this Honourable House.”

* The Hon. the PRESIDENT:—“If I understand the Hon. Minister aright, he says that the hon. Member must come forward with definite allegations of his own and not refer to allegations made by other people.”

Rai Sahib C. KOLANDA REDDI:—“I have tangible evidence to substantiate all the allegations I have made on the floor of this House.”

The Hon. the RAJA OF BOBBILI:—“I never thought that the hon. Member was speaking on behalf of others. Having made serious allegations against the officer in this House, it is his duty and he must take the responsibility of bringing this matter to the notice of the Government and see that they are substantiated. He has not stated that he is speaking on behalf of some party. I shall close my remarks by saying that, in the opinion of the Government, he is one of the most efficient tasildars in the Revenue Department and he was selected for this special post by the Board of Revenue in view of his merits and special qualifications.”

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* Dr. P. SUBBARAYAN:—“One word of personal explanation, Sir. I am one with the Hon. the Chief Minister when he says that it is the economic condition of these classes that should be ameliorated; but I rather think that the economic development will come when equality is recognized and it is in that sense that I pleaded that one member of this community should be appointed to the Tirumalai-Tirupathi Devasthanam Committee. Once there is recognition of this equality, economic amelioration will follow.”

* Mr. B. C. BASU DEV:—“Sir, before I seek the leave of this House to withdraw my motion, I should like to apologise to my hon. Friend, Mr. Sreshta, against whom I used strong language. I hope I had misunderstood the spirit of his interruption and I trust he will accept my apology. Some friends on the Opposition commented on the chance I, a member of the Ministerial Party, had of moving this cut motion. The Leader of the Opposition and some of the Members on the other side had given notice of cut motions; if they were not in their seats when their motions were reached, they had to thank themselves for it. I am confident that I did not transgress any Parliamentary practice or violate party discipline.”

Mr. V. T. ARASU:—“I object to the motion being withdrawn.”

* The Hon. the PRESIDENT:—“The question is ‘that the allotment of Rs. 1,65,300 for Ministers—Pay of Officers—be reduced by Rs. 100’.”

The motion was lost.

* The Hon. the PRESIDENT:—“The question is ‘That the Government be granted a sum not exceeding Rs. 4,47,300 under Demand XI—Ministers, Civil Secretariats and Miscellaneous—Transferred’.”

The Demand was carried, and the grant was made.

The House adjourned to meet again on the 17th instant at 11 a.m.

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

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Saturday, the 17th 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.	Manikkavelu Nayakar, Mr. M. A.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.	Metherell, Mr. J. K.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.	Moses, Mr. P. C.
Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun.	Muniswami Pillai, Rao Sahib V. I.
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.	Narasimhaswami, Rao Sahib D. V.
Ahmed Meeran Sahib Bahadur.	Narayanan Nambiyar, Mr. V. P.
Alagannan Chettiyar, Rao Sahib A. S.	Natesa Mudaliyar, Rao Bahadur C.
Alamelumangathayaramma, Mrs. K.	Palat, Mr. R. M.
Appadurai Pillai, Diwan Bahadur A.	Pannirselvam, Rao Bahadur A. T.
Arasu, Mr. V. T.	Parthasarathi Ayyangar, Mr. C. R.
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.	Pattabhiramayya, Mr. K.
Beyahani Sahib Bahadur, S. M. K.	Peddi Raju, Mr. P.
Bhanoji Rao, Mr. A. V.	Pocker Sahib Bahadur, B.
Birley, Mr. F.	Premayya, Mr. G. R.
Devadasan, Mr. M.	Rajagopala Pillai, Mr. P. V.
Dharmalingam Pillai, Rao Sahib V.	Raja of Parlakimedi, The.
Ellappa Chettiyar, Diwan Bahadur S.	Ramakrishna Reddi, Mr. A.
Foulkes, Mr. R.	Ramalingam Chettiyar, Rao Bahadur T. A.
Gopalaswami Ayyangar, Diwan Bahadur 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.
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.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ratnasabbapati Mudaliyar, Diwan Bahadur C. S.
Krishnayya Choudari, Mr. P. V.	Sami Venkatachalam Chetti, Mr.
Krishnamurti, Rao Bahadur D.	Sesha Reddi, Mr. B. P.
Krishnan, Mr. C.	Shetty, Mr. A. B.
Ladden, Mr. W. W.	Siva Raj, Rao Sahib N.
Lakshmana Reddi, Mr. G.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Madanagopal Nayudu, Mr. R.	Sreshtha, Mr. M. S.
Mahboob Ali Baig Sahib Bahadur.	Srinivasan, Rao Bahadur R.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	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.

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PRESENT—cont.

Thangal, Mr. P. M.
 Thomas, Mr. Daniel.
 Thorne, C.I.E., I.C.S., Mr. J. A.
 Vasudeva Pillai, Mr. V. G.

Viswanatha Rao, Diwan Bahadur V. N.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS

STARRED QUESTIONS

Agriculture.

Measures for combating the pests affecting ginger crops in Malabar.

* 790 Q.—MR. P. M. THANGAL: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether complaints have been received by the Agricultural department about the pests affecting ginger crops in Malabar;

(b) if so, what action the Government have taken to remove such pests; and

(c) if no action has been taken, the reasons therefor?

A.—(a) On 20th September 1933 the Tahsildar of Ernad taluk wrote to the Agricultural Demonstrator, Manjeri, that ginger crops were affected by disease in certain villages in the taluk.

(b) The local Demonstrator in Mycology visited the affected areas and investigated the disease. Specimens of diseased ginger were sent to the Government Mycologist at Coimbatore, who discovered that the disease was due to the fungus "Pythium butleri" and suggested certain remedies for the prevention and check of the disease. The Agricultural Department will do all that is possible to control the disease.

(c) Does not arise.

Local Self-Government

District Municipalities working at a deficit.

* 791 Q.—MR. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) how many and which of the District Municipalities are working at a deficit; and

(b) what steps the Government propose to take to rectify the same?

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

(b) Steps have to be taken by the Municipal Councils themselves. The advice given to them in this connexion is shown in the statement referred to in the answer to clause (a) above.

* Printed as Appendix I on page 431 infra.

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Land Revenue Administration

Recommendation of the Indian Taxation Enquiry Committee regarding standardization of assessment on ryotwari lands.

* 792 Q.—MR. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state what action was taken by the Government on the recommendation of the Indian Taxation Enquiry Committee to standardize the rate of assessment on ryotwari lands at a comparatively low figure not exceeding 25 per cent of the annual value as defined by that Committee?

A.—The Committee's recommendation was as follows:—

The land revenue should be standardized at a comparatively low rate, not exceeding 25 per cent of the annual value (though this rate would initially tend to conform to the existing pitch of the assessment), so as to give greater scope for local taxation of land, which might be increased up to 4 annas in the rupee on the standard rate of land revenue assessment; over and above this, special assessments should be imposed for special local improvements. The Committee contemplated the introduction of local legislation to give effect to the recommendation. In view of the failure which had attended the attempts of this Government to place the assessment of land revenue on a statutory basis, the Government considered it impossible to bring the recommendation into effect.

Settlement operations in the Kurnool district.

* 793 Q.—MR. A. RAMAKRISHNA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have appointed a settlement officer to carry on settlement operations in the Kurnool district; and

(b) whether the Government intend to put the new settlement rates into force on the completion of the settlement operations?

A.—(a) A settlement officer has been appointed to make enquiries for the purpose of preparing a scheme report.

(b) A decision as to whether the rates will be revised, and if so what those rates shall be, can be taken only after the scheme report has been prepared and published, and the views of the Board of Revenue and the people of the district on the scheme report have been ascertained and considered. The new settlement rates will ordinarily be brought into force at the beginning of the new settlement period unless for special reasons the Government postpone their immediate introduction.

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Mr. A. RAMAKRISHNA REDDI:—" May I know, Sir, what the special reasons are for which the Government may postpone the introduction of the new settlement rates? "

The Hon. Sir ARCHIBALD CAMPBELL:—" I am afraid, Sir, I cannot say that now."

Mr. A. RAMAKRISHNA REDDI:—" The answer to clause (b) says: 'the new settlement rates will ordinarily be brought into force at the beginning of the new settlement period unless for special reasons the Government postpone their immediate introduction.' I want to know the nature of the special reasons for which the Government may postpone the introduction."

The Hon. Sir ARCHIBALD CAMPBELL:—"There is generally no question of postponement, unless any special circumstances require a consideration of the question of their immediate introduction."

Mr. A. RAMAKRISHNA REDDI:—" If, Sir, the new settlement rates are in excess of the present rates, will not the Government consider that as a special reason for postponing the introduction of the settlement rates in view of the economic depression? "

The Hon. Sir ARCHIBALD CAMPBELL:—" Certainly not, Sir."

Mr. A. RANGANATHA MUDALIYAR:—" It is said in the answer that legislation was contemplated to give effect to the recommendation of the Committee. May I take it, Sir, that the idea of the Government was really to fix the assessment at 25 per cent of the annual value? "

The Hon. Sir ARCHIBALD CAMPBELL:—" May I point out, Sir, that this question of the hon. Member refers to question No. 792? We are now dealing with question No. 793."

Prisons and Prisoners

Alleged hunger-strike of Dr. K. V. Swami, a prisoner confined in the Central Jail at Salem.

* 794 Q.—Mr. K. A. NACHIAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that one Dr. K. V. Swami who is now undergoing imprisonment in Salem Jail is going on hunger-strike;

(b) what the reasons are therefor;

(c) when and for what offences he was committed to prison and by whom he was sentenced to undergo imprisonment and to what period;

(d) in which jail or jails he was so far kept and what the period of his stay in each is;

(e) whether it is a fact that he was allowed wheat diet in other jails; and

(f) whether it is a fact that he was refused that kind of diet in Salem jail, and, if so, what the reasons are therefor?

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A.—(a) No.

(b) Does not arise.

(c) & (d) Statements are appended.*

(e) Not in all jails. He was given rice diet in the Penitentiary, Madras, and in the Central Jail, Trichinopoly.

(f) He was given wheat diet in the Salem jail till 23rd February 1934 on the mistaken assumption that the wheat diet was sanctioned by competent authority. Wheat cannot be given in lieu of rice except on medical grounds which do not exist in the case of this convict. The convict is being given rice for one month.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether medical advice was taken with regard to the nature of the diet? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" No, there was no need to do so."

Mr. K. A. NACHIYAPPA GOUNDER:—" Was he taking wheat diet till the last date? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The competent authority, i.e., the Court, has ordered only rice diet for him."

Mr. ABDUL HAMEED KHAN:—" In the answer to clause (a), the Government say that the gentleman is not now on hunger-strike. May I know whether he went on hunger-strike at any time? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" No, he refused one meal on a certain day."

Mr. BASHEER AHMED SAYEED:—" May I know whether he has been classified in any one of the three classes; if so, in what class? "

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

Mr. P. V. KRISHNAYYA CHAUDARI:—" May I know, Sir, whether he has increased in weight since taking rice diet? "

(No reply).

Mr. ABDUL HAMEED KHAN:—" May I know whether the Hon. the Law Member is aware that cases of this nature are increasing so far as the Salem Jail is concerned? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The cases are not increasing."

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

II.—STATEMENT BY A MEMBER MOVING A CUT MOTION FOR HIS ABSENCE AT THE TIME OF VOTING.

Mr. BASHEER AHMED SAYEED:—“ Mr. President, Sir, my attention has been drawn to the observations that fell from the Chair the other day in connexion with my motion to reduce the Demand for Legislative Bodies by Rs. 100 on the afternoon of the 14th instant. I hasten to assure you, Sir, that nothing was farther from my mind than to show any discourtesy to this Honourable House or to the Leader thereof, and least of all to the Chair. You are well aware, Sir, that myself and persons similarly situated have, besides discharging the responsibility, as public men, of helping the Government in carrying on the administration of the country, also to discharge the onerous duties, as professional men, of helping the courts of law in the administration of Justice. If occasionally, Sir, I am called away from one sphere of activity to another, I need hardly assure you that it is in spite of my best endeavour to avoid such absence, rather than any intention on my part to be so absent; and it is not without much regret and anxiety that I go away on such occasions. I am indeed sorry, Sir, for my unavoidable absence from the House on the occasion in question; and I am also sorry that owing to my absence, I could not express my regret on an earlier occasion than this.”

III.—MOTION UNDER RULE 24-A OF THE MADRAS LEGISLATIVE COUNCIL RULES—IMPOSITION OF EXCISE DUTY ON SUGAR AND MATCHES.

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

‘ that this Council is of opinion that the imposition of an excise duty on sugar and matches is undesirable and that it is prejudicial to the interests of this Province.’

I must thank you, Mr. President, and the Member of Government in charge of this portfolio, for having given the House an opportunity of discussing this motion.

“ Hon. Members may remember that similar motions have been passed in some of the Provincial Legislative Councils and this step is being taken by Members of the Provincial Legislative Councils in order to bring home to the representatives of the Provinces on the Assembly, the general feeling in the country about the imposition of this excise duty especially on sugar. The Sugar Committee, which was presided over by Sir Reginald McKenna, reported as far back as 1920, but action with regard to that report was only taken about the year 1928 or 1929. Even then the question of tariffs or protection was not considered and the question of protection was specially referred to the Tariff Board in the year 1930. They reported on the 29th of January 1931. They say in their report considering the problem of sugarcane in India—

‘ It may be stated at the outset that the expansion of the sugar industry in India is an indispensable adjunct to agricultural development. At all times, cane cultivation occupies a prominent position in the agricultural economy of

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India and particularly at the present time when owing to the general world depression the prices of almost all alternative crops have fallen to an unremunerative level. It is of the utmost importance that the area under cane should not diminish and the real problem before us is to provide an outlet for the larger quantities of cane which may be expected from the introduction of improved varieties.’

So, you will see, Mr. President, that the Tariff Board who carefully went into this question felt that some amount of protection was necessary in order to encourage the Indian sugar industry and also in order to make it a possible alternative crop to the agriculturists. Now, with the fall of prices both of paddy and wheat, especially in the matter of wet cultivation, sugarcane has proved an alternative crop. They therefore say in regard to the substitution of sugarcane, compared with the other crops:

‘ The yield of crops grown after sugarcane is, generally speaking, considerably higher than that after other rotation crops. We have been told for example that in the United Provinces improved types of wheat grown after sugarcane give a yield of 30 maunds as against 20 maunds when the same type is grown after other crops.’

Therefore, the importance to the agriculturist of sugarcane as an alternative crop is well understood. They also recommend at page 38 of the report:

‘ For the reasons given, we are satisfied that the three conditions laid down by the Fiscal Commission are fulfilled and that the claim to protection of the sugar industry in all its branches except that of refining has been established.’

On this report, the Government of India took action, and I believe levied a duty which was even higher than what was recommended by the Tariff Board. But, with the provision in the present year’s Budget of an excise duty of Re. 1-5-0 per maund on sugar, the protection to that extent will be taken away; and the price of Java sugar has also considerably fallen owing to the exchange ratio. Taking all together and the recommendation of the Tariff Board, this is what they say in their recommendation, No. 24:

‘ Prices have however touched as low a figure as about Rs. 3-8-0 per maund landed at Calcutta ex-duty and it appears to us not unlikely that in circumstances of exceptional competition or for special reasons Java manufacturers might be prepared to land their sugar in Calcutta at as low a figure as Rs. 3-4-0 per maund.’

And they go on to state in recommendation No. 27:

‘ We propose therefore that the assistance given should be by way of duty. In order to enable the industry to face initial difficulties and to safeguard the position of the manufacturer of indigenous sugar by the *bel* method in Rohilkhand we propose that for the first seven years the duty should be fixed at Rs. 7-4-0 per cwt. and for the remaining period at Rs. 6-4-0 per cwt. The total protection thus granted would be approximately the same as would result from the imposition of a duty of Rs. 6-9-3 for the whole period of protection.’

They also recommend that:

‘ Should market prices in Calcutta in the future fall below Rs. 4 without duty, a further duty of 8 annas per cwt. should immediately be imposed.’

Therefore, it will be seen, Mr. President, that the protection given is just enough to compete with foreign sugar in the Indian market. But with the imposition of this excise duty, it will not be possible to compete

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with foreign sugar, and nascent industries which have been started after the recommendation of the Tariff Board fully expecting that this protection would enure to their benefit for the next fifteen years, as recommended by the Tariff Board, would be hard-hit and they would find it difficult to make both ends meet with Re. 1-5-0 per maund imposed as excise duty. I quite understand that the financial position of the Government of India is such that they cannot do without imposing further taxation, especially if their Budget is to be balanced; and I am sure hon. Members of this Council would sympathize with that contention, because with the impending Constitutional Reforms, it is but right that the financial position of the Government of India should be such as to appeal to all international markets and show to them that we are financially sound. Therefore, Sir, I quite understand that the Government of India have to find out some method by which their deficit could be made up. But at the same time they also ought to take into consideration the nascent industries of this country. I have put down in the motion both sugar and matches—but I hope other hon. Members who follow me will deal with the question of matches. I am really interested in sugar, because in this Province, I think, the sugar industry is of greater importance than that of matches.

11-15
a.m.

"With the Mettur irrigation scheme also coming into effect and the Government finding it impossible to collect the revenue that they have imposed in the matter of water-supply with regard to the Mettur irrigation, I think it is in the interest of the Government as well that this alternative crop should be largely grown by the ryots. In the first place, this is a crop which is very easily marketable if there are a number of sugar factories in this Province and, if protection for fifteen years is assured as is recommended by the Tariff Board, I am certain that there will be an inducement to the ryots to grow this alternative crop in preference to paddy because the price of paddy has already fallen and is to a certain extent still falling. I feel sure that it will be in the interest of not only the Provincial Government but also of the Imperial Government to support this industry, because, when there is industrial expansion, and the sugar factories that are built pay large dividends, the Imperial Government will get a benefit by way of increased income-tax. Therefore, I hope that the Imperial Government would find some alternative method for balancing their Budget and keep the protection for sugar at the same level as has been done by the imposition of protective duties after the recommendation of the Indian Tariff Board. With these few words, I propose this resolution for the acceptance of the House."

* Mr. M. A. MUTHIAH CHETTIYAR:—"Mr. President, Sir, I rise to support the resolution so ably moved by the hon. the Leader of the Opposition. I should thank His Excellency the Governor for the opportunity afforded to this Council for discussing this motion at this time. This excise duty comes to us as a thunderbolt. This is a new and growing industry. The protection given to sugar served as a fillip

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and so many merchants and even non-merchants have taken to this industry. This excise duty is keenly felt by not only the old factory-owners but also by those who have ordered for machinery.

"The protection to sugar is a very old question. Ever since 1920, the attention of the Government of India was drawn to this question. The Government of India first appointed a Special Officer to collect all relevant data and statistics and soon after came the investigation by the Sugar Committee presided over by Mr. J. Mackenna and in its later stages by Mr. F. (now Sir) Noyce. The question placed before the Committee was this: 'while India should be in a position, as she was in the past, to produce a surplus of sugar for export, why is she obliged to supplement her own supplies by increasing imports?' But, as is the case with so many reports, the report of this Committee lapsed into oblivion. When the Government began to give support, the Tata's started an ambitious scheme. Its Rs. 10 share went up to Rs. 50 premium. But within a short time the concern came to grief; and the progress of the sugar industry was for a time retarded.

"The Leader of the Opposition has explained how a protection to sugarcane cultivation and sugar industry will help the ryots as well as the Government—Provincial and Imperial. The yield per acre is as much greater than paddy; and if some protection is given, I am sure every one here who is interested in this line will agree that the quality and volume of the industry will be capable of much expansion. But not even the high revenue duties which stood as high as 25 per cent from March 1922 to May 1925, Rs. 4½ per cent from February 1925 to February 1930 and Rs. 6 per cwt. from 1930 to March 1931, could induce the sugar industry to take a firm root in the soil. The Indian Tariff Board went very deeply into this question and recommended that protection should be given to this industry in an adequate manner and that the period of protection should be extended to over not less than fifteen years. The Committee also recommended a duty of Rs. 7-4-0 per cwt. It is very gratifying to note that the import which stood at 9 lakhs of tons in 1930 has come down to 3 lakhs of tons in the year 1933. The value of sugar machinery imported in 1930-31 was only less than 14 lakhs. It, however, increased to 30 lakhs in the following year, to 153 lakhs in 1932-33 and to just under 4 crores in the year 1933-34. In 1921-22, the sugar factories in India produced only 28,250 tons, by 1929-30 in gradual stages the production reached 90 thousand tons. It jumped to 155,000 tons in 1930-31 and the estimate for 1933-34 is somewhere about 600,000 tons. It is now clear how, with the protection given to the industry, it has grown. It is estimated that not less than 60 new ventures have entered the field in the last two years. Hon. Members will certainly agree that the growth in the industry will result in increased revenue to the Government. A vast amount of capital has been sunk into this industry. Particularly in this Presidency nearly all the sugar factories promoted under the era of protection are just only starting production or only just setting up the plant and machinery.

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“ Let us examine the data on which these flotations have been based. They are mainly based on the hopes raised by the recommendations of the Tariff Board and the consequent duty imposed by the Government of India—Rs. 7-4-0 per cwt. It is interesting to note that, when they reported, they envisaged a fall in price of Java sugar and they have said that a further duty should also be imposed. They stipulated that in case the price should fall below Rs. 4 per maund, the Government should immediately follow it with an increase of import duty by 8 annas per cwt. Just as the Leader of the Opposition pointed out, they even mentioned that Java would be able to dump sugar in India at Rs. 3-4-0 per maund as early as 1931; it is significant to note that the present price per maund is somewhere about Rs. 3-2-0. When that is the case, when the price of sugar has fallen much below the level anticipated by the Board, the Indian manufacturer is certainly entitled to be protected beyond the limit laid down by the Tariff Board, i.e., something in addition to Rs. 7-4-0 the ordinary duty and the surcharge of Re. 1-5-0 thereon.

“ Another serious miscalculation into which the Indian Tariff Board was led at the time of their report in 1931 was as regards the ability of the Indian manufacturer to sell his molasses which is a by-product. The Tariff Board thought that he would be able to sell it at Rs. 1-8-0 to Rs. 2 per maund, while to-day he is faced with the dire necessity of spending from his pocket to get rid of his molasses. It must be clearly understood that for every 9 parts of sugar produced there are 4 parts of molasses produced, which have become a bugbear to the Indian sugar manufacturer. This is another argument in favour of the sugar industry to cry for more relief and protection. On the facts I have mentioned it will be proper and more equitable if a further protective duty of somewhere about 8 annas were imposed. The fall in prices of the Java sugar justifies this. But the Government have sprung a surprise on the industry and the cultivators by imposing this excise duty.

“ I wish to say a few words about palmyra jaggery. The preparation of jaggery from palmyra toddy is a widespread cottage industry in Tinnevely and throughout the west coast. I can confidently say that tens of thousands of families are depending for their livelihood on this precarious industry. This jaggery is not used in any considerable measure for distillery and other purposes and there are only a handful of refineries which use this jaggery either alone or in mixture for sugar refining. The refining process is more costly and more difficult, while the work of collection of jaggery in small lots in scattered places is still more difficult.

“ I therefore feel that the imposition of the new excise duty is going to be a crushing burden upon these refineries causing misery and dislocation over a widespread area in these days of intense depression.

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“ The Leader of the Opposition said he was leaving the question of match boxes to be dealt with by others. I am afraid I am not also in a position to speak in detail about this industry. It is spreading into a cottage industry throughout the Presidency. This duty of Rs. 2-4-0 per gross or 3 pies per box will be a great burden on the poor man who is already paying more than a due share of the revenue to the Government by way of taxes on many necessities of life. Needless to say, it will be very keenly felt. Hon. Members accustomed to smoking will realize what it will be to pay for one box more than twice we are paying now. I hope that hon. Members will join us in voicing our protests against this excise duty.

“ This is a growing cottage industry which calls for support from the Government. We are not opposed to the Government of India levying surcharges on income-tax day in and day out. Last year the Hon. the Finance Member of the Government of India stated that the surcharge was intended to be operative till the 31st March 1934. They are to continue; I feel that it is like directing us to a wall on which it is written ‘till March next year.’ I do not know when we are going to have the surcharge of income-tax removed; but the safest thing to say regarding it will be that it is unlikely that it will be removed. They have gone on like this with regard to income-tax and they have now come up with this proposal. Let them balance their budget by all means; but it is their duty to see that nascent industries are protected and are not put through suffering.

“ This Council may perhaps doubt its competency in regard to passing a resolution like this; but seeing that such resolutions have been passed by other Legislatures, hon. Members will support this resolution and bring home the feeling of this part of the country to the Government of India that the excise duty is very inequitable and that relief is needed for the sugar industry.”

* Mr. P. V. KRISHNAYYA CHOUDARI:—“ Mr. President, Sir, at 11-30 a.m. present we have been enjoying a protection of Rs. 9-1-0 which consists of Rs. 7-4-0 being the basic duty and Rs. 1-13-0 surcharge. Thinking that the present charge is not sufficient, the Tariff Board recommended an addition of eight annas to the basic duty. Now, deducting the duty of Re. 1-5-0 from Rs. 9-1-0, the actual protection will be only Rs. 7-12-0 and not Rs. 9-1-0. Even with the high protective duties, it has been found impossible to compete with Java sugar. In his speech the other day at the meeting of Ministers of Agriculture held at Delhi, the Hon. Second Minister stated that one lakh of tons of sugar is being consumed in the Madras Presidency and out of that 50,000 tons of sugar are being imported from Java. Even with this high tariff wall, competition of Java is keenly felt in our Province and it will be still more difficult to compete with Java as a result of this excise duty. At the time when the Tariff Board examined this question, they fixed between seven to nine annas as the cost per maund of sugar-cane. The Hon. the Finance Member has stated in his speech, that any relief that may

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be given is not really going to benefit the cane-grower, but only the industrialist; and I am in entire agreement with him in that statement that this excise duty on sugar is not going to benefit the cane-grower. Now the cane-grower is given three to four annas per maund in the United Provinces and Bihar and not seven to nine annas as proposed by the Tariff Board. So, the margin of profit is taken away only by the industrialists and the factory owners. The policy of the Government evidently seems to be to give a portion of the benefit on account of the excise duty to the cane-growers and that is why they have proposed that out of the anticipated receipts of 144 lakhs by the imposition of the excise duty, seven lakhs would be given to co-operative societies. That is, out of this duty of Re. 1-5-0, about one anna, i.e., 1/21st part, would be given to the co-operative societies. If really Government are going to give relief to the cane-grower by way of bonus or rebate, I welcome such an excise duty. I may even say, it would be a very beneficial measure if out of this Re. 1-5-0 they keep only 5 annas for meeting the cost of collection of taxes, etc., and give Re. 1 for the cane-growers as it would help the cane-growers to a very great extent.

"Sir, there are about 140 sugar mills in Bihar and Orissa and I think they would be quite adequate to meet the needs of the locality, but so far as the other parts of India are concerned, practically there are no mills at all. So far as the Madras Presidency is concerned, there is only one mill that is working—I mean Parry & Co. If the excise duty is imposed upon the old factories, it will not work as much hardship; but on the other hand, if it is imposed on new factories and those that are going to be started hereafter, it will mean that they may not be in a position to compete with old factories, for the old factories have already realized the capital they have invested and will be in a position to compete with the new factories and kill new enterprises that have been started in unrepresented areas. I may here point out that during the year 1928-29 about 600 lakhs of rupees worth of sugar was produced in this Presidency whereas in 1931-32 it was only 400 lakhs of rupees worth of sugar. That shows there has been a considerable fall in the production of sugar which is mainly due to lack of mills in our Presidency; and the cane-grower also is not in a position to grow cane. My point is that recently there has been an attempt on the part of some Rajas, like my Hon. Friend the Chief Minister, the Raja of Venkatagiri, the Raja of Chellapalli, to start some sugar mills in our Province; and I believe Mr. A. Ranganatha Mudaliyar also has started one such mill. Now, on account of the starting of these mills, the ryots will find a demand for their cane. As a matter of fact, most of the ryots in my part of the country where also cane is being grown, have been finding it difficult to export their cane or take it to a mill, mainly for want of a mill near to them. At present what they are doing is, they convert it into jaggery and sell it, or use it for chewing purposes.

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"We have also to consider another important point and that is, the Government of India have been getting about ten crores in 1930-31 on account of import duties, but in the 1935-36 Budget they have provided only for two crores, which means even from the point of view of the Government of India, there has been a fall of about eight crores. I am sure the idea of the Government of India is to realize something out of this excise duty on sugar. If they were really anxious to get any money, it would have been better if they had taxed the old factories that had been already producing sugar and which had exploited the cane-growers in other Provinces, instead of taking new ones.

"There is another point which I would mention in this connexion. About 48½ million tons of cane is being produced in the whole of India, but out of this only 4½ million tons are being manufactured into white sugar and 5½ millions into khandsari, while the rest of the cane is being used in preparing jaggery and for chewing purposes. Now, Sir, if the price of sugar is reduced, I am sure people will begin to use white sugar in an increasing measure. Some people are under the impression that the consumption of sugar has reached its maximum, but considering the fact that about 38½ million tons of cane is being consumed by our people in the shape of jaggery, if we can convert these 38½ million tons into white sugar, I am sure we will increase the consumption of white sugar for the whole of India. This, in turn, will mean more revenue to Government.

"Then, again, Sir, we are glad to note that the Madras Government have taken up in right earnest the question of an alternative crop for paddy, namely, sugarcane. No doubt we are thankful to the heads of both the Agricultural and the Industries departments for the interest they have been taking in the matter and for doing propaganda work all over the country. The result is that at present large quantities of sugarcane are being produced at present in our Presidency. I therefore request the Government of India, if really they insist on keeping up to the proposed excise duty, to allot a larger proportion to the co-operative societies than what they are proposing to give, namely, one anna.

"Now, coming to the duty on matches, we are no doubt thankful to the Hon. the Finance Member of the Government of India for proposing to reduce charges on telegrams and reducing the cost of postal envelopes. These two items will only go to benefit more the merchant classes and the educated classes than really the agriculturists. The poor agriculturist is already paying so many taxes and in addition the excise duty on salt also has increased and these things touch the poor man. I therefore request the Government to see that the poor man is not further burdened by the imposition of the excise duty on matches, as this will also tell heavily on the poor consumer. If, on the other hand, the Government of India feel that they will not be in a position

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to balance the Budget on account of the reduction of the duty on matches, I have no objection to levying As. 1-3 for postal envelopes, instead of imposing a duty on matches.

“ With these few words, I support the motion of my hon. Friend, Dr. Subbarayan.”

* Mr. A. RANGANATHA MUDALIYAR:—“ Mr. President, Sir, my hon. Friend, Mr. Muthiah Chettiar, referred to the fact that no less than sixty new factories have been opened or are under construction during the last two years. So far as our Province is concerned, at least seven factories have been started or are in the process of completion, not to mention about the factories outside the British Province. But, I can say with reference to all these, that not one of them has been started, without a strong belief that the assurance contained in the Government of India taxation proposals already before us would continue for ten or fifteen years. It was, Sir, on the strength of those assurances that each of the new factories has been ushered into existence. So, I feel, Sir, that if the spirit of these assurances is not adhered to, to that extent, it would mean undermining the stability and progress of the new factories. My friend also referred to the policy underlying the contention of the Government of India that the new excise duty will not seriously affect the indigenous industries. I would here like to quote what one of the leading newspapers of India says regarding the implications of this surcharge. It says that the effect of this will be that Java sugar will sell at Calcutta at Rs. 3 per maund plus the protective duty and surcharge of Rs. 6-10-0, that is, Rs. 9-10-0 per maund; while the Indian sugar will have to sell at Rs. 9-12-1, a price higher than that at which Java sugar will be able to sell. So far, Sir, for the preference which is said to be shown by the Government of India to indigenous sugar. He also referred to the difficulty of getting rid of the molasses. The Tariff Board categorically said that these molasses might be assumed to fetch a certain minimum price. Every one knows that there is utmost difficulty in finding a use for these molasses and that it is not possible to get the value which the Tariff Board expected from the molasses. I think the Government of Madras shall have to come to the rescue of the factories established in this Province and try to give whatever help they can, impartially and in an even way, to all of them.

“ Sir, reference has been made to growers of cane and my hon. Friend, Mr. Chowdari, referred to the fact that I am also associated with a factory. As hon. Members are aware, I am not a financier and, if I did take part in this business and try to help in its establishment, it was because of my desire and anxiety and the belief that these factories would some how or other help the sugarcane growers. I may tell at once that financially I am not going to have any benefit, for my share in the profits is next to nothing, because apart from the maintenance allowance I may need, I do not expect to get anything more.

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“ It may be in the eyes of some, a matter of shame that even after 11-45 a.m. being a Minister, I should still be dependent on a monthly allowance for my maintenance. If it is so, I plead guilty to it. When I found that the price of jaggery was getting lower and lower, I thought that the only chance for the sugar-cane growers of my district was to found a factory which could purchase their cane and pay a higher price, higher than what they would be able to get by the process of converting the cane into jaggery. That alone was my incentive to assist in the flotation of the company. I am working out a plan which would enable the grower to get a share in the profits which the factory or the company may get by virtue of an increase in the price of sugar. All these hopes will be dashed to the ground by the imposition of the proposed excise duty. It will be exceedingly difficult, if not impossible, for me to pursue such a policy hereafter. I should have welcomed any measure of the Government by which the cane cultivator would have some profit in the business. On the other hand, the actual effect of their present policy will be to throw the helpless grower into the hands of the capitalist. The interests of the consumer, of the grower, and the factory-owner would be served best by considering that each is dependent upon the other. I am not sure whether the Government of India mean that the sugar refined out of jaggery should be exempted from the excise duty. If that also comes under excise duty, I am afraid many of the jaggery refineries, nay almost all of them, will have to close their business. I may also say, Sir, that there is a feeling of doubt and mistrust on the part of the public as to why this excise duty should be thought of at this juncture. Why should they have just a year or two ago given so much of encouragement with one hand and take that away now with the other hand? Is it because that there is no more industry which could be helped by continued protection? Have they got all that they could get for the British manufacturers and is there nothing more to be done for them? I do not think it right for the Government to be effecting such drastic changes in their policy at such short intervals, which really cut at the root of the new factories, mostly of Indians. I hope that the debate of this House will have some effect on the Government of India and make them reconsider their decision in this matter.”

* Mr. F. BIRLEY:—“ Mr. President, Sir, I very much regret I cannot give my entire support to this motion. I could support a motion to the effect that the imposition of an excise duty at the rates that are now proposed is undesirable not only to this Province, but to the whole of India. The protective duty on imported sugar still remains exactly as it was as recommended by the Tariff Board, namely, Rs. 7-4-0 per cwt. Last year 25 per cent was added to the protective duty for revenue purposes making it Rs. 9-1-0 and as previous speakers have noted, it was understood that if the price of Java sugar fell below Rs. 4 per maund, an additional protection of 8 annas would be given. Had it not been for the fact that Java sugar has already fallen below Rs. 4 per maund, the excise duty would probably have been Rs. 1-13-0

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instead of Re. 1-5-0. But as previous speakers have pointed out, the calculations as explained in the report of the Indian Tariff Board on the sugar industry took into account that in the cost of production, molasses had a sale value at As. 14-6 per maund; now actually molasses has almost no market value whatever so that in the calculation of the cost of production of sugar, it is quite impossible to take anything on the credit side for the sale value of molasses. To that extent then the excise duty is in excess, but it should be a simple matter to adjust the duty from Re. 1-5-0 down to a figure that would be equitable assuming that molasses has no market value. Considering the matter from the point of view of the Madras Presidency—it is argued that there has been no overdevelopment of the sugar industry in the Madras Presidency and I may say at once that it is quite obvious that the two objects of the Government of India in imposing this excise duty are: (1) for revenue purposes and (2) to retard or to put a brake upon the too rapid development of the industry in the country. As the hon. the Mover of this motion said, we should be very careful and we should think very long and carefully before we criticize any measures which will actually produce revenue, taking all material circumstances in the present financial situation into account.

“In the second place, I think it is felt by this House and by industrialists generally in the Madras Presidency that whereas the rest of India has certainly developed the industry much too rapidly, the Madras Presidency has not gone on too quickly and there is as yet no necessity to put a brake on the development of the industry in this Presidency. But unfortunately, the Hon. the Finance Member of the Government of India is unable to legislate for individual Provinces. He has to legislate for the whole of India.

“If the Government of India, as the result of protests which they will inevitably receive from the sugar industry throughout the country, agree to moderate their original proposals in regard to the rate of excise duty, their revenue estimates will naturally be affected and as their present proposals do not include any excise duty on Khandsari sugar, I would suggest that the short fall involved by reducing the rate of Re. 1-5-0 per cwt. to a more reasonable figure should be adjusted by making the Khandsari manufacturer pay equally with the factory owner. It is contended that the manufacturer of Khandsari sugar represents a very poor class who should be exempt from the payment of the excise duty. But I would submit that exactly the same argument applies to the manufacturer of sugar from palmyra jaggery, an industry which supports several lakhs of tappers and their dependents in this Presidency and which would be effectively killed if this excise duty is applied to it. The Hon. the Finance Member's proposals do include white sugar manufactured from palmyra jaggery. I strongly recommend that the excise duty should be made to apply only to cane sugar and not to the palmyra jaggery industry in this Presidency. I am assured by experts that there is no practical difficulty about the exemption

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from excise duty of white sugar manufactured from palmyra, because the processes adopted in the manufacture of sugar from cane and palmyra jaggery are entirely different and are undertaken at different periods of the year, the factories being shut down between the two seasons.

“Another point which is very important from the point of view of the manufacturer is that the present proposals are to effect on sugar issued from the factory as from 1st April. This should most certainly be amended to refer only to sugar manufactured from that date, because most of the sugar factories carry their stocks in the factories and there are stocks of sugar in the factories which under the present ruling will have to pay excise duty and which were manufactured before the excise duty was even thought of. Just imagine the result of it. If the duty is to apply to all sugar issued from the factories as from the 1st of April, the inevitable result will be that factories carrying stocks of sugar which were actually manufactured before that date must put the sugar on the market during the current month and the result will be chaos in the sugar market. The sugar will be dumped and there will be a glut of sugar in the market. Another important point from the point of view of the sugar manufacturer and the industry in general is that this excise duty is obviously based on the fact that there is at present a 25 per cent surcharge on the revenue duty of Rs. 7-4-0. It should be stipulated in the Bill that this excise duty will only continue to be levied so long as the 25 per cent surcharge exists. Otherwise, the Indian industry will certainly not be adequately protected against foreign competition.

“With reference to the match industry, it appears that the manufacturers of matches in India had been for some time expecting a duty of this kind. They never anticipated that they would be able to carry on under the very sheltered position which they at present occupy. It was obvious that Government, having imposed an import duty which is actually higher than the cost of manufacture of matches in India, would eventually have to find methods of replacing the revenue which they had lost owing to the duty having been fixed so high that it produced no revenue. I am credibly informed that in the last few years not a single match has been imported into India. Therefore the import duty on matches is a dead letter so far as revenue is concerned. For this reason the local manufacturers expected that sooner or later the Government of India would impose this excise duty. Though this excise duty on matches may be undesirable from the point of view of the manufacturer whom it affects, from the Government of India's point of view and from our point of view as tax payers it is necessary to replace the lost revenue. I hardly think therefore that the excise duty on matches can be said to be undesirable. It is only just as undesirable as any other tax! I fear however that a duty of Rs. 4-2-0 per gross will be found to be so high that it will reduce the consumption of matches to such an extent that not only will the revenue which the Government expect to get from matches

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be very much smaller than their anticipations, but the industry itself will be seriously injured by a reduction in consumption caused by this heavy duty. Another probable effect of this high rate is that it will kill the small man. Under the present sheltered conditions which the industry enjoys the small manufacture has been benefited. If the excise duty is levied at the proposed rate and if the manufacturer is made to pay cash for the excise duty, taking into account the fact that he sells his matches on credit, it will mean that he will have to double his capital immediately. The small manufacturer cannot do this and I am afraid the inevitable result will be that he will go out of business."

* Diwan Bahadur A. APPADURAI PILLAI:—" Mr. President, Sir, the motion before the House is a very important one from the point of view of the cultivator and also from the point of view of the industrialist. The House is already in possession of the information regarding the present basic protective duty as well as the surcharge hitherto levied by the Government of India. For a ton of sugar imported into India, the present rate is Rs. 181-4-0 including the basic protective duty which is Rs. 145. Twenty-five per cent of the surcharge on this basic duty of Rs. 145 makes it Rs. 181-4-0. At this rate Java has been able to export a great deal of sugar into this country and make a profit. Java sugar as seen from the reports published in the papers sells at Rs. 272-8-0 per ton at Calcutta. That means Java actually gets Rs. 91-4-0 per ton of sugar and from this sum it is able to make a profit. If, Sir, an excise duty of Rs. 1-5-0 is imposed on every hundredweight of the locally manufactured sugar, it means that the local manufacturers will have to pay Rs. 26-4-0 per ton of sugar produced by them. It may be mentioned in passing that the Government of India, have made it clear that they would increase the protective duty from Rs. 7-4-0 per hundredweight to Rs. 7-12-0 and fix the excise duty at Rs. 1-5-0 per ton thus retaining the original figure of Rs. 181-4-0 as a tax. Some of the persons who are actually engaged in the manufacture of sugar in Southern India expect that even after paying the excise duty the local producer will be in a position to make a fair margin of profit. The Indian sugar sells ordinarily at Rs. 10 per ton lower than the Java sugar. Java sugar is considered superior to Indian sugar in the matter of colour, fineness, etc. This is apparently due to the fact that Java has been engaged in the manufacture of sugar for the last so many years, and consequently she is perhaps able to manufacture a better stuff than the Indians. Naturally this accounts for the lower selling price of Indian sugar. If Java sugar sells at Rs. 272-8-0 per ton Indian sugar must sell for Rs. 262-8-0. Now the question for consideration is, whether our manufacturers after paying the excise duty of Rs. 26-4-0 per ton, will be able to get a profit. Sir, some local producers assured me that they would be able to do so. But will there be competition from Java in spite of this protective duty and surcharge? I am informed, Sir, that it will be possible for Java to place sugar in India so long as the price does not fall below Rs. 250 per ton, while it will not be possible for the Indian manufacturer freed from the

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protective duty to make a profit. The point is that the excise duty as contemplated by Sir George Schuster works out exactly at 10 per cent of the sale price. This 10 per cent, if it is taken out of the hands of the Indian producer, will affect the managing agents. Between 10 per cent to 12 per cent dividend will also be available for the share-holders, but the managing agents who have been making a great deal of profit in connexion with the manufacture of sugar will not hereafter get it. It is they who will be hard hit by the proposal to levy this excise duty. The cane grower will not be affected since the Government of India contemplate, side by side with the imposition of the excise duty, the introduction of an Act to safeguard the interests of the sugarcane growers by fixing a minimum price for sugarcane.

"The proposal for the time being is to allow discretion to the Local Government in the levy of price. If this Bill is to become law the sugarcane growers will be protected while the managing agents will be deprived of their income. To that extent the Bill will be beneficial; for it does not encourage the managing agents, the middlemen, to appropriate a great deal of profit, which legitimately ought to go to the general tax-payer or the manufacturer or the sugarcane grower. 12-15 p.m.

"So far as Southern India is concerned, sugar industry is in its infancy. The Government of India started a series of experiments and research in Coimbatore, and they attached a great deal of importance to the cultivation of sugarcane. We have heard in season and out of season that it could be grown as a substitute for paddy, and as a matter of fact, very recently we have been witnessing people taking to the cultivation of sugarcane in large numbers. This is clear from the statistics of crop outturn. Hitherto the acreage under the cultivation of sugarcane on an average has been 100 lakhs, and it has now risen to 120 lakhs. Of late side by side with the imports from Java, there has been an increase in the cultivation of sugarcane, as people have come to realize that paddy is not so remunerative as it used to be before. After having done so much to divert the attention of the ryots to sugarcane cultivation, if the Government of India are to levy excise duty on indigenous sugar surely it will discourage the extension of cultivation of sugarcane. I said in the beginning that the sugarcane growers would be safeguarded with the fixing up of a minimum price. Even if this is done, the moral effect of the proposed duty will be to discourage sugarcane crop. It may be within the knowledge of several Members of this House, that Government have for some time been carrying on very valuable experiments at Coimbatore; one of which was that of grafting sugarcane to cholam stock. They found that this new variety grows quickly, it takes less time, it takes less water, it involves less cost in crushing while it is rich in sugar contents and that the yield is more. Seeing these experiments, some capitalists have come forward and have sunk their money in the development of this industry. Is it possible to assume that this excise duty will have no effect whatever upon them? As we all know, Sir, sugarcane has become a lucrative crop in this

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Presidency quite recently. Besides, the consumption of sugar in this Province is about 50,000 tons a year. The question is how this demand is met. There is only one factory at the present day in the whole of the Presidency, and that is at Nellikuppam. It is turning out something between four to five thousand tons of sugar. There are two refineries—Samalkot and Aska, but the quantity of sugar produced is negligible. It is expected that from the proposed sugar factory of Mr. A. Ranganatha Mudaliyar at Hospet it will be possible to put on the market some four to five thousand tons of sugar, and thus at the utmost, the output of indigenous sugar will be only ten thousand tons. The balance of 30 or 40 thousand tons of sugar will continue to come from Java unless the Madras factories make up the supply. So, Sir, until a sufficiently large number of capitalists are encouraged to float companies for the manufacture of sugar and until a sufficiently large number of acres of land are brought under cultivation for sugarcane, it is better the Government of India refrain from imposing this excise duty. I am sorry I am taking more time than I ought to do.

“Coming to ‘matches,’ Sir, ‘matches’ have a history of their own. The match industry has been going on for a very long time in this country, for the simple reason that it is a very easy process. The House will be pleased to hear that match is one of the industries which is being carried on as a cottage industry in this country. If one goes to Vellore he will find scores of houses engaged in match manufacture, simply because the process is very easy and the industry brings in a small income. The wood necessary for splints and veneer comes from the Malabar and Travancore forests.”

* The Hon. the PRESIDENT:—“As a very large number of hon. Members are anxious to speak on the resolution and as there is only one hour before us, I request the hon. Member to conclude his speech soon.”

* Diwan Bahadur A. APPADURAI PILLAI:—“Sir, there is an import duty of 15 per cent on matches. In order to escape this duty the Western India Manufacturing Company have established a number of match factories in some of the Provinces, and one such is located at Tondiarpet, where Wimco matches are being manufactured and sold. I have match boxes prepared by them in my hand, which sells at Rs. 3 and at Rs. 2-4-0 per gross, as compared with Re. 1-4-0 per gross boxes of the indigenous make. In other words we get the Wimco match-box at 3 pies per box now but with excise duty it will come to 6 pies per box, which I need hardly say will be prejudicial to the interests of the poor and the lower middle classes. I find from the Government of India proposal, that they are not willing to exempt matches produced on a cottage industry basis from taxation. In quite a number of places in Coimbatore, South Arcot, North Arcot and Chittoor districts the people have been carrying on this cottage industry. And if the duty of Rs. 2-4-0

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is to be imposed it will mean 3 pies on every box, and when it comes to the market it will have to be sold for 6 pies. Thus I need hardly say that the imposition of the excise duty will hit the people very hard and will kill the cottage industry. It may be that the Tariff Board has recommended such a procedure. But it is up to the Government of India to see that such a drastic step is not taken. For these reasons I have great pleasure in supporting the motion brought forward by my hon. Friend, Dr. Subbarayan. (Opposition cheers.)”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“Mr. President, Sir, if I support the motion before the House, it is on two grounds and only on those two grounds. The first ground is this. I am sorry that of all the goods on which a surcharge is collected, sugar should be selected for this excise duty. And excise has got an unfortunate history in this country. It remains much longer than is really wanted or necessary. We are surprised to see that of all industries, sugar industry should have been chosen for this excise duty. If on the other hand Government had said that they were going to levy an excise duty on all goods on which a surcharge is levied, probably there would have been then less ground for complaint.

“My second reason for supporting this resolution is this. Even the Tariff Board has said that the agriculturist should get 7 annas per maund of sugarcane supplied to the factories. But at present he does not get anything like that. He gets only about 50 per cent of it in some places. So, Sir, there has been a persistent demand on the part of the agriculturists that a minimum rate should be fixed for the sugarcane supplied to the factories. Only two months back, by the courtesy of the vice-Chairman of the Indian Agricultural Research Council I was able to attend the sittings of the Sugar Committee of the Council for two or three days. There I found an insistent demand from ryots representatives that it is high time that Government passed legislation fixing a minimum price on sugarcane supplied to the factories. Now the effect of this excise duty will be to put off fixing the price for supply of sugarcane to factories. For the factory owners having to pay this excise duty will naturally complain that this is not the time when any legislation should be passed with reference to the fixing of price on sugarcane. So it seems to me that the agriculturist is indirectly affected by this excise duty. This is probably the strongest reason against the imposition of the excise duty. At the same time I should warn the people that they are multiplying factories in a very, if I may say so, thoughtless manner. It has been said that most of the factories that are being started are uneconomic units. The Tariff Board has said some time ago that an economic unit will be a 400-ton factory. But what do we find here? We find factories started with a capacity of 50 tons; and only some are 150-ton factories. These, according to the Tariff Board, will be uneconomic units. Most of them are growing under a system of protection, and they will insist on

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protection even when the time comes when there will be no need for such protection. So, Sir, I think that a warning is necessary that the factories which are projected, especially in Southern India, are uneconomic units and it is not very safe for them to come into existence. On the other hand I should say that so far as conditions in Southern India are concerned, it is cottage factories that have got a better future. I mean factories like those existing in Rohilkhand and elsewhere and they are likely to work successfully. We have tried the experiment in some places. We find that the cost of sugar produced per pothi, i.e., 10 maunds came to Rs. 26 or Rs. 26-8-0 at the beginning of this year, but the price that could be fetched in the market was Rs. 30. So there was a margin of between Rs. 3-8-0 and Rs. 4 for the agriculturist. Establishment of Khandsari factories seems to be the fair way of dealing with this question so far as Southern India is concerned because there are not many places in which we have got a sufficient supply of sugarcane to maintain what is called the economic unit, viz., 400 tons per day of which the Tariff Board has been speaking. It seems to me that it is clear that the Government should not impose these duties on cottage factories in villages wherever it is possible to have them. So, Sir, I would point out to the Spokesman of the European Group who said that duty should be imposed on Khandsari sugar and the duty on factory sugar should be reduced that it is well known that the agriculturer is producing sugar at the Khandsari factory at a cost higher than that at which it is produced in bigger factories. It is also well known that the Khandsari sugar fetches something less than what the factory sugar fetches in the market. Therefore to say that excise duty should be revised in such a way that the larger factories should pay less and that Khandsari factories should also be charged is a matter which nobody in this Council will accept. I may also say, Sir, that with the new method of utilizing the activated charcoal as the agent for the manufacture of sugar found in the Agricultural College for the production of white sugar probably we are going to have a new method of manufacture which will be better than the Khandsari method and much cheaper. In this method of using activated charcoal we will be able to produce as good a sugar as we can produce from the old method of making white sugar. I have seen that method tried in one of the villages and I found that the sugar that we got was very much like Bura or white sugar as we used to call it. This sort of sugar may be used by a larger number of people than the other kind of sugar.

“So, Sir, I would point out that the proposals of Mr. Birley are likely to affect the agriculturists in the manufacture of sugar by the country method and such proposals have to be looked upon with disfavour. I want to warn this House on this point because the hon. Member spoke that excise duty should be revised in such a way as to affect the Khandsari sugar also. I think we should make it clear in this House that we will not be a party to any such proposal. With these few words I support the motion brought forward.”

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* Rao Bahadur Sir A. P. PATRO:—“Sir, it is a very difficult case. I generally agree with what the hon. Mr. Birley said in regard to this resolution. But before going into the merits of imposing excise duties, I would call the attention of the House to two preliminary points for their very careful consideration. Excise duties are intended to help two Provinces. Excise duty on sugar is mostly intended to make up for the deficit in Budget as the Government of India propose to pay to the Bihar Province. Distress in Bihar is universally accepted, but the Government of India think that by raising this excise duty on sugar they will be able to make up their Budget in such a way as to provide for the urgent needs of Bihar. Then the duty on matches is intended to help Bengal, Bihar and Orissa and Assam. Part of the excise duty on matches will go to improve the revenues of Bengal, another part to Bihar and Orissa and the rest to Assam. Export duty on jute is the central source of revenue. That source is to be given up and in its place they want to substitute these excise duties in order to make up the deficit. The question that will arise is whether it is proper that Government of India should give up their central source of revenue and then ask other Provinces to make up for that deficit and lose their source of revenue. The other question that will arise in this connexion is the relief to be given to Bihar. No one disputes that Bihar requires relief. When this Province was placed in a similar situation and when appeals were made to the Central Government to give relief to it, the Central Government raised the bogey of Meston Award and said that when that award was accepted by all, the Government of India would not be able to come to the relief of this Province. I refer to an instance which took place in our own Province in 1924 when there was great damage in many parts of this Province owing to heavy floods, this Government approached the Central Government for relief by a certain amount of financial help. This Government is said to have been told that they should cut their coat according to the cloth, that they could not override the principles of the Meston Award, that they must rest content with it and that, therefore, they must do what best they could do. Now out of the liberality of the Government of India's policy to-day, they are able to realize in addition to the central source of revenue some other revenues and also are able to give relief to Bihar not from their own funds, but from excise duties levied throughout India. In connexion with this the Hon. the Finance Member of the Government of India has said that they make half grants to the Bihar Government to rebuild Government buildings and to repair canals and irrigation works, while the Bihar Government should find the other half. In other words it is an ordinary grant-in-aid that is given to Bihar from out of the funds raised from excise revenue. Now is it open to the Government of India to aid a particular Province, not from its own funds or from its own resources, but changing the source and charging the other Provinces to bear that burden? So far as jute is concerned, no doubt we find in the distribution of the Provincial and Central

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subjects, power is reserved, to the Central Government, in the Devolution Rules to transfer a Provincial subject to a Central subject and vice versa. Apart from that, the question which I raise in regard to this is whether the Central Government in the present instance can charge the whole of India for the sake of benefiting a particular Province. The Hon. the Finance Member of the Government of India has said that the circumstances of Bengal are very special, that owing to unexpected conditions prevailing in Bengal that Province has not been able to balance its budget—not only balance it, but end it with large deficits—that it has been so for the last two or three years and the accumulated deficits alone come up to 5 crores of rupees and that therefore it is an urgent necessity for the Government of India to come to the relief of Bengal. The Hon. the Finance Member of the Government of India has also stated that the Bengal Legislative Council has tried all the sources available for the purpose of raising revenue but failed and that therefore it is a case made out for the intervention of the Government of India. I am afraid that this is an over-estimate on the part of the Government of India. Let us take the land revenue or the excise policy followed by the Government of Bengal and compare it to that followed in our own Province. Do they follow all the conditions that are necessary for securing as much revenue as possible? They do not. A large amount of revenue could be realized by the adoption of correct methods of collecting revenue. Therefore while sources of revenue are available to particular Provinces, they are not utilized adequately, either for political reasons or on other grounds. Therefore such Provinces are not entitled to derive any benefit from other Provinces for the reason that they do not help themselves. This is a very serious question because it is one which may arise to-morrow in regard to other Provinces. As I have already mentioned, when this Province approached Government for relief being given on account of damages caused by floods, that Government refused to do so. If there is any change of policy now on the part of the Government of India, it has to be announced that hereafter Meston Award will no longer be carried out. To that extent no doubt it was stated in the Round Table Conference and adopted in the White Paper. It is admitted by the British Government in their proposals and it is made obligatory on the part of the Federal Government to render help to Bengal and Assam from out of Federal revenues, namely, jute."

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Mr. ABDUL HAMEED KHAN:—"Are we now discussing the whole of the Imperial financial policy or only the policy of imposing excise duties on sugar and matches, Sir?"

* The Hon. the PRESIDENT:—"The hon. Member is evidently trying to show the far and near causes of these duties."

Mr. ABDUL HAMEED KHAN:—"More far than near, Sir."

Rao Bahadur Sir A. P. PATRO:—"My hon. Friend will not have the good sense or the reasonable spirit to wait till a Member completes

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his speech. I would not characterize his interruption just now otherwise than as that it shows that the hon. Member should learn better political attitude.

"All that I have been trying to make clear is that these two duties are sought to be imposed by the Government of India, not for their own purposes, but for the purpose of helping some provinces. This Council, if it is reasonable enough to understand the whole question, will see that such a course amounts to throwing the Meston Award into the melting pot. This point is more important than the point about making 20 per cent and 40 per cent profits. The sugar duty has been imposed by the Government of India with a view to help Bihar. The resolution before the House says that the duty is undesirable and prejudicial to the interests of this Province. We will have to consider the question on its merits. Sir, I do not think that the duty is very undesirable, nor is it very prejudicial to the interests of the Province. Of course any excise duty will be considered undesirable by the people who are affected by it. Now what are the facts? In 1930-31, the duty on imported sugar yielded a sum of Rs. 10 crores and to-day the Budget shows an income of only Rs. 2 crores under the same head. For the next year, the amount is estimated to be much less still. Therefore we have got to take stock of things and see what is this fall due to and who is profited by the duty—the producer or the consumer. We have had reports from Northern India that the sugar factories in that part of the country have been declaring 40 and 50 per cent dividends. These high dividends have attracted other people to this industry with the result that many mushroom mills have been established and there is a danger of over-production to such an extent that the whole industry will be spoilt. What has happened in the case of the rice-mill industry in our own Province and the bus-transport industry threatens to happen to the sugar industry also. In the case of the rice mills what happened was, attracted by the good profits made by the early millowners a number of mills were started, one for a village or group of villages, with the result that later on many of them had to close down for want of work. There is the same danger of over-production of sugar which the Government of India have to guard against. It has been suggested that so far as Madras is concerned, we have only a few factories; but let us look at the question the other way. Out of 48 million tons of cane grown in India only the one-twelfth of it goes to the factory and all the rest is consumed in the making of jaggery and in other ways. It is only a very small proportion that goes to the refining factory. Therefore when the factories are able to declare 40 and 50 per cent dividends on account of these protective duties, and when the Government is losing enormous revenue, we have to see whether the cane-grower is benefited in any way. The Hon. the Finance Member has said that there are three main considerations with regard to this sugar duty. The first is the

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danger of continuing a stimulus which is in excess of what Government decided to be necessary as a measure of protection. The second is the need to insure that the agricultural producer gets his full measure of benefit out of the policy of protection and the third is the replacement of the revenue losses which represents the cost to the general public of India of giving protection to a limited number of manufacturers. Therefore, Sir, we have to consider whether this sugar excise duty gives any protection to the cultivator. It has been pointed out that, if we check the unhealthy competition that may arise among sugar factories, the underselling and underbidding by factory may not arise, it will have the effect of keeping up cane prices although a minimum price is fixed for cane. But unless a minimum price is fixed at which a ton of cane can be purchased by factories, the producer will not at all be benefited by this duty. As regards the consumer, the small factories can all combine together, eliminate competition and thus keep up prices. Therefore, from the point of view of the consumer as well as of the producer, it is necessary that there should be some control over the production of factory sugar so that over-production may be avoided. The excise duty, in my view, should not be as high as it is proposed now, but should be reduced. Then it will not be prejudicial to the sugar industry in this Presidency. The reason is this. I have been discussing this question of sugar duty with some Indian friends and they told me they expected a margin of profit of Rs. 3 per bag of 168 lb. The imposition of the excise duty will reduce that profit by Re. 1-5-0, but there will still be a profit of Rs. 1-11-0 per bag. Therefore, there is absolutely no fear that the industry will suffer, that the nascent industry will suffer since there will be a profit of Rs. 1-11-0 a bag. The industry will continue to thrive if only the people concerned manage things in a businesslike way. If they have business acumen, business capacity and experience, they will thrive. A good deal of circumspection should be used to survey and find out a proper place for the location of the mills. There should be plenty of raw materials available near at hand, and the place should be easily accessible by rail or by canal. The industrialists should study the markets and find out where their produce will fetch the best price. If all these things are done, they will not come to grief. Therefore, as I have said before, I do not see any great danger to the sugar industry from the excise duty.

"Then there is another point. Out of the sums collected by way of this excise duty, one anna in the rupee is to be given as grants-in-aid to sugar producing Provinces to enable them to start co-operative societies to help the cane-growers to get the best price for their cane. It is very essential that in considering the effect of this duty, we should not forget the actual cane-cultivator and the consumer. The capitalist may cry hoarse that he is not making the same large profits he was making before the imposition of this duty, but these large

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profits did not in any way benefit either the consumer or the cane-grower. Therefore, every care and attention must be paid to see that the interests of the cane-grower is looked after. From the way in which the duty has been proposed in the Legislative Assembly, we can be sure that proper steps will be taken to safeguard the interests of the cane-grower.

"As regards the excise duty on matches, I do not think we need be very anxious about it in this Province. All that we have got in the way of match industry in this Province is in the hands of foreigners. In order to avoid the import duty, foreigners have come here with their capital and started factories. The biggest factory here is financed by foreign capital and it is not an indigenous factory. Again, Sir, it can hardly be a cottage industry. The Hon. Sir George Schuster has stated in the Assembly that it is not correct to characterize this industry as a cottage industry. The mere dipping of the splints in the chemicals and the pasting of papers on the boxes in the cottages will not make the industry a cottage industry as all the other processes are gone through in a factory. Therefore, this industry is hardly a cottage industry in the sense in which it is understood generally. Therefore the excise duty will only affect foreign companies which have come over to our Province and started factories. And there are not many factories even which are affected. It is said that on the West Coast there are many factories, but they are most of them in Travancore and Cochin and only a few in British India. Their cases may be dealt with separately according to the treaties between them and British India.

"So far as the sugar excise duty is concerned, I should say it appears to be excessive and might be modified if possible. But when I say that, I must also say that it is not quite prejudicial and that it is not undesirable. The duty is desirable in order to afford relief to distressed Bihar. It is desirable, that the Provinces should contribute to the relief of the Central Government when the Central finances are not in a good condition. But I have raised a preliminary question which is a constitutional question of importance and has to be considered by the Government of India before they finally dispose of this matter.

"In regard to the match industry, nobody will suffer even though there is an increase of a pie or two in the price of matches. If the money raised is going to relieve a distressed Province which is practically at the breaking point, I do not see why we should cry hoarse over it, especially when the match industry is not going to be materially affected by it. I say it will not affect prejudicially the interests of this Province, as the industry is mainly—I use the word 'mainly' very carefully and advisedly—mainly financed by foreign capital and conducted by foreign agencies in South India."

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1 p.m. * MR. SAMI VENKATACHALAM CHETTI:—“ Mr. President, I consider it is a matter of the utmost importance that this Council has been enabled to discuss an important inter-provincial matter or a matter of national importance. Sir, the time has come when the industrial and economic policy of the Government of India will become more and more the subject of discussion in the Provincial Councils, and inter-provincial jealousies will be the order of the day. Sir, this Province has sacrificed a lot on account of the protective policy of the Government of India for the purpose of encouraging Indian industries. We have done so on the high ground of benefiting the country and the nation as a whole. But I should say, Sir, that other Provinces have taken very great advantage of our willingness to help in this big national work. When the time came for encouraging some small industries which had just been started in our Province, it is a pity that the Government of India, advised and dominated perhaps by Members of Northern Indian Provinces, treated the claims of Madras in a cavalier and light-hearted manner. The Madras Government is partly responsible for this continued neglect of the economic condition of this Province, because successive Finance Members were zealous of attempting to balance the Budgets with increased taxation and reduced expenditure on projects which would improve the economic condition of this Province. Unfortunately our Finance Members have been more attentive to see that more money is collected than that expended upon nation-improving works. Therefore, the Government of India would always look towards the direction of the Madras Government for making up their deficits and for levying unnecessary contributions on the revenues of this Province. We have paid a lot of money by way of Provincial contributions on account of our savings and on account of continued increased taxation which we exact from our poor peasantry. Even after these contributions have been stopped, we have been consistently balancing our Budgets by starving Part II Schemes and by starving all big irrigation and other developing projects. The Government would now again take this opportunity of punishing the Madras Government and the Madras people for their economic way of doing things. Therefore, the Madras Presidency is asked to agree to the protection that is being given to the industry that is flourishing in Northern India and by which Northern India alone would benefit. Apart from that there is the big question which we have to face one time or other, namely, the imposition of excise duty on sugar and matches; this is a thunderbolt as described by one hon. Member of this House. I suppose many of us have not forgotten the day when we were told that the sugar industry has got a very bright future and that this Province, which has been backward in this particular matter, may take this occasion of developing the sugar industry to its fullest extent. So much so, persons who never thought of this industry, turned to this seemingly profitable investment and raised big capital for launching upon sugar industries and factories. It is a pity that even before the completion of some of these factories, even before some factories

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set to work, the Government of India have imposed this 'excise duty and it would practically kill the industry. Sir George Schuster evidently forgot that he was anything but fair to the Madras Province in imposing this excise duty which practically hits the Madras Province more than any other Province. It is well known that Bihar and some portions of Northern India are well up in sugar industry. In Madras it is only just now that we are trying to raise our heads with regard to this industry and develop it. Sir George Schuster seems to justify this imposition on two or three grounds. In the first place he doubts whether the large difference between the value of the imported sugar and the manufactured sugar is going to the benefit of the cane-grower. Therefore he would pass some legislation in order that the cane-growers' interests are not jeopardized. I am afraid that Sir George Schuster is banking upon the indifference of the Madras people to settle industrial questions. It is difficult to believe that any legislation would help the cane-grower to the fullest extent. After all, trade questions will have to be decided by competition. Whatever may be the legislation, it will be easy for people to circumvent these rules and laws and find a sale for their produce. One is not going to wait—nor will he have the stamina to do so—till the operation of the laws and regulations will bring him the price fixed under law. It is easy therefore to get from the purchaser the required quantity at a lower price than that the law would impose. Therefore I do not believe that any legislation is going to help the cane-grower. If Sir George Schuster thinks of this legislation in order to give the full benefit to the purchaser, it is only to get the support of the cane-grower for this imposition of excise duty. Granting that the sugarcane-grower will get the full price laid down by law, what does it amount to when the manufacturer is unable to get the full price for his sugar and when he is obliged to pay the full price to the cane-grower; no other effective method is necessary to kill that factory. It will be doing a double wrong to the factory owner, if he is asked to pay the full price that is laid down, to the cane-grower and if he is not able to get the fullest benefit for the manufactured article on account of the imposition of this excise duty. The Tariff Committee recommended a particular rate having regard to the rate prevailing in Java for the imported sugar. It is well known that the price of this article in Java has fallen considerably down from that that was taken into consideration by the Tariff Board when fixing the rate. Sir George Schuster justifies this imposition on the ground of the necessity to make up for the loss of customs revenue which resulted from the levy of very heavy protection duties against the imported sugar. I am afraid that Sir George Schuster has forgotten what he said some time ago. He said that the loss of customs revenue on account of imported Java sugar, was more than compensated by the increased duty on the imported machinery which were purchased for these factories. If there is any balance, that will be compensated by the income-tax which these factory-owners will have to pay. Therefore the bogey that is raised now by Sir George Schuster that the loss

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of customs revenue should be compensated by the sugar manufacturers cannot stand to reason; he, of all persons, must have known that the loss was more than compensated by other means, namely, by the imposition of duty upon machinery and by increased income-tax. Sir George Schuster says he is speaking on behalf of the consumer. If the rate on sugar before the war and to-day is taken into consideration, it cannot be said that the consumer has been much affected. The pre-war price was Rs. 10-8-0; to-day it is considerably lower. Therefore the specious plea that Sir George Schuster puts forward on behalf of the consumer cannot at all be taken into consideration. It is a pity that Sir George Schuster, in his zeal to please the other Provinces at the expense of Madras which is at a very great distance from the seat of the Indian Government, has forgotten even the interest of the Government. The Madras Government have launched upon big irrigation projects involving large sums of money and it is desirable that those projects should be able to pay the interest which the Madras Government have to pay to the Central Government for loans. If the sugar factories come to a stand-still on account of this unwise policy, even the Government and the Province stand to lose a considerable amount.

“Moreover, in the matter of these excise duties and customs I am afraid the Government of India forgot the existence of Indian States which are still independent of the Government of India in such matters. The result of levying the excise duty on British Indian commodities, while the Indian States are free from this duty, can be easily imagined. It will be disastrous; there will be considerable smuggling and we must have increased establishment for preventing smuggling and other perturbations in the ordinary avocations of life.

“It is pleasant news to hear that the Madras Provincial Delegation will be meeting the other provincial delegates to discuss several economic matters affecting the Provinces and I am told that that Delegation will consist of the Hon. the Revenue Member, the Hon. Minister for Development and the Finance Secretary. Wise men as they are, I do not dispute their authority to discuss these matters; but I should very much like that they should be assisted by persons who are either in the commercial or the industrial line. They need not be delegates to the Central Delegation; they can be at least advisers behind the benches to explain the difficulties which the industrialists and commercial men suffer under.

“One more point I would like to mention which has been referred to by one or two speakers, that is with regard to the amount realized by the sale of the waste-product molasses. In Java it may fetch a sum of Rs. 1-8-0 per maund; in India it has no value at all. Apart from the question of molasses, there is the question of railway freight, as against the steamer freight from Java to any port in India. The distance between Java and Madras is 2,500 miles—to any port in British India. The steamer freight for this distance of 2,500 miles is equivalent to the railway freight for a distance of 150 miles only. If

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sugar manufactured either at Bihar or in Northern India is to come to Madras—say about 1,000 or 1,500 miles—the railway freight would be 10 times the steamer freight from Java to any port in India. That is a factor which is very much against the Indian industries. Until the factories and industries in the Madras Presidency come up to the level of manufacturing sugar required for this Province, we have necessarily to depend upon the sugar manufactured in Bihar and Cawnpore. Therefore the amount that Madras consumer pays to the imperial revenues either by way of railway freight or by way of excise duty or by additional income-tax or by way of duty on imported sugar will be greater than any number of items which are contributed by other provinces to the central revenues. All these things are sought to be justified on the ground that we should render succour to Bihar in her very sad plight. I do not know whether Sir George Schuster wants to make Madras appear cruel and not sympathetic to Bihar if we should be haggling over this excise duty. It is not a question of giving a 1-15 p.m. subvention or giving a contribution to Bihar in her sad plight. If that should be the case, I may say the people of the Madras Presidency have already contributed to the extent to which their wealth and their economic condition allow. If necessary, and if permissible, perhaps even the Government of Madras may contribute a certain sum of money for this purpose in view of the sad plight in which Bihar is now placed. But, surely, that ought not to be put as a reason for settling an economic question, a question which would permanently kill the nascent industries of this Province.

“Sir, I am sorry in this connexion that the Hon. the Chief Minister did not rise to speak. Having taken some interest in launching a big sugar industry, I dare say he would have been in possession of many facts and arguments which could be adduced against the imposition of an excise duty on sugar. And surely, he would have put those facts and arguments much better and more impressively and they would certainly have carried more weight with the Government of India when this matter comes up for discussion.

“With regard to matches, Sir, I have only got to say one or two words. I understand that the average consumption of matches by an individual is about half a gross per year, and perhaps for a small family it may be a gross per year. Therefore, an additional duty of Rs. 2-4-0 on a gross is not going to individually affect the people. Therefore, it is not from the consumer's or the user's point of view that I object to the imposition of excise duty on matches, but it is from the point of view of the industry. Match manufacture has become a cottage industry in Southern India. There are very many families who have taken to manufacturing matches. Of course, there is a large importation of foreign-manufactured matches also. The Burma company and the Wimco are two competing firms in Southern India, and I do not think the profits of these two companies on account of severe competition are very much; but the difficulty of levying the excise

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duty on matches without raising the duty on foreign matches will be that there will be an invasion of foreign matches in the near future into South Indian ports. Japan is always waiting to dump her goods at any cost on us, and it is only a very high protective duty on foreign matches that has not encouraged such imports. It is not quite accurate to say that there has been no import at all of foreign matches. There has been some. As a matter of fact, we see here and there Swedish matches; but ordinarily those matches cannot compete with Indian matches on account of foreign import duties. Now, even that is discounted by the imposition of the excise duty, and naturally the tendency will be that you will have to pay more and more for matches, thereby killing the industry in the big factories and in the small homes. From that point of view, I consider this excise duty as a very serious danger to the small cottage industry in Southern India.

“One has got to infer both from the speech and the action of the Hon. the Finance Member of the Government of India that the interests of Madras are least considered by him. Apart from the somewhat strong language used by our hon. Friend, Diwan Bahadur Ramaswami Mudaliyar, in the Assembly, there is certainly a good deal of truth in his criticism about the other Provinces. Whenever Bombay wanted anything, whenever Bengal wanted anything, they created such a ring amongst themselves that they were able to extract something from the Government of India. But, so far as Madras is concerned, it has always been the Cinderella of the Central Government and it is surprising that the Central Government which is presided over by no less a person than His Excellency Lord Willingdon who has been the Governor of Madras should continue to adopt the same policy now. I hope, Sir, that the Delegation which is going to start from Madras will impress upon the Government of India the keen feeling and the sense of disappointment of the Madras Province in regard to the taxation proposals of the Government of India and also in regard to the rejection of the legitimate and reasonable and proper requests of this Province.”

* The Hon. Sir HOPETOWN STOKES:—“Sir, as the House is of course aware, the subject of this resolution is a Central subject which falls within the purview of the Central Government and the Legislative Assembly. The Government have, however, felt that on a matter of this kind, it would be desirable that the House should have an opportunity of placing its views on record. They have however decided that the Government themselves should be neutral on this subject, and the proceedings of the House on this subject will be forwarded for the consideration of the Government of India. I therefore do not propose to take any part in the debate on the merits of the question beyond explaining to the House and to you, Sir, the attitude which the Government have proposed to adopt.”

* Rao Bahadur A. T. PANNIRSELVAM:—“Mr. President, Sir, clubbing together in one and the same resolution both the excise duty

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on sugar and that on matches, appears to me to cloud the issue. The circumstances attendant on the two industries are altogether different. For one thing, sugar is dependent essentially on the cultivation of sugarcane in agriculture; while the question of matches and match-making stands on quite a different footing, all its own. The manufacture of sugar can be carried on only in large factories set up with a fairly large capital, while matches can be manufactured, as pointed out by certain Members, even in cottages. Match-making is, in its usually accepted sense, a cottage industry, and it is utilized as a source of supplementing the income of the agriculturist. Therefore, Sir, different considerations come into play when we deal with the excise duty on sugar and with that on matches. From the point of view of this Province, it seems to me that regarding the excise duty on matches, we should enter our most unqualified protest against the imposition of this excise duty. One finds, turning to page 102 of the Administration Report, that—

‘The general economic depression curtailed the consumption of matches, though at the same time it encouraged the production of cheaper qualities of matches. The indigenous industry now supplies the full requirements in South India, imports having ceased.’

“In this state of affairs, it seems to me that by the imposition of a further excise duty on matches, we in Madras, especially, are subjecting ourselves to a new form of taxation, the benefit of which would go to other Provinces, as was pointed out by Sir A. P. Patro. And in the words of the representative of the European Association in the Legislative Assembly, I may state that every Madrassese, whenever he strikes a match, would feel that he is contributing towards the finances of Bengal. Apart from the injustice of one Province being taxed for the purpose of meeting a deficit in another Province, the imposition of a fresh duty like this would have a strangling effect on the industry in this Province itself. Of course, it might be stated that there are no more imports of matches and therefore we need fear no competition from outside; but the imposition of this new excise duty on a nascent industry, an industry which has developed to the extent of being self-sufficing for our own Province, might encourage the imports once again, with the result that the industry might not enjoy the same prosperity as it has been doing hitherto. It was being said that the match industry in our Province was carried on with foreign capital, for the time being; but there is no gainsaying the fact that the foreign capitalized factories alone do not meet all our requirements. There are a few Indian factories, and there are the people who make this an additional source of income to them, by manufacturing matches in their own homes. Personally speaking, Sir, I should welcome a small cess imposed by the Local Government for the purpose, if need be, of controlling the trade and seeing to it that only the very best articles were put on the market. But that we should be taxed by the

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Central Government for meeting the deficit in some other Province—because that is what it comes to—seems to me to be a piece of injustice.

“The question of duty on sugar, however, Sir, seems to me to stand altogether on a different footing. The excise duty on sugar will have to be borne mostly by the bigger factories, factories which will be brought into existence or which have already been brought into existence by capitalists. It seems to me that these well-capitalized institutions do certainly not deserve our sympathy. Our past experience has been that circumstances are exploited by these big capitalistic institutions and the method they adopt for carrying on their business is not certainly conducive to the prosperity of the people. We might remember how during the war period these big cotton mills in Bombay and other places, were returning a stunning dividend of 25 per cent and 30 per cent, while the price of cloth to the poorer people was much higher than ever before. Having exploited us in those days, to-day because of competition from Japan and other countries, they squeal and raise the slogan of ‘Buy Indian.’ I do not want the same slogan to be repeated in the case of the sugar industry. I would certainly be in full sympathy with this resolution if, side by side with this excise duty being removed, we could get a guarantee that if profits accrued from the trade, they would be shared evenly and fairly between the manufacturer and the agriculturist. I find, Sir, that the Hon. the Finance Member of the Government of India, has proposed that, side by side with the imposition of this excise duty, there should be some institution created which will control the trade to a certain extent and also regulate the prices. When it comes to a choice of having to give up the excise duty or to give up that controlling institution, I should certainly prefer the excise duty being there, so that the profits of the excise duty may be utilized for the purpose of regulating the trade so as to ensure an equitable distribution of the profits which accrue from the sugar industry between the manufacturer and the agriculturist. Because, Sir, barring such a course, there seems to be no possibility at all of these large profits which are anticipated, going to the poorer people.”

* The Hon. the PRESIDENT:—“There are several other hon. Members desirous of speaking on this resolution; but the time allotted for the discussion of this resolution being over, I have to put it to the vote of the House.

“The question is—

‘that this Council is of opinion that the imposition of an excise duty on sugar and matches is undesirable and that it is pre-judicial to the interests of this Province.’”

The resolution was carried.

The House then adjourned for lunch.

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After Lunch (2-30 p.m.)

IV.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND XII—ADMINISTRATION OF JUSTICE—RESERVED.

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“I beg to move—

‘that on the recommendation of His Excellency the Governor the Government may be granted a sum of Rs. 82,81,900 under Demand XII—Administration of Justice—Reserved.’”

* Mr. M. S. SRESHTA:—“I beg to move the cut motion standing in my name, viz.—

‘that the allotment of Rs. 81,900 for High Court Judges and Registrar—Pay of officers—be reduced by Rs. 100.’

I find that practically I shall have to traverse the same ground covered by me at the Budget discussion last year. So far as I can see the drawbacks in the administration of justice, which were pointed out both by myself and other speakers, have not been corrected and no examination appears to have been made of the points raised on the last occasion. That is some excuse for me for going over the same ground this time.

“First of all, I wish to deal with the question of separation of judicial and executive functions. For years past there has been agitation that executive and judicial functions should not be in the same hands. So far as I know, this system is not found in any other part of the world. Even in British Crown Colonies which are not independent, this system does not exist. I pointed out last year that in our neighbouring country of Ceylon the system of administration of justice is much better than the system here and the following are the words, in which the system was referred to in a certain book:—

‘The system of administration of justice in Ceylon is very simple and so judicially we find that it will deserve to be taken as a model system and it is the best system of administration in all branches that the British Empire has to-day.’

“Rao Sahib V. I. Muniswami Pillai in a recent speech referred to the fact that in the Federated Malay States, one of the Crown Colonies the cases are quickly finished. In this country we know that the administration of justice is very good but it is very slow and costly. I personally know that cases drag on from month to month and year to year, till the patience of the litigants is exhausted. This often results in the parties coming to a settlement, because they find that this saves them much expenditure. But settlement induced by delay is not the correct thing. I think that there should be a system whereby cases may be settled in some sort of conciliation courts, in which the judges may interfere and tell the parties on whom the burden of proof lies and indicate to them what decision would be arrived at. According to the present system it is not proper for the judge to interfere and try to settle the case, because if he does so even with the best of intentions

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the parties perhaps may misunderstand him and feel that he is biased. If there are conciliation courts, where the judges could tell the parties how the case would probably end and if we have a system whereby the same judge would not be compelled to try the case, I feel that justice could be very much expedited. I know several cases, where the parties think that, after an expression of opinion by the judge as to how the case might end and how it could be settled, it is not possible for them to obtain justice. But whatever it may be, whether it is possible to establish the procedure such as I have described—I do not think such procedure is to be found in any courts at present—I think the case is very strong for the separation of judicial from executive work. The same person should not be the Magistrate and the Revenue Officer. The system, whereby magistrates are made subordinate to the Collector of the district and also in a way subordinate to the Police is a very vicious one, and the sooner it is ended the better it will be. It has been pointed out by an hon. Member that some cases are postponed from day to day to be decided during the course of the jamabandi. Criminal cases are taken up after the Revenue work is over and that means a lot of delay both for the lawyers and the parties and great deal of expenditure is involved. Therefore, it is desirable that the courts should be stationary and parties should not be made to attend courts from place to place. I would suggest that District Munsifs themselves may be appointed as magistrates or some such system may be devised whereby the trial of both civil and criminal cases can be in the same hands. This system is found in England and in France. I do not see why such a system should not be introduced here. Of course Governments are conservative and they think this is an idea, which could not possibly be carried out and would involve heavy expenditure. There will have to be a large number of judges when this system is adopted; but there will also be speedier justice, which will be much more appreciated by the public. Such a system will not be as costly as it is now. Lawyers will not have to go about from place to place and they may conveniently attend to both their civil and criminal cases in one and the same court. Now, the civil court is situated in one place and the criminal court in another place and it is very difficult for lawyers to be going about from one place to another. Therefore, I think the Government would do well to consider whether it is not feasible to introduce what has been introduced and found satisfactory in other countries.

“As regards recruitment I have been urging the desirability of holding competitive examinations for recruitment to the district munsifs' posts. At present, the recruitment is undertaken by the High Court. We have of course confidence in the High Court. All the same it is not possible for them to act in an entirely judicial capacity; it is not possible for them to balance the merits of the different candidates for appointment. Therefore, we often find that the best men are not selected. It was said some years ago that persons selected as district munsifs were generally the inefficient members of the bar. It is not the case now. But even now, if you want to select men for the district munsifs' posts from among men who have practised at the bar and have

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already shown their talents at the bar, you will not be able to select the best men. They would not agree to accept a post which carried lesser emoluments than they earned as practitioners. If you appoint men when they are young, after perhaps two or three years' practice, it would be possible to have much better men than at present and that is the reason why men are selected by examination in certain countries. That is the system that is obtaining in the colonies where both criminal and civil judicial work is done by the same person. In France also, as hon. Members are aware, the system is the same. At an early period a member of the bar has to elect between being a judge and practising at the bar. If after an examination some persons are selected as judges, they are judges for the whole of their lifetime. In France the judges as a rule do not rise to a salary of over Rs. 600 or Rs. 700 per mensem though some of them get higher salaries; nevertheless they get a very high type of men as judges, the reason being that they are selected judges at an early age. Similarly also, it would be possible to select the very best talent if we have a system of examination for recruitment. In France the recruitment is made in this manner. About 75 per cent are selected by examination and the rest are selected by nomination; and a similar system might be adopted here.

“Then, Sir, in regard to the execution of decrees: In regard to the administration of justice, we have very little to complain. It is of course very slow, but though slow, at last justice is given to us. But, in the matter of execution of decrees, I think there is considerable delay and consequent hardship. In the service of summons, warrants and so on, it is well known that, unless the process-server is given a small sum of money, he will not carry out the work. I pointed this out to the Hon. the Law Member last time and he replied that, in a matter of corruption like this, both the parties are to blame. I think by able administration, it is possible to check the evil. The great drawback now is that the work of execution of decrees is in the hands of officers who are subordinate to judges and munsifs and these judges and munsifs have no experience of administration. They may be very good judges, but they have little experience of administration. It does not follow that in the matter of administrative work, the man who is a good judge should also be a good administrator; and the result is, as a rule, you find that the judges are so busy that they have no time to attend to the administrative side of their work. What I would therefore suggest is that, as obtains in certain other countries, the work of execution of decrees should be placed in the hands of a special set of officers, not subordinate to the judges, and that they should be subordinate to a central head who will see that the work is done properly. If that is done, I am sure the work of execution of decrees will be greatly improved.

“On the last occasion, I suggested that a committee might be appointed to go into all questions raised by me and see in what manner the administration of justice might be improved. But, I am sorry to note that no committee has been appointed so far, and I believe, no

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examination has been made of all the various drawbacks. I trust this time at least more serious notice will be taken of what has been said here and a small official committee will be appointed to go into the whole matter, to take evidence and to see whether the position cannot be improved.

"I would like also to mention something about communal representation. I have to point out that the Indian Christian community is not adequately represented in the higher branches of the judicial service. I believe, there is no Indian Christian judge at present in any capacity either in the High Court or the lower courts in Madras; and there is not even a single District Judge belonging to the Indian Christian community, and there are a few district munsifs. I submit, Sir, that the usual communal proportion has not been maintained in the judicial service. This cannot be due to inefficiency or to illiteracy, because the Indian Christian community leads, I believe, after the Brahmans, the other communities in the matter of literacy; and wherever there is fair field and no favour they come very near the top. Therefore, I do not see any reason for the fact that in the judicial service the Indian Christian community is not adequately represented. I trust this matter will be carefully examined by the Hon. the Law Member. I believe representations have been made to him before and I trust he will consider all the representations and come to favourable conclusions.

"Last of all, Sir, I have to mention something about the High Court. The High Court, as my hon. Friend, Mr. Pannirselvam has stated, is sacrosanct and I do not like to say anything against it. As a matter of fact, the High Court deserves all the praise. It is a model High Court, and the only thing against the High Court is perhaps that it is too expensive. Every one has confidence in the High Court and it is desirable that that confidence should be retained and that no High Court Judge should behave in such a manner as to forfeit the confidence of the public. I wish to point out that quite recently, a Judge of the High Court has taken up a very intensive propaganda work in a movement which is highly controversial. If a High Court Judge takes up some such thing as the prevention of cruelty to animals in which there is no controversy we will have nothing but praise for him, but if on the other hand, he takes up a question in which public opinion is sharply divided and in which religious susceptibilities are apt to be wounded, we say that that is a wrong thing for him to do and it is better for a High Court Judge to keep away from such a movement. At the same time, I must admit that this High Court Judge commands the esteem of the public and is greatly respected, and I am sorry that he has taken a very strong part in the movement called the Birth Control movement. (Khan Bahadur Mahmud Schamnad Sahib Bahadur: 'Is he doing that in his official capacity?') My hon. Friend, Mr. Schamnad, wants to know whether he does that in his official capacity. It must be obvious that he is not doing it in his official capacity, but what I say is that, if officials take part in such movements, it is likely to cause

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a great cleavage among the various sections of the public. It is not only necessary for the High Court Judge as well as other Judges to do justice, but they must appear to do justice; and how can a High Court Judge appear to do justice when he takes up a question on which opinion is sharply divided? I feel very much hurt in the matter. (Mr. Srinivasa Ayyangar: 'Why?') I think, it ought to be obvious why. I am sure Catholics as a body feel very much hurt about the matter. And I trust the Hon. Judge, who commands the esteem and confidence of the public, will give up this propaganda and I hope Government will also tell him plainly that it is not proper for him to interfere in a matter of this sort, because what he does may be misunderstood by the public."

Rao Sahib V. I. MUNISWAMI PILLAI:—"On a point of order, Sir, does this come under the purview of administration of justice?"

* The Hon. the PRESIDENT:—"It may not come, but it has got some relationship with the High Court Judge and the propaganda work that he is doing."

* Mr. M. S. SRESHTA:—"What I wish to say is, it is necessary that even High Court Judges should not take part, not only on the Bench but also outside, in activities of this kind which would divide the public and in the end produce an impression among the Muslims, Catholics or other sections of the public who are interested in the matter, that he is adverse to them. Sir, Catholics have been described as old-fashioned idealists. I am afraid I am an old-fashioned person. Now, if we give up all our old-fashioned ideas, we shall have to give up the civilization which rests upon those ideas and we will have to create a new civilization as it is attempted to be done in Germany and Russia. This may seem sound to some, who may think that those who followed old traditions such as Catholics, Muslims and Sanatanists, should all be scrapped. But, what I say is, it is not for the High Court Judge to take up a question like this and speak on it in such a manner that the public are likely to be misled. You must also remember, Sir, that a High Court Judge commands considerable influence and his words carry considerable weight and he should hold the scales even. There are several other matters in which High Court Judges can interfere without any suspicion being felt by the public that justice would in any way be interfered with.

"I am now coming to the end. There is a personal matter about which I should like to say something. Sir, this is the last time the Hon. the Law Member will be here to reply to the discussion on this subject. We may have differed in our opinions in various ways, but I think we will all agree that he has been extremely courteous and sympathetic and that whatever suggestions we have made to him, have all received at his hands careful examination, such examination as was necessary and if ultimately he could not carry out all we wanted, it is because it was not within his power to grant what we wanted. He has

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always been a gentleman of gentlemen; he has treated the House with the respect and consideration due to it and I therefore regret greatly that we will not see him again on the Treasury Bench during the next Budget discussion and we wish him long life. There is also one other matter which I forgot to mention and that is, before he lays down his office of Law Member, I trust he will appoint the committee which I have suggested earlier in my speech. I do not want any Member of the Council to be on the committee; it might be even a committee composed of officials. If I say that Members of the House ought to be on the committee, it might be thought that we are anxious to get travelling allowance and so on. But, let that committee be an official committee and let it go into the whole matter carefully. If the Hon. the Law Member appoints such a committee he will leave behind him a great legacy and will round up the good work he has already done."

* Mr. A. B. SHETTY:—"Mr. President, Sir, my hon. Friend, Mr. Sreshta, has mentioned in his speech about the delay in the disposal of suits and appeals and the difficulties experienced in the matter of the execution of decrees and he has suggested that a committee should be appointed for the purpose of going into the question and making suggestions for remedying those defects. Sir, my hon. Friend may be aware that a committee called the Civil Justice Committee was constituted about ten years ago to enquire into and report as to what could be done to provide for the more speedy, economical and satisfactory despatch of business transacted in the courts and also for the more speedy, economical and satisfactory execution of processes issued by the courts. In spite of the findings of this committee and the action so far taken by the Government in this matter, it is regrettable to note that matters have not improved much. If we look at the statistics of civil courts for the year 1932, which is the latest for which they are available, we find that the same tale is repeated year after year. There is delay in the disposal of suits and appeal and the delay has increased again in the year under report. In Munsif Courts there is a decline in the number of original suits disposed of and there is an increase in the number of original suits pending in these courts. In Sub-Courts there is a decrease in disposals in respect of all suits and the average duration of contested suits has risen to 474 days.

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"In District Courts, the average duration of contested suits has risen from 398 to 544 days and in the High Court the average duration of contested suits has risen from 651 to 754 days and of uncontested cases from 125 to 174 days. In the matter of executions we find from the report that satisfaction was obtained in full in 13.23 per cent of the applications disposed of. Satisfaction was obtained in part in 11.70 per cent of the applications disposed of and the number of wholly infructuous applications rose from 285,046 to 298,742. The litigant has to pay heavy court-fees and in cases in which there are one or two appeals he has to spend 50 per cent or more of the amount in dispute in advance. He has to undergo lot of worry and expense on account

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of protracted litigation and after all, in many cases, he is not able to realize the fruits of his hard won victory. If 75 per cent of the executions filed in anyone year become wholly infructuous, the game is hardly worth the candle. As Sir Tej Bahadur Sapru has said the time has come when some drastic steps should be taken to revise the whole system of execution of decrees and placing it on a more satisfactory footing. The Civil Justice Committee has stated that opinion is universal that one of the main sources of delay in the disposal of suits and original proceedings as well as of appeals and execution petitions is the delay in the service of processes. For the efficient administration of civil justice, satisfactory service of processes is no less essential than the competence and honesty of tribunals. If a reliable and efficient agency for the service of processes can be devised, it will save a large part of the time of the courts. I think, Sir, that the Postal department is not utilized to the extent that is desirable for the service of processes. If simultaneous service of processes is done through the Postal department and through the process servers, it will help to bring about better results because both parties cannot act in collusion. It will be desirable also to see that the process serving establishment as well as amins do a sufficient number of personal services. Otherwise, they should be punished.

"Another of the chief causes of the delay in the disposal of suits and appeals is the accumulation of arrears in all courts from the highest to the lowest. Government should not grudge or hesitate to create temporarily the necessary number of additional courts and Judges to clear off these arrears. The file of the courts should be reduced to such a condition that a Judge can normally dispose of a year's institutions within one year. Another way in which the speedy disposal of cases can be effected is by enabling the judicial officers to take up contested cases, when the day's work begins. In the High Court, much of the routine work has been delegated to a special officer and the Judges have been relieved so that they can attend to the disposal of cases. In a similar way, in the mufassal, the Judges should be relieved by the delegation of the preliminary work to the sarishtadar or some other duly qualified officer.

"There is a complaint that the Insolvency Act gives facilities for dishonest debtors to cheat the creditors. A proper enquiry should be instituted into the working of the Insolvency Law so that the relief given to the debtors is not abused in such a way as it has been alleged. I think it is necessary that we should have a permanent statutory body to suggest from time to time to Government the necessary changes and improvements to be made not only in Insolvency Law but all law whether substantive or adjunctive, so that the defects and difficulties found in administering it may be remedied. The High Court Judges draw attention to such matters in their own decisions, but this is not enough to draw the attention of Government to the amendments necessary to be made. Before concluding, I must say a word about what my hon. Friend, Mr. Sreshta, has said at the end of his speech.

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I am sorry he has thought it fit to drag in the question of birth-control and protest against the propaganda done by one of the High Court Judges in connexion with this matter. Judges of the High Court must be free to have their own opinions and we have no right to prevent them from taking part in any social or philanthropic or propaganda work which they feel they must do so long as their legitimate work in the court does not suffer on account of it. It is hardly fair to have spoken in the way he has done about a respectable Judge of the High Court."

* Mr. DANIEL THOMAS:—"Mr. President, Sir, my hon. Friend, Mr. Sreshta, in his opening remarks said that practically this year he has to repeat what he has said last year because he finds that things remain practically unchanged. I am afraid if that be the standard of speaking, we shall have to repeat our speeches not only from 1933 to 1934, but for decades and decades because I do not see any prospect of immediate change in the administration. Year after year, the same speeches are made and the same resolutions are moved and as a matter of fact we find these things continue unchanged. Members of Council may speak but justice is administered by our rulers in the same old way. Therefore, I am only drawing the attention of the Hon. the Law Member that, after a strenuous period of public service, he may perhaps have to lay down the reins of his high office in a short time and that before he lays down the reins, he would be pleased to make some change for the better in the real and practical administration of justice. I may take this occasion also to express our sincere admiration for the Hon. the Law Member for the way in which, in spite of administrative difficulties, he has had the patience and the courtesy of listening to our arguments and to hear representations apart from the question as to the degree and measure in which he was able to give effect to the same.

"I may say that so far as criminal justice is concerned, the subject in which I am mainly interested, all is not well. If we compare the report of administration for this Presidency for the year 1933, and which has been just now published, with the figures for 1931-32 and 1932-33, we find in several respects the conditions that are found in the present year's report are worse than in the previous year. We find that crime has been on the increase. The total number of persons convicted rose from 274,874 to 299,896, an increase of nearly 25,000. We also find that there has been to a certain extent increase in juvenile crime and we also find that in the way in which the juvenile offenders are dealt with, the use of the provision for discharge on probation of good conduct has not been increasingly used as the public would expect. In respect of the number of persons who have been discharged on probation of good conduct under section 562, I find there has been a considerable decrease this year. In the present year, I find that the number of cases coming under section 562 decreased from 2,467 to 2,111. I believe that this section 562 of the Criminal Procedure Code was introduced to reform the administration of criminal law by a free use of it and that it was introduced because of the results

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that were obtained therefrom by the administration of this provision in England. Though this provision was introduced some years ago, still we find that adequate use of this section has not been made in the administration of criminal justice. Persons of ordinary honesty and temperament, in a moment of passion or in a moment of thoughtlessness, are led to commit a casual offence. Sentencing such persons to prison for short periods is undesirable for society. For, by doing so, far from protecting society against such persons, we will be letting loose upon society, a casual and respectable person who might have been turned into a good citizen but who has been turned into a confirmed or perhaps desperate criminal. Our experience of short sentences is that it is the very worst thing that can happen to any individual. All his respectable associations will be wiped out and he will be turned out with all his better instincts smothered if not killed. It was in order to give a chance to such men by which they can be careful to avoid a repetition of casual lapses into crime that this was introduced, and I am very sorry that year after year instead of expecting progress, there has been a decrease in the use of section 562.

"There is one other thing which I should like to refer to. It is one of the things with reference to the administration of justice in England where the public take very great interest in the case of criminal trials for murder. In fact, in the course of the trial itself, there is very keen interest taken by the public as regards the innocence or guilt of the alleged offender. Though of course the press is prohibited from expressing any opinion as regards the nature of the evidence offered or the conclusions to be arrived at, still, the press gives a very good report of the proceedings at the trial. After the judgment in a case has been delivered, the matter is taken up to the Home Secretary for the purpose of modification of the sentence. In England, the authorities seem to devote a good deal of attention to the propriety of the sentences inflicted by the court, to find if there is any possibility for a modification of the sentences. I am sorry to note that so far as criminal justice in India is concerned, in regard to capital punishment and sentences for transportation, the judge's word appears to be final. I know, the judges exercise very great care and discretion in the matter of the sentences they pass. But they are cribbed, cabined and confined in the matter of the infliction of the sentences by certain provisions of law. For example, in a case of murder, they have no other alternative except to pass a sentence of death unless they find extenuating circumstances. So, their discretion is limited to the letter of the law. But, as a matter of fact, if the cases of these condemned men are examined by an outside agency, the sentences might probably be less heavy. For example, the sentence in a premeditated and brutal murder case must differ widely from the sentence in a case in which the death was unpremeditated or casual. Common sense requires that the sentence in these two cases must differ substantially. I am sorry that so far as administration of justice in the courts is concerned, the Government do not seem to examine the cases at all and do not interfere. I am speaking subject to correction. I believe the Hon. the Law Member

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will tell us what exactly is being done in these matters within the four corners of his office. The public are not in a position to know these things. But so far as the results are concerned, we find that in very few cases the Government interfere and grant remission. I should like to know from the Hon. the Law Member what exactly is the procedure adopted and what consideration the Government gives to cases of appeals for mercy. When mercy petitions are received, it is open to His Excellency the Governor to interfere and there is also the final power given to His Excellency the Viceroy to give pardon. No figures of these cases are given. But we do not know of any cases in which this prerogative has been exercised by either His Excellency the Governor or His Excellency the Viceroy. I hope and trust that this aspect of the matter will be considered by the Hon. the Law Member.

“ Now I come to my pet subject, the jury system. Sir, year in and year out I have been speaking on the floor of this House about the jury system. The unsatisfactory character in which the jury system is working in the mufassal districts is the thing that is responsible for my making reference to it again this year. I do not talk of Madras City where I hear the system is working very well. I am glad to hear it. But as regards some of the districts with which I am personally concerned, I can say that the jury system does not work satisfactorily. It is not a case in which you can take the net result, say that in the great majority of cases it has given satisfactory results, and allow it to continue. This is a matter in which the life and liberties of the people are at stake. Under this system it is possible for rich persons through their influence to secure the verdict of the jury in their favour and obtain disproportionate and very severe punishments for those without influence. There is scope for the influential people to escape the just punishment due to their crimes and for old offenders and others getting punishments which the circumstances of their case do not warrant. I have heard complaints that once a man goes to jail and his name is entered in the books of the Police as a known depredator, they track him down for any subsequent offence in the village. The man is not given any chance to improve. No chance is given to him for *locus penitentiae*. No chance is given to him to lead a clean life. So, in order to avoid innocent persons being run down on account of the corrupt jury system and also in order that well-to-do persons may not escape the result of their misdeeds, the question of the jury system should be examined. Even if miscarriage of justice occurs in a few cases, this being a matter which goes to the fundamental well being of the society, it requires the most anxious consideration of the Government. In this matter again I will only say that the Government appear to be satisfied with a mere routine repetition of phrases in the administration report. In the previous year's report I find this reference to the jury system:—

‘ On the whole, the jury system worked satisfactorily. It was remarked that in some districts the jurors did not show a proper appreciation of the proceedings or dare to withstand outside influences.’

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I believe it is a sufficient condemnation of the jury system to say that the jurors did not appreciate the proceedings or that they had no power to withstand outside influences even in a few cases. Coming to the present year's reference to the jury system, the remark is found to be a somewhat modified one. It is stated there ‘ the jury system is said to have worked satisfactorily on the whole.’ The Government perhaps seem to think that it is not wise to take it upon themselves to say that the jury system worked satisfactorily on the whole. They merely give us second-hand information from their subordinates. A report of the statistics of criminal cases for 1932–33 is put into my hands just now which says ‘ the Sessions Judge of Madura is however, of the opinion that the jury system is of doubtful utility and that the trial by assessors has nothing in its favour.’ What I am submitting therefore is that, while it is too late in the day to say that the jury system should be altogether done away with, the Government ought to find a way to improve the system and the quality of the people who sit as jurors and get the District Judges to carefully watch the working of the system. When it is reported to them by the District Judges that the system is not working well in one place, they should not hesitate to withdraw it from that place. If the Government give instructions to the District Judges that in the cases where jurors are suspected to be corrupt due action should be taken, it will set a good example. If the public understand that any juror who is corrupt will be dealt with severely, that will go a long way towards improving the system. The quality of the persons chosen as jurors should be higher. There should be a careful consideration of the results of cases by the District Judges. In these two directions I request the Hon. the Law Member to be pleased to consider possible avenues of improving the system.

“ Sir, I have one other thing to mention and that is the meagre provision made for travelling and subsistence allowances. We expect the jurors to be honest and above all outside influences. Just to ensure such a thing, it is necessary that they should be given proper travelling and subsistence allowances so as not to make them dependent upon outside supplies. I also find that in the case of jurors who are summoned from headquarters, no allowance is given. For instance, Sir, if a juror is summoned from Palamcottah to Tinnevely, no allowance is given, not even a day's allowance. This is a great hardship. Local jurors are invariably persons engaged in their daily avocations. For asking them to leave off those things and attend court, even though they are local men, you should give them at least day allowance.

“ There is one other matter which concerns my own district and that is the jurisdiction of the munsifs' courts situated in the headquarters. Formerly there were two district munsifs' courts, one known as the Principal District Munsif's Court of Tinnevely and the other known as the Additional Munsif's Court at Palamcottah. These two courts were having fairly large jurisdiction and about two years ago as a measure of retrenchment, the Munsif's Court at Palamcottah was

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abolished. Then the whole file of the Palamcottah Munsif was handed over to the Tinnevely Munsif. This resulted in the Tinnevely Munsif having a heavier file than one single officer can cope with. Then what happened was that a number of suits pending with the Tinnevely Munsif were transferred to the court at Ambasamudram, which had not enough cases of its own. When the cases from Tinnevely were transferred to Ambasamudram, people of Melapalayam and other villages contiguous to the Tinnevely Munsif's Court, were obliged to leave the court nearest to them and go and appear before the Munsif at Ambasamudram. That meant great hardship to them. Recently, therefore, the High Court tried to make an alteration in the jurisdiction by bringing Melapalayam within the jurisdiction of the Ambasamudram Munsif. This was not a very satisfactory solution either. So, on the representation of the Bar Association the High Court cancelled this transfer and restored the *status quo ante*. This is very undesirable. I hope and trust that the Hon. the Law Member will move the High Court to re-establish the Additional Munsif's Court in Palamcottah.

"Then, Sir, one other matter and I shall have done. I cannot resume my seat without mentioning the inadequate representation of Indian Christians in the judicial service.

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"My hon. Friend, Mr. Sreshta, has pointed out that the representation of Indian Christians in the higher cadres of the judicial service is poor. Formerly there was an Indian Christian High Court Judge, and till very recently there was an Indian Christian Chief Justice of the Small Causes Court. But now as those officers are no longer there, it is high time that Government considered the question of giving Indian Christians a chance in the superior cadre of judicial service. I think the Hon. Law Member will realize that competent individuals are not wanting, and so there will be no difficulty in finding one who will discharge the functions efficiently. Therefore I hope he will give the matter proper consideration."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I am extremely thankful to Mr. Shetty in having finished his speech in five minutes, and thus giving an opportunity to the several hon. Members, as many as sixty-five who have given notice of cut motions under this Demand, to speak. I think there is a grievance, Sir, that suits are being delayed. As far as the High Court Judges are concerned, I am only sorry that they are overworked. Day in and day out they have to be pouring over files of at least of ten suits a day, as some cases are liable to be adjourned each day. They have to be sitting from 10-45 a.m. to 4-45 p.m. every day; they have to go through the evidence, hear arguments and counter-arguments, sift them, analyse them and give their decision. Sir, for us, Members of the Council, to be sitting here and listen to the speeches every day from 11 to 5 with an interval is a strain indeed and how much more should our Judges of the High Court feel? Surely at this rate their brain power will become deteriorated. (Laughter.) I mean they may feel exhaustion."

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Mr. SAMI VENKATACHALAM CHETTI:—"May I know whether there was any actual case of brain fag?"

* Rao Bahadur C. NATESA MUDALIYAR:—"Yes, but for the holidays they are enjoying they would have suffered from brain fag. Why, is there a High Court Judge, whom you do not find shattered in health? Have you not seen many of them entering service in their full bloom of youth, but emerging out of service completely shattered in health? Have you not seen even Judges coming from England hale and healthy, and returning home in broken health, and sometimes dying even on their way home? (Mr. Abdul Hameed Khan: 'Is it on account of their work?') Yes, on account of their brain work. So, what I suggest is that they should be given a holiday in the middle of the week, say Wednesday. (Opposition cries of 'Oh!') I say this is not only in the interest of the Judges but also the litigants. I request the Hon. the Law Member to seriously consider the matter. As I said, they have to sit every day from 10-45 a.m. to 4-45 p.m. pouring over file after file, sifting evidence, analysing them, pondering over them, hearing arguments and counter-arguments, taking the papers with them home in the evening and writing judgments after deep and long consideration. Does not all this involve strain? (Mr. Sami Venkatachalam Chetti: 'What about the Hon. the President?') (Laughter.) Yes, he too has to sit every day from 11 a.m. to 5 p.m.: he needs rest. So the Council should sit only for five days a week if there is a necessity to sit more than a week.

"Then, Sir, coming to the constitution of the High Court, I am sorry to say, there has been no proper representation of various communities—no Muslim representation, no Indian Christian and no depressed classes representation. Among the fourteen Judges, there is not a single Muslim Judge. You cannot say now-a-days there is no Muslim candidate available, you cannot say there is no Indian Christian available and you cannot say there is no depressed class gentleman available. Even supposing such men are wanting, why not you take qualified candidates with high moral character and capacity from these classes into the lower cadres, train them up and finally elevate them to the Bench? Unless you do such a thing, you cannot expect to have communal harmony. While all over India there is class difference, we, in Madras, have not such a thing. Why? Because we are doing justice to the several communities. So, I request the Hon. the Law Member, if need be, to bring in Muslim Judges from Afghanistan or Turkey. (Laughter.) My opinion is that there are Muslim Judges available even in our land.

"Then, Sir, with regard to the appointment of High Court Judges, I am glad that the discharging of duties by the present Judges is very efficient and of a high order. I admire them for doing their work without caring for the frown or favour of anybody, and independent even of the Government. We see, Sir, I.C.S. Judges like Justice Reilly, Justice Jackson, Justice Wallace, Justice Spencer and Justice Ayling

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and others have and had been very popular. Hence, I would suggest Sir, that whenever the authorities recruit Judges from England, it is better that they are posted to districts with High Court Judges pay, so that they may be well known in the land before they become High Court Judges. After the Reforms, probably the post of a judgeship may not be attractive, and so in order that we may have the best type of men on the Bench, I would like very much some Judges from England are brought to our country. We will accommodate them in all possible ways.

"And then, Sir, with regard to the appointment of crown prosecutors and public prosecutors, under each of them there are a number of assistants. The Hon. the Law Member should see that they are taken from all the communities, so that all of them may get the necessary training and when the time comes they may be appointed to such posts. As it is, you are not giving opportunities to the members of various communities. Suppose the Government appoint a Muslim Officer, it will be an inducement to other Muslim advocates to gather round him and pick up experience. It is not that a Muslim Judge or any officer will encourage them but his presence is an encouragement to them. Similarly with regard to the editing of the Indian Law reports. It is only in the interest of the country I am putting forth these suggestions.

"And, Sir, above all these things, what about the appointment of District Munsifs? There were days when people from all classes and creeds were not available. Now there are any number of B.A., B.Ls. available in all communities. Of course the Hon. the Law Member may say that the appointment of District Munsifs vests in the High Court. Yes, I admit that, I only request the Hon. the Law Member to place the grievances of the representatives of the people before the Judges. I say that even if there be retrenchment those who are recruited last according to the communities should not be asked to go home.

"Sir, I do not want to take up the time of the House any more. I am extremely sorry that our popular Law Member is going away. He has been throughout very courteous to us. (Several voices: 'Hear, hear.') He was one of us before he was elevated to that office. (Mr. Sami Venkatachalam Chetti: 'Was he not a Justice?') (Laughter.) 'What about you?' Yes, I am glad to own that I am a Justice. There is a feeling that he did not do anything for non-Brahmans. That statement is not true. Otherwise how can you account for the fact that some of the Members of the Legislative Council have disappeared. I am glad that I, who founded the democratic movement with my friends, live to see that the movement has given an opportunity to exhibit the talents of persons like the Hon. Sir M. Krishnan Nayar and our beloved Sir Usman who is to become the Governor of the Presidency." (Hear, hear.)

* AHMED MEERAN SAHIB Bahadur:—"Mr. President, Sir, in rising to support the cut motion, I wish to make only a few observations. It has become a notorious fact that, ever since Sir Abrur Rahim was transferred from Madras to Bengal in 1920, no Muslim has been

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appointed to the High Court of Madras in spite of the repeated and persistent demand of the Muslim community and its representation on the floor of the House times without number. Indeed it has been a cry in the wilderness. Dozens of vacancies arose and they all have been filled up during the last 14 years, but it is incomprehensible as to why the claims of the Muslim community have not been recognized. It cannot be said for a moment at this hour of the day that there are no competent Muslim lawyers, who could adorn the Bench of the High Court, as efficiently and competently as any other non-Muslim, if not more. The Madras Bar itself can boast of more than two or three eminent Muslim lawyers who are well qualified both from the point of view of merit and standing, and from the point of view of legal acumen at the bar. It is not necessary for me to specify the names on this occasion. It has nowadays become usual with the Government to say that the appointment of a Judge to the High Court does not lie within their province, whenever questions are raised as to the justice and desirability of appointing a Muslim to this High Court. It does not require much argument on my part to prove the hollowness and unreality of this kind of plea, which is purely a technical device to escape responsibility for the moment. No one denies that Judges of the High Court are appointed in law by His Majesty's Government under the Letters Patent or Royal Sign Manual, but it is also a fact that the appointments are made virtually by the Secretary of State on the recommendation of the Local Government or the Governor, as the case may be. The Secretary of State does not know, nor has he any independent means of knowing who are the best men for the appointment as Judges in Indian High Courts. He, therefore, relies mostly on information and advice given by the Local Government. It is the Local Government or His Excellency the Governor who advises the Secretary of State in regard to the fitness of persons; and, in turn, the Local Government or the Governor, as the case may be, gets information with regard to the persons fit for appointment from the Law Department and the Chief Justice of the High Court. The Chief Justice is the person who can advise and furnish all information about persons and their competency and standing at the bar.

"It is his advice that is the guiding factor for the Government or the Governor as the case may be in sending up names to the Secretary of State for appointment as Judges of the High Court. Of course the Law Member as the Head of the Law Department adds the weight of his knowledge and experience to the advice tendered by the Chief Justice. If such is broadly the procedure that is followed in the matter of getting persons appointed as High Court Judges, it will be clearly seen that there is not the least force in the argument that the Local Government or the Law Member has nothing to do with appointment of High Court Judges. Whenever vacancies arise, all that the Law Member or the Governor has to do is to request the Chief Justice to select the best names from among the Muslim members of the bar and then send up the best names to the Secretary of State with the

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recommendation of the Local Government or the Governor as the case may be. If the Government has a mind to get one or two Muslims appointed to the High Court they can easily get it done. In this connexion it will only be futile and frivolous to suggest that there are no fit men among Muslims to be appointed as High Court Judges. If we take up the appointments made during the last 14 years and examine each case, it will not be long before one discovers that several of the appointees who held the office and retired after long years have not been in any way superior to several of the senior Muslim lawyers who are practising in the High Court to-day. In truth, it is a well-known fact that a good number of the Judges who have held and are holding office are only men of mediocrity and not far above the average, in legal and intellectual equipment. Recently a few vacancies have arisen and one or more are likely to arise in the near future. Even in connexion with these, it will be a matter of great regret and dissatisfaction if the claims of the Muslim community are not going to be considered and justice done to them. I therefore take this opportunity to request in all earnestness that the Hon. the Law Member should make a serious effort on the eve of his retirement at least to get a muslim appointed to the High Court Bench in the next vacancy that is soon to arise.

“Turning to another point, I understand that suggestions are being made and representations appear to have been received by the Government and the High Court to abolish the existing District Munsif's Court at Tenkasi. I may at once say, Sir, that such a step would be a disastrous one from more than one point of view. The Munsif's Court at Tenkasi has been in existence for the past 15 or 20 years and it cannot be denied that it is the most successful one in the whole of Tinnevely district, bringing in largest stamp revenue to the Government. The number of suits and other proceedings on the file of this Court more than justifies the continued existence of this Court. It is located at the most convenient centre and it is popular with all kinds of litigants who resort to this Court. Once before a similar suggestion seems to have been made by interested parties and the High Court and Government have rightly rejected the suggestion as being not in the interests of the administration of the justice. No fresh grounds can now be argued for its abolition. I would, therefore, request the Government not to give any heed to any suggestion for abolishing the Munsif's Court at Tenkasi.

“I wish to add a few words about the grievances of the assessors and jurors and about the delay in the disposal of election petitions in the mufassal. Considering the enormous inconvenience caused and the inordinate time taken in the matter of disposal of election petitions, it has become necessary that some steps should be devised to expedite election cases. I would request the Government to make the High Court issue definite instructions to the subordinate courts to dispose of election cases within a specified time, if the Government itself cannot do this. The Government can also in their turn issue instructions to its law officers not to permit unnecessary delay to take place

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in the matter of the disposal of election petitions to which the Government or its servants happen to be parties. With regard to the assessors and jurors I have to state that the present allowances paid to them for helping the courts in the administration of justice at great risk of personal inconvenience to themselves are very meagre and do not compensate the actual expenses incurred by them. In many cases the assessors and jurors go out of pocket when they attend the Sessions Court for long and tedious periods. It is fair and just that the present rate of allowance should be revised. Such revision will no doubt cost the Government a small extra amount but that is very negligible when we keep in view the services rendered by the jurors and assessors to courts of law.

“With these few words I resume my seat.”

Mr. ABDUL HAMEED KHAN:—“Sir, speaking on this Demand, any hon. Member would certainly advert to one of the most important needs which concerns it and that is with regard to the delay that is caused in the disposal of cases. My hon. Friends who have just spoken before me, both Messrs. Daniel Thomas and A. B. Shetty, quoted facts and figures to show how a case, after it is taken up by the Judges, takes more than a year or a year and a half for its being disposed of. I was told a few months back that a case which was instituted in 1915 was disposed of only recently this year. If it takes such a long time for cases being disposed of, one can easily understand to what an amount of expenditure the litigant public would be put. I am afraid I cannot apportion the blame to this or that authority. The defect lies in the system itself and unless it is revised and made possible for the litigant public to secure justice in a shorter time, I am afraid we will not be giving real justice to the litigant public. After all, people have developed some confidence in courts of law and they seem to think, very often rightly, if they go to courts of law they will get justice done. It is no doubt true that justice is secured to them in many cases. If justice is delayed, I am afraid justice is not fully done. Therefore, I would suggest that the Hon. the Law Member will look into this matter more carefully and see if the whole system is not revised in order to secure early justice to the litigant public. I have to state in this connexion that the dispensation of justice has become very costly and is becoming more and more costly what with the amount of court-fee stamps and what with the fees to lawyers owing to the continuance of cases for years together. We are keeping a very costly establishment. Of course the Judges ought to be paid sufficiently high salaries, in order that they may be above temptation and above corruption. But, all the same, I think that the salaries that we pay to High Court Judges are far higher than what obtains in any other part of the world. Along with the revision of other salaries I am sure the salaries to members of the judiciary will also be sufficiently reduced.

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"With regard to the question of Muslim representation in the Judicial branch, it is a very sore question. No doubt my hon. Friend, Mr. Natesa Mudaliyar, not only to-day but also on many other occasions, has been espousing the cause of the minority, especially of the Muslim community, and has already spoken about the non-appointment of a Muslim to the High Court Bench. My hon. Friend, Mr. Ahmed Meeran, has spoken at length with regard to our longstanding grievance. The Muslim community has been asking for the appointment of a Muhammadan High Court Judge for the last 14 or 15 years, but for one reason or another the Government have not found their way to make such an appointment. Year after year, Muslim representatives and other friends who sympathize with our cause have been advancing our claims and have been sending representations to the Government, but the Government throw the entire responsibility on the Secretary of State and say that the appointment was made by the Secretary of State. As my Friend, Mr. Ahmed Meeran, has stated that the entire responsibility cannot devolve upon the Secretary of State. Sitting far away from this country, about 7,000 miles, it is impossible for the Secretary of State to select any proper person for the High Court Judgeship unless he is advised by the Local Government. Of course if the Chief Justice is the legal authority who initiates this selection, I am sure that the Government of the Province as a whole has a hand in it, whether it is the Hon. the Law Member or His Excellency the Governor does not matter for us. We in this House can only ask the Hon. the Law Member to do justice to our community. Of course I know that in the case of a recent appointment to the High Court Bench, the Hon. the Law Member was utterly ignorant as to what happened and it was only subsequently that he came to know of it. If such a thing happens, we cannot entirely hold the Hon. the Law Member responsible. After all, it is the Government that are to be entirely blamed for not listening to our representations. The question of capacity, competency and efficiency can all be advanced, though not publicly, at least privately. If it has been found possible for the community to produce a gentleman who is going to become Acting Governor, certainly that community can say that it possesses persons who can become High Court Judges. There have been of late so many vacancies on the High Court Bench and appointments were made from all communities and even very recently the Government tried to get some European gentleman whose claims to the appointment were considered but who did not get it. But I understand that the appointment is likely to go to the very same gentleman for reasons best known to the Government. Such being the case, I see no reason why men from our community alone are not appointed and why we should be told that we have not got men who are sufficiently qualified and fit for the post.

"So far as other appointments in the High Court Service are concerned, I am afraid the authority in the High Court who has got the power of making such appointments is certainly more communal

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than anybody. It seems to me that that authority favours only one or two communities. It entirely ignores the existence of other communities. I do not know how to make that authority realize that there are other communities whose claims ought to be looked into and justice done to them. Even for the appointment of peons or daffadars or clerks, that authority seems to think that there are one or two particular communities from which alone it can make such appointments.

"When that is the view of this authority I do not know, as long as it exists, whether there will be any chance for any other community. 4 p.m. I understand that recently selections were made for District Munsifs. The selection was made by the High Court and twelve candidates were selected, but not one of them is a Mussalman. I ask: are there so many Mussalmans in the cadre of District Munsifs that it was impossible for the Government to select one more Mussalman. Were there any applicants for the post from Mussalmans and, if so, how many? Were there not Mussalman applicants who were quite as qualified as the applicants from other communities who have been selected? If there were such applicants, what exactly was the reason for ignoring the claims of Mussalmans. Last time only a few were selected and still the representation of Mussalmans in the cadre of District Munsifs is quite meagre. In these circumstances, I cannot understand what made the authority responsible for the selection ignore the claims of Mussalmans? Of course, the world knows how these selections are made and how things are done and I do not think it is necessary for me to explain here in this august body how these things are done. Unfortunately those considerations do weigh with the judges who make the appointments. However, I hope it will not always be the case.

"Sir, I understand that the Government are thinking of constituting a new City Civil Court and increasing the number of Judges there. I hope that the claims of the Mussalman community will be considered in that connexion. These are the many things which I thought I ought to represent to the Government on this occasion. I dare say that the Hon. the Law Member who is on the eve of retirement from his membership will kindly see in the short time at his disposal that representation is made to the proper quarters to recognize the claims of Mussalmans so far as appointments in the High Court are concerned. I think, Sir, I should take this opportunity of thanking the Hon. the Law Member for the kind courtesy that he has shown to Members of this House during his regime as Law Member and for all that he has done for the people of this Province."

* Mr. M. DEVADASAN:—"Sir, I just want to make a few observations on the motion before the House. Justice is not impartially meted out in the mufassal, specially in the rural parts. The administration of justice in the villages is left in the hands of the village courts and the panchayat courts. With due deference to the Hon. the Law Member, I should say that greater reforms are necessary in the constitution and the working of the village and panchayat courts. I find from that

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administration report that 111 cases have been transferred from the village courts to other courts and 632 or thereabouts have been transferred from the panchayat courts to other courts by the District Munsifs under Section 20-A of the Village Courts Act. Several petitions are filed every day for the transfer of cases from these courts and for setting aside under section 73 of the Village Courts Act of the decrees passed by these village courts and panchayat courts. There is no mention about the number of cases in which the decrees have been set aside under section 73. The people in the mufassal complain that justice is not meted out impartially as the village munsif or the members of the panchayat side one faction or the other in the village. Thus there is miscarriage of justice. In the Government Order issued by the Government on the administration report, the Government are pleased to observe that village courts and panchayat courts are becoming more and more popular. I should say Sir, that this statement has been based on the reports furnished by the subordinate courts. But, if we examine the matter carefully we find that many petitions are filed in the District Munsifs' Courts either for the transfer of cases or for setting aside decrees passed by village and panchayat courts whether justice is done to the clients or not. That shows that something is needed to improve the administration of justice in the villages.

"With regard to the constitution of these courts, we find that they are mostly composed of the influential sections of the people. I put several interpellations on this point. I have to say that these courts are generally constituted in such a way as to be prejudicial to the interests of the minority communities. I hope that before the Hon. the Law Member lays down his office, he will make some provision for the adequate representation of all communities on these village courts and panchayat courts.

"I now want to say a few words about the administration of criminal justice. Recently, Sir, officers have shown some apathy and indifference in trying the cases coming before them. Some security cases are not dealt with in the manner in which they ought to be dealt with. They have been thrown out. Though I am a vakil, I should say that in the interests of justice, people who are brought before Magistrates for proceedings under the security sections of the code, have to be warned and bound over so that they might not do any mischief. Some Police officers complained to me that some security cases were thrown out by the Magistrates although those cases deserved some action to be taken. Some Magistrates do not care to do more work than they like and they do not go into the petitions presented to them. Petitions under section 145 of the Criminal Procedure Code are presented before Magistrates; but they do not take cognizance of those petitions, nor do they send them to the Police for proper enquiry on the other hand they dismiss the petitions and ask the people to file criminal complaints if they are so advised. Since the Magistrates neglect this kind

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of work, criminal offences both cognizable and non-cognizable are committed. If people are warned in time, they will not occur.

"Sir, I have to congratulate the Hon. the Law Member for one thing he has done for us and, if I do not do that, I will be failing in my duty. In the past there were not enough members of the Depressed Classes on the bench courts. Now he has been kind enough to instruct District Magistrates to nominate members of the depressed classes to these courts. I must also thank the Law Secretary for having acceded to the request of the members of the Depressed Classes to appoint them as bench magistrates. There are enough men among the Depressed Classes competent to be bench magistrates and I hope he will issue necessary instructions to District Magistrates to see that the claims of the Depressed Classes and other minorities are not neglected in the least when bench courts are constituted in the future.

"Sir, I have given notice of some cut motions, some of which have already been dealt with by my hon. Friends and I do not want to refer to them again. I shall, therefore, confine myself to a few only which have not been touched upon by others. In Tinnevely, the offices of Public Prosecutor and Government Pleader are held by one and the same person, while in other districts the offices are held by two different persons. I ask the Hon. the Law Member to see that in future the two appointments should go to two different persons and not be held by one and the same person. There is a feeling among the minority communities in Tinnevely that their claims have not been considered in making the appointments of Public Prosecutor and Assistant Public Prosecutor in the past. I hope that the Hon. the Law Member will give due regard to the claims of these communities in making future appointments to these posts.

"I have given notice of another motion also on a subject which was often dealt with before—the separation of the executive from the judicial functions. Several other hon. Members also have given notice of a similar motion. This is a vexed question—the same officer discharging both judicial and executive duties. It gives a lot of trouble not only to the public but also to the members of the bar who practise before Magistrates. These executive officers camp in different places in the district and therefore it causes not only a good deal of expense to the litigant public but also considerable trouble to the members of the Bar. Therefore, it is high time that the two functions should be separated from each other and vested in different officers.

"Before I close, I wish to say that the members of the Depressed Classes are very grateful to the Hon. the Law Member for the sympathetic consideration he has given to their claims for appointments as bench magistrates and others. I must also observe that though he was old in age, he was active as a young man. During his regime he came twice to Tinnevely and inspected the courts. I wish him long life and success."

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4-15
P.M.

B. POCKER SAHIB Bahadur:—" Mr. President, Sir, I shall confine myself to five minutes as I undertook to do before you in private. I want to urge on the Government the necessity of issuing a Government Order to the effect that all courts in the Presidency should adjourn for two hours from 1 p.m. to 3 p.m. or 12-30 p.m. to 2-30 p.m. (not 2 p.m. as is put on the notice paper) according to the needs of the locality on all Fridays with a view to enable the parties, witnesses, advocates or the presiding officers of the courts who may happen to be Muslims to attend Jumma service. Sir, I make this motion on account of the difficulty we, Mussalmans, have been experiencing all these years. The courts rise at about 2 p.m. or so on Fridays as also on other days. The High Court rises at 1-45 p.m. By that time the Jumma prayer is over; it is only three-quarters of an hour that is allotted for lunch; during that time it is impossible for us to attend to Jumma prayer. Though the Hon. the Law Member is not a Muslim, I know he is quite well acquainted with the religious tenets of the Muslims and with the binding nature of the Jumma prayer. It is incumbent on every Muslim to attend to Jumma prayer unless he is disabled in some way or other. I know that the Government have been affording facilities to Muslims in these matters. This difficulty has not been solved by the Government, simply because the difficulty experienced by lawyers, by parties and by witnesses who attend the courts, has not been brought to the notice to the Government. In view of this inconvenience, the Government have issued a Government Order enabling the members of the staff of judicial courts to take two hours rest for attending to the Jumma prayers. Since the Government consider that it is the religious duty of the Muslims to attend to Jumma prayers, they have given two hours' time to the establishments of judicial courts to fulfil this religious duty. Therefore I do not see any reason why the Government should not recognize the same duty cast on the other Muslims, advocates, parties and witnesses or even judicial officers. No doubt presiding officers have got the liberty of rising whenever they like to accommodate themselves. But advocates, parties and witnesses feel this inconvenience. I know of many cases where Muslims have to choose between their religious duty of performing this prayer or attending to cases which are to be taken up during this period. I think the Government will relieve us from this difficult situation. After all, what I ask is only about an hour more during lunch time, on one of the five or six working days in a week. I do not think that would materially affect the working of the courts; it would not affect the efficiency of the courts. I will go to the extent of saying that, if any holiday is to be cut, it may be done. I would appeal to the Government that this convenience should be afforded.

" One other matter I wish to refer to. It is an urgent necessity to provide sitting accommodation for parties, witnesses, etc., who have to visit the courts in the mufassal. You know that there is such accommodation for the public in every court in the High Court. You do not find any such accommodation in the courts in the mufassal. However

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respectable the parties or the witnesses may be, they have either to loiter about in the courts or they have to be standing or they have to squat on the floor. I do think that the Government would realize the necessity of providing such persons with seating accommodation, as it is done in the High Court, in the Small Cause Court and other courts in the city. It may cost a little to the Government but I think that is an expenditure worth incurring, in order to remove the inconvenience felt by the public.

" I wish to say a word or two about the necessity to provide for an overbridge connecting the Small Cause Court premises with the High Court buildings. (Voice: 'The legal practitioners will pay.') If it is shown that these practitioners do not pay sufficiently to the Government in various ways by payment of various taxes, it will be time to consider the question. Certainly it is very essential to the convenience of the legal practitioners who have to attend to work both in the High Court and in the Small Cause Court. I find, there is a small bridge provided between the library room and the corridor in front of the Chief Justice's room; it is only 2 cubits. I do not know what purpose it serves. I do not see any reason why the Government should not seriously consider the question of providing an overbridge between the High Court and the Small Cause Court premises as there are so many practitioners who have got work in both the Courts. It is all the more necessary as the City Civil Court has been recently transferred from the High Court buildings to the new Small Cause Court buildings. Therefore there is much of congestion in the latter building.

" There is another point. That is about the necessity to have an Additional District Munsif's Court at Tinnevely. At present the litigant public who are living in the vicinity of Tinnevely town are asked to go 20 miles to Ambasamudram and file their suits there. That, I submit, is a great hardship. If an enquiry is made, the Government would be convinced that this demand is a very reasonable one. I do not propose to take much more time in view of the undertaking I gave."

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Sir, I shall try to be as brief as possible, though there is a large number of points referred to by my friends, which necessitate my replying to at least the more important of them. My friend, Mr. Sreshta, referred to the question of separation of judicial from executive functions. That is a very hoary question. I remember that, when I was at the bar, when I was a very young man, this was one of the questions constantly dealt with both on the platform and in the Legislative Council. As my friend, Mr. Sami Venkatachalam Chetti, reminds me, I was agitating this question, when I was a non-official Member, on the floor of this House. Whatever it may be and however desirable it may be, I may tell my friends that it is beyond this Government to take any action in this matter. As a matter of fact, a small committee was appointed some years ago by this Government to go into this question and they recommended some reforms though not of a very extensive nature. A

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report regarding the recommendations of that committee was sent up to the Government of India. Subsequently this question was being agitated on the floor of the Council of State and also on the floor of the Legislative Assembly at Delhi. In the year 1928 or so, a reply was given to a question asked in the Council of State on this matter. That reply was to the effect that the Secretary of State had ruled that this question should be treated as an All-India one, and that no Provincial Government could therefore treat this question as Provincial matter. A despatch to that effect has also been forwarded to this Government by the Government of India. What they stated on the floor of the Council of State was that the Statutory Commission presided over by Sir John Simon had not submitted their report and that until that report was submitted, the Government of India themselves would not move in the matter. I am not using their words. That is the substance of what they said on the floor of the Council of State. They themselves could not take any action and the report of the Statutory Commission was awaited. I find by a reference to the reports of the various Round Table Conferences that there is no reference to this question in those reports. But there is a reference to this question in the report of one of the Subject Committees of these Conferences. As far as I can recollect—I speak subject to correction—I think that there is no reference to this question in the White Paper also. In any case my point is that it is beyond this Government to take any action in this matter.

“Then my friend, Mr. Sreshta, went on to say that District Munsifs should be appointed by competitive examinations. I am afraid that I cannot agree with him in this matter. My friends who are members of the bar will, I believe, agree with me when I say that a Munsif's appointment requires very high qualifications. The capacity to administer Civil Justice as District Munsif does not depend upon the capacity to pass competitive examinations. Experience at the bar is necessary; knowledge of human nature is necessary; all these things come to a person who has been at the bar for some time. I think that the present system of recruiting District Munsifs is very much better than the system recommended by my friend, Mr. Sreshta. It will be remembered that some of my friends urged that the power of appointing District Munsifs should be transferred to the Madras Services Commission, and that it should be taken away from the High Court. I entirely agree with my friend, Mr. Pocker, in thinking that that should not be done. The Madras Services Commission will not be the proper body to appoint District Munsifs; they will not be in a position to know the comparative merits of the applicants for the posts of District Munsifs. The Judges of the High Court also may not be able to know the comparative merits of all the applicants. But the High Court is in a better position than the Madras Services Commission to know the comparative merits of the applicants and it will be remembered that even in England where appointments for the public services are generally made by the Public Services Commission, the appointment to judicial posts is not in the hands of the Public Services Commission. Of course, the Judges of

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the Supreme Court are appointed by His Majesty; but County Court Judges are appointed, not by the Public Services Commission, but by the Lord High Chancellor who is the Head of the Judiciary in England.

“Then my friend, Mr. Sreshta, referred to the delay in the disposal of cases; many other friends also referred to this point and to the delay in execution of decrees. There is perhaps some justification for the complaints of my friends. But what I submit to this House is this; the High Court and the Government have done and are doing all in their power to minimize the causes of this delay. Reference to the delay in the disposal of cases in the High Court also has been made to-day on the floor of this House. So far as the High Court is concerned, the Government have, on the recommendation of the High Court recently, increased the number of permanent Judges by two and, in addition to this, they have permanently appointed an officer called the Master who discharges many judicial functions which were till then being disposed of by the High Court Judges themselves. I believe the Official Referee also attends to judicial functions. In addition to this, as my friends are aware, a Bill has been introduced into this Council for enhancing the pecuniary jurisdiction of the City Civil Court to Rs. 10,000, and when this Council passes that Bill, part of the original jurisdiction of the High Court will be transferred to the City Civil Court. That will lead to more speedy disposal of cases not only on the Original Side of the High Court but on the Appellate Side also. After this Bill is passed, another Judge will be appointed to the City Civil Court. I may say that the Government will then bear in mind the suggestion of my friend, Mr. Hameed Khan, to appoint a Muhammadan gentleman to that post. 4-30 p.m.

“With reference to the suggestion of my friend, Mr. Sreshta, that there must be some other authority than the District Munsifs and Sub-Judges, to dispose of execution cases, I am afraid that I cannot agree with him. As lawyers in this House know, in execution of the decrees, very often more complicated questions of law than in the disposal of cases themselves arise, and it must be trained judicial officers that should be entrusted with the power of disposing of them.

“My friend, Mr. Sreshta, again referred in very strong terms to the activity of one of the High Court Judges in advocating birth-control; but I was glad to observe that he himself referred to him as a very respected person and a highly respected Judge of the High Court. He blamed him for taking part in the controversy relating to birth-control. I believe that my friend, Mr. Sreshta, will agree with me—and I am sure that all my other friends in this House will also agree with me—when I say that whatever his opinions on birth-control may be, his duties in connexion with his office as a Judge are not in the least affected by his opinions (Hear, hear). That is the only matter, I think, with which this House is concerned. I believe that Mr. Shetty also replied to Mr. Sreshta and said that his private opinion on matters, which are not in any way connected with the decision of cases, is not the concern of this House.”

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Mr. M. S. SRESHTA:—"But he is doing propaganda work."

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"In any case, as I said, all that this House has to do with him is with his work as a Judge and I am glad that my friend himself has paid a compliment to his capacity, his probity and his efficiency as a Judge."

"My hon. Friend, Mr. Shetty, also referred to the delay in the disposal of cases. I have answered that question already."

"My friend, Mr. Shetty, again made a suggestion that the post office may be made the medium of serving processes to the litigant public. In fact, Mr. Shetty himself and some others have stated that this function of serving process is an important one. I do not think that the post office will be a better agency than the paid process peons for serving these processes. I do not mean to say that the process peons are an ideal set of persons. As a matter of fact, there are very few, if any, ideal persons in the world. The courts do exercise as much control as possible over these process-servers. In any case, I think that the post office cannot be a much better agency for serving the processes on the public."

Mr. BASHEER AHMED SAYEED:—"But the post office is now being used."

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"As a lawyer himself, my friend knows very well that sometimes when questions relating to the receipt of registered letters and registered replies come up before the courts, the question of the integrity of the post office peons also arises. At any rate, that was my experience in old days. I do not know whether the post office peons have improved since then."

"Then my friend, Mr. Daniel Thomas, referred to various subjects. He referred particularly to the need for using section 562 of the Criminal Procedure Code. I agree with him. It is really desirable that that section should be used to a larger extent than now. The Government have drawn the attention of the Magistrates to that aspect of the question."

"My friend then wanted to know how mercy petitions that come up before the Government are disposed of. The general principle on which these mercy petitions from condemned prisoners—prisoners sentenced to be hanged—are disposed of is this. The Government take it for granted that the findings of fact and law arrived at by the High Court are correct. It will be wrong on principle for the Executive Government to differ on findings of fact or on questions of law, from the decisions of the highest tribunal in the land. All these questions of death sentences have to go to the High Court. So, the findings of fact and of law are always taken by the Government as correct. Then the Government see whether there are any special considerations for them to use their prerogative of mercy in the case of the petitioners. For instance, there may be cases of extreme tenderness of age of persons sentenced to be hanged. According to the Indian Penal Code, the Judges

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of the High Court are bound to give the death sentence in many cases. If the accused happens to be a very young boy of 17 or 18, that may be a circumstance to be taken into consideration by the Government. Again, there may be cases of sex to be considered. Suppose a woman is sentenced to be hanged, the Government take her sex into consideration and may exercise their prerogative of mercy for the commutation of the death sentence into one of transportation for life. That is generally the policy that is followed by the Government. With reference to procedure, these mercy petitions are always treated as urgent in the Secretariat. There is also a standing instruction to the Superintendents of Prisons that no person who has been sentenced to be hanged should be hanged till the mercy petition that he may have submitted to the Local Government or to the Government of India is disposed of. That is a standing instruction, and that has been repeated with greater details after the recent unfortunate occurrence in the Punjab."

Mr. SAMI VENKATACHALAM CHETTI:—"What about the recent Government Order with regard to these mercy petitions?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"As a matter of fact, that is based upon the orders of the Government of India. As I said, the Government always treat these mercy petitions as very urgent, and if the Local Government refuse to interfere, they forward the petition addressed to the Government of India, to that Government. If, on the other hand, the Local Government themselves interfere with the death sentence, then they do not forward the mercy petition addressed to the India Government, to that Government."

"My friend, Mr. Daniel Thomas, condemned the jury system. I think that last year also he referred to the same question. (An hon. Member: Every year.) My friend may be right or may be wrong; I am not in a position to say. But it is a very difficult question for a Local Government to tackle. This is a system which is embodied in the Criminal Procedure Code by the Government of India, and this Government cannot therefore interfere with it. Though there may be aberrations now and then, as my friend stated, on the whole I am inclined to think personally that the jury system is after all not bad. My friend might have had in his mind, when he referred to this matter, the recent occurrence in his district where some jurors in connexion with a case were charged with corruption. That matter has come to the notice of the Government. Anyway, Sir, on the whole I think that the present system is working satisfactorily."

"My friends, Mr. Pocker and Mr. Devadasan, and also Mr. Daniel Thomas, I think, referred to the abolition of the Palamcottah Munsif's court. That court was abolished in 1931 as a matter of retrenchment, on the recommendation of the High Court and in accordance with the request of the Tinnevely Bar, the whole of the territorial jurisdiction of the Palamcottah Munsif's court was transferred to the Tinnevely Munsif's court."

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“ With reference to the question of the distribution of the territorial jurisdiction, it is a matter which, under the Civil Courts Act, is entirely within the jurisdiction of the High Court; and the High Court, I am sure, will go into the matter very carefully and do what is necessary.

“ Some other friends suggested that it was under contemplation to abolish the Ambasamudram Court or the Tenkasi Court. There is no such question before the Government now.

“ I may also refer to another important matter referred to by my Muhammadan friends, i.e., the need for employment of Mussalmans on a larger scale in the judicial service, and particularly the need for the appointment of a Muhammadan Judge in the High Court. As I have already submitted to this House, and as Mr. Hameed Khan himself anticipated, the Local Government have nothing to do with the permanent appointment of High Court Judges. The appointment of permanent Judges to the High Court is made by the Secretary of State on the confidential recommendation of His Excellency the Governor and His Excellency the Governor is not bound to consult his Colleagues in the Government. Of course he has other sources of information with reference to the candidates available. I shall however, bring these representations to the notice of His Excellency, and I may say that with that sense of fairness and justice which characterises all his actions, His Excellency will do what is proper in this matter.”

Mr. SAMI VENKATACHALAM CHETTI:—“ Why should we vote the money? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I may tell my friend that the pay of a High Court Judge is non-votable. We have no right to vote for or refuse it.”

Mr. SAMI VENKATACHALAM CHETTI:—“ What about his establishment? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ There is no question of appointing Mussalman gentlemen to the establishment now.

“ I am afraid, Sir, that I am exceeding my time. I shall be very short, Sir. There are many other points referred to by my friends, which, I am sorry, I am unable to touch upon now in any great detail.”

B. POCKER SAHIB Bahadur:—“ What about Friday adjournment? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ With reference to Friday adjournment, the High Court itself has issued a circular to all the Civil Courts in the Presidency, requiring that one hour's interval should be given on every Friday to every Mussalman employee of the Court. If a request is made to the presiding Judge of the Court, I have no doubt whatever that the necessary interval will be given to the Muslim practitioners, parties and witnesses also. In any case, Sir, I shall forward the suggestion to the High Court.

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“ There are many other things referred to by my friends, but I think my friends will excuse me. . . .”

Mr. M. S. SRESHTA:—“ What about the appointment of a committee? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ My friend's suggestion was that a committee should be appointed to go into all these questions relating to the administration of justice. I am afraid, Sir, that a committee will not be the proper machinery for going into these questions. The proper machinery would be the High Court itself. Anyway, my friend's suggestion will be forwarded to the High Court.

“ Before I sit down, Sir, I wish to refer to some personal references made to me by many of my friends here, namely, Messrs. Sreshta, Natesa Mudaliyar, Daniel Thomas, Hameed Khan, Devadasan and others. I feel very grateful to them for these personal references. As my friends stated, this is the last time when I shall speak here on Budget discussions. I shall have, no doubt, further opportunities to speak on the other demands, but still, as they have kindly referred to me personally, I wish to say that I am very thankful to them for those remarks. I am also thankful for the co-operation that I have always had from the Members of this Legislative Council, and it will be a matter for very pleasant recollections to me hereafter that I have had the privilege and the happiness of receiving such hearty co-operation from all my friends. Though, as I said, this is not the last Demand of the Budget on which I shall speak, yet, I may take this opportunity of tendering my heartfelt thanks to the Law Secretary, his Assistant Secretary and the whole establishment working in the Law Secretariat and to the other Secretaries for helping me whole-heartedly in the discharge of my duties.”

* Mr. M. S. SRESHTA:—“ Mr. President, Sir, I am thankful to the Hon. the Law Member for having practically dealt with all the points that were raised in the course of the debate by myself and other speakers. May I be permitted to say something in reply to what he said regarding the Judges of the High Court.” 4-45 p.m.

* The Hon. the PRESIDENT:—“ We have already exceeded the time allotted for this Demand. I don't think it will be in order to go on discussing once again.”

The cut motion was, by leave, withdrawn.

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

DEMAND XIII—JAILS—RESERVED.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I move—
‘ That on the recommendation of His Excellency the Governor the Government be granted a sum not exceeding Rs. 20,22,900 under Demand XIII—Jails—Reserved ’.”

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* Mr. G. R. PREMAYYA:—"Mr. President, Sir, I move—

'To reduce the allotment of Rs. 34,800 for Jails—Superintendent—Pay and Allowances of Officers and Establishments, by Rs. 100.'

"The policy of Jail administration should be more of corrective and preventive nature. From the report of administration of jails one can easily find that there are three classes of prisons, viz., district jails, borstal schools and special jails. I think you have separate wards for females. We are in the dark as to whether the treatment accorded to them is satisfactory or not. I suppose that there are no female superintendents. Even if there are as usual, they will be assaulted for the reasons which I am going to show. Not much has been said about the Vellore Presidency Jail for Women.

"Generally a convict will be released by a special order of the Government, on the recommendation of the Advisory Board, on medical recommendations and under scheme of premature release. Of these, Sir, I wish to deal with the advisory boards and medical recommendations. I know that advisory boards are constituted for the purposes of advising Government in matters connected with convicts. I have seen the report and was also given to understand that one or two gentlemen had been selected as life members as it were of the board and will continue to be there for eternity if God gives them longevity. If Government are earnest about the co-operation of non-officials, they will be well-advised to choose trustworthy non-officials as members of the board in different areas. These boards though they are constituted with good intention will not be appreciated by the people at large until they are above criticism, and so I say non-officials of different areas should be appointed to the board.

"As regards medical recommendations to which greatest importance is attached when discharging prisoners on medical ground, I do not know what to say. The Government know full well that a certain prisoner is seriously ill. Medical officers are in attendance on the sick man, diagnose the disease and if they expect that the disease is going to be a dangerous one why not they put the patient in the hospital and give him good treatment? To say that three of the persons whose release on medical grounds was sanctioned by the Government, died before orders were received is very deplorable indeed. This does not speak very high of the department. If the report explains to us who the dead persons are and their history, we may be in a position to know the actual truth.

"The administration report shows an increase in the number of convicts who are engaged in agriculture. I wonder how these people are treated. The rules allow for newspapers and some books in the case of educated convicts. Many books of a very high order have been written by persons in jails. Bunyan's Pilgrim's Progress is an example. Pandit Jawaharlal Nehru and Mahatma Gandhi have written wonderful books. Although these agriculturists are convicts, it is not to be forgotten that

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they have likes and dislikes and are human. They need some manual and brain work as well during their stay in jail. It is the duty of the Government to change them mentally, morally and socially. The abusive language—I wish the Hon. Member to bestow his particular attention to what I am saying—used by the authorities towards the convicts and the brutal treatment meted out to them make the convicts more desperate and rude; on the other hand, if the authorities treat the convicts kindly, as far as the Jail rules permit and try to change them, they will certainly yield; they are not worse than beasts and can be changed. Their outlook on life may be changed and their general level of intelligence can be raised by means of magic lanterns and cinemas. It may be of advantage to these criminals if small moral stories are shown on the picture. Penal colleges in the western countries, Denmark, Germany, Holland and Austria are following this method. People who are once convicted must be in a position to share the responsibility of citizenship just like any other man after they are discharged. In the West, in the case of convicts who had been agriculturists, prior to conviction, they are taught gardening, bee-keeping, piggery, sericulture and other subjects so that on discharge they may be able to start business rightaway. This is not done in our country. Prisoners' Aid Society which finds job for the discharged prisoners is only having undue advertisement. The prisoners find themselves lost to the world when they come out of jail. If the western method of reformatory is adopted there will be no difficulty for the prisoner to earn his bread on his release from jail. The petty jail officials must behave better. Indecent language should not be used against convicts. As regards first offenders, the West has separate colonies for them; and in some colonies a separate section is given away to those who are sentenced for a short term. Habituals are not under any circumstance kept in close touch with first offenders or juveniles. I hear that there is a Bill before the Government of India to introduce a system of probation for first offenders. I believe that this measure is under preparation and strict examination for a long time, and no one knows when it will be passed into law. If there is to be any reform by the India Government, it is in this department that is most needed. Jail policy requires to be completely and entirely changed and reorganized on the lines of the western system of reformatories. Corporal punishment is being awarded to C class civil disobedience prisoners. Nowadays, this form of punishment is unheard of in the West. Whipping also is awarded in certain cases, say in the case of an assault on the Superintendent. I say that these assaults are the outcome of bad treatment given by the Superintendents. The prisoner knows that he is helpless, and he has also no way to defend himself against ill-treatment and he cannot brook abusive language. The man grows desperate and resorts to assault. In such a model institution as the Madras Penitentiary, for small offences whipping is awarded. The Superintendent behaves like a despotic monarch. The convicts are utterly helpless; they cannot appeal to anybody and even if they do, none will go to their rescue. Who knows what is going on between the four walls of each jail? What I say is that by a more humane treatment, we can put a stop to many offences against jail discipline.

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"In certain self-governing countries, the ruling parties put their political enemies in jails and when the opposite party comes into power they in turn put their political enemies in jail. Let us now presume that we have self-government. We know that if we behave improperly, we shall be put into jail. If we come to power in the next elections, we will put some people in jail and the first of such persons will be the Hon. the Law Member who refused to give buttermilk to C class civil disobedience prisoners. He must have known that buttermilk is not a luxury and I know of several cases in which convicts get ill due to non-supply of buttermilk. I am neither a Congresswallah nor one who sympathises with the movement; I cannot see eye to eye with them. But I deprecate this attitude of revenge and as one who sincerely wishes for the betterment of the Indian nation, as one who would like to see the Indian administration and sincerely wish that the Government should in the near future adopt the western method of reformatory. By so doing, I think the Government will be automatically putting a stop to a lot of trouble."

At this stage the House adjourned to meet again on Monday, the 19th March 1934 at 11 a.m.

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

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APPENDIX I.

[Vide answer to question No. 791 asked by Mr. M. B. Rangaswami Reddi at the meeting of the Legislative Council held on the 17th March 1934, page 366 supra.]

Names of municipal councils working at a deficit.	Steps taken by the Government to rectify the same.
1 Hindupur	The deficit will be met from the surplus opening balance and by a curtailment of expenditure.
2 Vaniyambadi	The council works at a surplus but, owing to a deficit opening balance, the closing balance also is expected to be a deficit one. The council has been advised to reduce the expenditure so as to cover the deficit.
3 Walajapet	The council has been advised to reduce its expenditure.
4 Bellary	The council works at a surplus but, due to the opening balance having been a deficit one, the closing balance is expected to be in deficit. The commissioner of the municipality has been told to collect the arrears briskly and to wipe off the deficit.
5 Saidapet	It works at a surplus but it had a deficit opening balance in consequence of expenditure on capital works in past years. A loan of Rs. 27,000 has been sanctioned to the council in the current year and the deficit will be made up.
6 Chittoor	The deficit in working will be made up from the surplus opening balance. The council has also been asked to make retrenchments in expenditure.
7 Coimbatore	The deficit in working will be met from the surplus opening balance. The Council has also been asked to make retrenchments in expenditure.
8 Parlakimedi	Do. do.
9 Narasaraopet	Do. do.
10 Nandyal	The question of permitting the council to divert special funds temporarily to meet the deficit and of taking adequate measures to place the municipal finances on a stable footing is engaging the attention of Government.
11 Palni	The council started the year with a deficit and expects to work at and close with a deficit. It has been permitted to divert water and drainage fund temporarily and told to reduce its expenditure.
12 Cannanore	The deficit in working will be met from the surplus opening balance. The Council has been asked to retrench its expenditure.
13 Tellicherry	Do. do.
14 Kumbakonam	Do. do.
15 Mannargudi	Do. do.
16 Tinnevely	The council expects to make up the deficit in working from its surplus opening balance.
17 Nellore	The deficit in working will be met from the opening balance. The council has been told to retrench expenditure.
18 Srirangam	The council works at and expects to close with a deficit. It has been told to retrench expenditure and augment its revenues.

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APPENDIX II.

[Vide answer to question No. 794 asked by Mr. K. A. Nachiappa Gounder at the meeting of the Legislative Council held on the 17th March 1934, page 369 supra.]

When convicted.	For what offence.	By whom.	For what period.
Clause (c).			
20th August 1930 ..	First count, offence under section 420, Indian Penal Code; 2nd, 3rd and 5th counts, offences under section 471 read with section 466 of the Indian Penal Code; 4th count, section 471 read with section 467 of the Indian Penal Code.	High Court.	Rigorous imprisonment for three years on 1st count and rigorous imprisonment for one year on each of the other four counts, the sentences to run consecutively.
Jails in which confined.		Period of stay in each.	
Clause (d).			
(1) The Penitentiary, Madras ..	..	20th August 1930 to 15th September 1930.	
(2) Central Jail, Trichinopoly ..	..	16th September 1930 to 6th January 1931.	
(3) .. Coimbatore ..	..	7th January 1931 to 8th October 1931.	
(4) .. Vellore ..	..	8th October 1931 to 26th July 1933.	
(5) .. Salem ..	..	27th July 1933 up to date.	

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Monday, the 19th 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.O.I.E., The Hon. Khan Bahadur Sir Mahomed.	Mahmud Schamnad Sahib Bahadur Khan Bahadur.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.	Manikkavelu Nayakar, Mr. M. A.
Campbell, K.O.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.	Moses, Mr. P. C.
Raja of Bobbili, The Hon. the.	Muniswami Pillai, Rao Sahib V. I.
Rajan, The Hon. Mr. P. T.	Muthiah Chettiyar, Mr. M. A.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Nachiyappa Gounder, Mr. K. A.
Abdul Hameed Khan Sahib Bahadur.	Nanjappa Bahadur, Subadar-Major S. A.
Ahmed Meeran Sahib Bahadur.	Narasimhaswami, Rao Sahib D. V.
Alagannan Chettiyar, Rao Sahib A. S.	Narayanan Nambiyar, Mr. V. P.
Alamelumangathayaramma, Mrs. K.	Natesa Mudaliyar, Rao Bahadur C.
Annamalai Chettiyar, Mr. S. A. A.	Palat, Mr. R. M.
Appadurai Pillai, Diwan Bahadur A.	Pannirselvam, Rao Bahadur A. T.
Arasu, Mr. V. T.	Patnaik Mahasayo, Sriman M. G.
Ari Gowder, Mr. H. B.	Patro, Kt., Rao Bahadur Sir A. P.
Basheer Ahmed Sayeed Sahib Bahadur.	Peddi Raju, Mr. P.
Basu Dev, Mr. C.	Pocker Sahib Bahadur, B.
Beyabani Sahib Bahadur, S. M. K.	Premayya, Mr. G. R.
Bhanoji Rao, Mr. A. V.	Rajagopala Pillai, Mr. P. V.
Birley, Mr. F.	Raja of Bobbili, The
Devadasan, Mr. M.	Ramachandra Padayachi, Mr. P. K.
Dharmalingam Pillai, Rao Sahib V.	Ramachandra Rao, Diwan Bahadur M.
Ellappa Chettiyar, Diwan Bahadur S.	Ramakrishna Reddi, Mr. A.
Foulkes, Mr. R.	Ramalingam Chettiyar, Rao Bahadur T. A.
Gopalaswami Ayyangar, Diwan Bahadur 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.
Jagannatha Raju, Rao Bahadur G.	Ramaswami Mudaliyar, Mr. V. M.
Jagannatham, Mr. H. M.	Ranganatha Mudaliyar, Mr. A.
Jayaram Nayudu, Rao Sahib C.	Ranganatha Mudaliyar, Mr. G.
Kesavaramamurti Nayudu, Mr. K.	Ranganatha Mudaliyar, Mr. M. D. T.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Kolanda Reddi, Rai Sahib C.	Sami Venkatachalam Chetti, Mr.
Koti Reddi, Mr. K.	Sesha Reddi, Mr. E. P.
Krishnayya Choudari, Mr. P. V.	Shetty, Mr. A. B.
Krishnamurti, Rao Bahadur D.	Singam Ayyangar, Mr. K.
Krishnan, Mr. C.	Siva Raj, Rao Sahib N.
Kumararaja of Venkatagiri, The.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Ladden, Mr. W. W.	Sreshtha, Mr. M. S.
Lakshmana Reddi, Mr. G.	Srinivasa Ayyangar, Mr. T. C.
Langley, Mr. W. K. M.	Srinivasan, Rao Bahadur R.
Madanagopal Nayudu, Mr. R.	Sriramulu, Mr. G.
Mahboob Ali Baig Sahib Bahadur.	Subbarayan, Dr. P.
	Subrahmanya Chetti, Rao Sahib P.
	Subrahmanya Bhatt, Mr. U. C.
	Sundara Rao Nayudu, Mr. T.

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PRESENT—cont.

Syed Tajuddin Sahib Bahadur, Khan Sahib.	Venkatarama Ayyar, Mr. K. R.
Thomas, Mr. Daniel.	Venugopal Nayudu, Rao Bahadur R. K.
Thorne, C.I.E., I.C.S., Mr. J. A.	Viswanatha Rao, Diwan Bahadur V. N.
Vasudeva Pillai, Mr. V. G.	Yakub Hasan Sahib Bahadur.
Vedachala Mudaliyar, Mr. M.	Zamindar of Kirlampudi, The.
	Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Administration of Justice

Claims of Muslims and other backward communities for appointment as District Munsifs.

* 795 Q.—MR. ABDUL HAMEED KHAN: Will the Hon. the Law Member be pleased to state whether before the High Court made the selection of candidates for appointment as District Munsifs, the Government addressed them that in making the selection of District Munsifs the claims of Muslims and other backward communities should be considered?

A.—The power of appointment of District Munsifs vests in the High Court under section 7 of the Madras Civil Courts Act, 1873, and the principle of communal rotation does not apply to such appointments. The views expressed in the Council on this question in connexion with the discussions on the Budget Estimates in March 1931 were forwarded to the High Court as then promised. Later in the year a reference on the same subject was also made to the High Court in connexion with the framing of rules for the Provincial Civil Service (Judicial Branch). The Hon'ble the Judges replied that, in the future as in the past, they would be alive to the communal problem and ready to consider the wishes of the Government in the matter of recruitment of District Munsifs but that they deprecated the adoption of a rigid rule of communal rotation and must reserve to themselves full liberty of action. There was thus no need for the Government to address the High Court further on the matter.

MR. ABDUL HAMEED KHAN:—"It is stated in the answer to this question that the Hon'ble the Judges of the High Court replied that, in the future as in the past, they would be alive to the communal problem and ready to consider the wishes of the Government in the matter of recruitment of District Munsifs. They are alive no doubt to the communal problem, but what do they propose doing?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"What they have stated is that, consistently with efficiency, they will pay attention to this communal problem also."

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MR. ABDUL HAMEED KHAN:—"May I ask the Hon. the Law Member whether the High Court Judges are aware that there are certain communities which are practically not found in the service as District Munsifs and whether they will consider the necessity, bearing in mind considerations of efficiency also, of giving them a chance?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I am sorry that I am not in a position to answer that question. It is for them to say that."

MR. ABDUL HAMEED KHAN:—"Will the Hon. the Law Member be pleased to draw the attention of the Hon'ble Judges to the fact that it is the view of the minority communities in this House that, although it is not their desire to enforce the observance of the communal rule in this respect, proper and adequate representation should be given to these communities when the Hon'ble Judges are making appointments of District Munsifs, of course keeping in view the question of efficiency?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"On more than one occasion the Government have drawn the attention of the High Court to this."

B. POCKER SAHIB Bahadur:—"May I know how many Muslim applicants there were for selection as District Munsifs last time?"

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

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Will the Government suggest to the High Court that these appointments might be left to the Services Commission?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, the Government are against entrusting this work to the Services Commission. On the whole, the High Court, I think, is a better body for making these appointments than the Services Commission. The other day, in reply to my hon. Friend's criticism, I said so."

B. POCKER SAHIB Bahadur:—"Is it a fact that, even though a Muslim candidate was recommended as the first in the matter of competence by one of the District Judges in the mufassal, that particular Muslim candidate was not selected?"

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

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Do the Government think that they are a worse body than the High Court for making appointments and was that the reason for their handing over to the Commission their powers for making appointments?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The Government do not come in here. The comparison is only between the Public Services Commission and the High Court."

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Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"If the High Court is a better body for making these appointments than the Public Services Commission, are the Heads of Departments in the Secretariat worse than the High Court?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I am not in a position to answer that."

B. POCKER SAHIB Bahadur:—"Is it not a fact that the High Court is the best-fitted authority to make the selection of District Munsifs?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I should think so."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know what the practice in England is with regard to making of Judicial appointments?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The practice in England is that the appointments to the Public Services generally are made by the Public Services Commission, but appointments to the Judicial Service are made by the Lord High Chancellor of England. For instance, all County Court Judges are appointed by the Lord High Chancellor."

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I know how many Depressed Class candidates were there at the time of the last selection?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I am sorry that I am not in a position to answer that question."

Mr. ABDUL HAMEED KHAN:—"Will the Hon. the Law Member be pleased to inform the Judges of the High Court that the minorities are not satisfied with the way in which their claims are considered by the High Court and that the minorities themselves are alive to the need for efficiency which seems to weigh so much with the Judges?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I shall forward this question and the answer and also the supplementary questions and the answers thereto to the High Court."

Agriculture

Export from and import into South Kanara of paddy and rice during the last six years.

* 796 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state—

(a) what quantity of paddy and rice has been exported from South Kanara during each of the last six years; and

(b) what quantity has been imported from outside during the same period?

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A.—(a) & (b) The coastwise trade at the various ports in the South Kanara district during the five years ending 1932-33 and during the current year (April 1933 to January 1934) is shown in the appended statements.* There were practically no foreign imports. Foreign exports of rice were from Mangalore and the quantities were as follows:—

	TONS.
1928-29	12
1929-30	22
1930-31	8
1931-32	7
1932-33	6

There were no exports of paddy. No information is available about movement by road.

Mr. A. B. SHETTY:—"Sir, clause (b) of the question asks for information regarding the quantity of paddy and rice that has been imported from outside the district during the last six years and the answer says that there were practically no foreign imports. May I have an answer to the question?"

The Hon. Mr. P. T. RAJAN:—"Notice."

Measures for stabilizing the price of coconuts and copra.

* 797 Q.—Mr. SAMI VENKATACHALAM CHETTI: Will the Hon. the Minister for Public Works be pleased to state what steps are being taken by the Government to restore the price of coconuts and copra in the Northern Circars and other places?

A.—An enquiry into the supply of coconut products in India is being made at present by the Imperial Council of Agricultural Research and the Government of India propose to await the result of this enquiry before deciding what action should be taken.

Import duty on coconuts.

* 798 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether import duty on coconuts has been reduced by the Government of India; and

(b) whether the Government have taken any action to prevent import into this Province of coconuts from Ceylon?

A.—(a) No.

(b) The hon. Member's attention is invited to the answer to question No. 797.

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Mr. A. B. SHETTY:—" May I know, with reference to clause (a) of the question, whether any representation has been made by this Government to the Government of India with regard to the necessity for enhancing the import duty on coconuts? "

The Hon. Mr. P. T. RAJAN:—" I want notice, Sir."

Provision for premium bulls.

* 799 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have been meeting in full the demand for premium bulls; and

(b) whether they propose to increase the amount allotted for this scheme?

A.—The Agricultural department has been meeting applications for premia for the maintenance of breeding bulls as far as possible from the funds provided for the year concerned. When funds did not permit the full demand to be met, applications were kept pending and sanctioned in the year following. The provision for this purpose has been increased from Rs. 4,720 in 1932-33 to Rs. 6,200 in 1933-34. A further increase in provision to Rs. 7,000 has been made in the budget of 1934-35 on the basis of the amount of premia which the Director of Agriculture expects to distribute in that year.

Industries.

Power drills in use in the Province.

* 800 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) the number of Government Power Drills in and out of use respectively in the province;

(b) the year of their purchase, their make and price, the amount spent up-to-date on each of them on repairs; and

(c) the relative merits of the Drills now with the Government and the latest Drills now in the market?

A.—(a) Twenty-one.

(b) Three Calyx and three Keystone drills were in the possession of the department prior to 1917-18. Information as to the year of their purchase and their price is not available. One Sullivan Air Compressor Drill, manufactured by Messrs. Sullivan Machinery Company of Chicago, was purchased with tools and spares in 1927-28 for Rs. 7,630. The remaining 14 are Armstrong drills manufactured by Messrs. Armstrong Manufacturing Company of Waterloo, Iowa (U.S.A.). Three of them were purchased in

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1925-26, three in 1927-28 and eight in 1928-29. They cost Rs. 33,000 each on an average, inclusive of cost of necessary accessories. Information as to the amount spent on repairs on each of them is not available as no separate accounts have been maintained.

(c) The choice of drills for water boring is confined to two types namely (a) the Rotary Core type and (b) the Portable Percussion type and of the two, the latter is considered to be the more suitable. It is reported that they have given satisfactory results in practice.

Mr. A. RANGANATHA MUDALIYAR:—" I asked the Government for information as to the number of drills which are in order and which are out of order and the answer is 21. May I take it that all these 21 drills are in working condition? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I am sorry the hon. Member's question was somewhat vague and we did not understand it to mean what he says now. We thought he wanted the aggregate number of drills there were, in use and not in use."

Mr. A. RANGANATHA MUDALIYAR:—" Now at least may I ask the Hon. Minister for information about the number of drills that are working and the number out of order? "

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

Mr. A. RANGANATHA MUDALIYAR:—" May I ask whether the drills referred to in clause (b) are ever sent to outside applicants? "

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

Mr. A. RANGANATHA MUDALIYAR:—" It is said that no separate accounts have been maintained. May I ask whether the amount spent on repairs in some cases is much more than the amount necessary for the purchase of new ones? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot say that."

Mr. A. RANGANATHA MUDALIYAR:—" It is stated in clause (c) that out of the two drills, the Portable Percussion type is found to be more suitable. May I know how many are there of the Rotary Core type? "

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

Mr. A. RANGANATHA MUDALIYAR:—" One final word I would say to the Hon. Minister and that is to appeal to him to kindly have this question examined and see if he cannot improve the working of this department? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Thanks."

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Control of Books and Newspapers

Alleged inflammatory article against Islam in Pearson's Weekly and Veerakesari.

* 801 Q.—**MR. ABDUL HAMEED KHAN:** Will the Hon. the Home Member be pleased to state—

(a) whether the Government are aware that Pearson's Weekly is under circulation in this Province; if so, whether they have perused its issue No. 2272, dated 10th January 1934, in which an article headed 'Mohamet' Prophet of Allah written by Mr. W. J. Meekin and a picture drawn by Mr. J. P. Davis has been published;

(b) if so, what action the Government have taken to prevent its circulation in this Province;

(c) whether it has been brought to the notice of the Government that other Provincial Governments as that of the Punjab have forfeited to His Majesty the said issue of the journal;

(d) whether the Government are aware that copies of 'Veerakesari,' a Tamil daily of Ceylon, which contains a Tamil translation of the said article, are being circulated in this Province; and

(e) if so, what action the Government have taken to forfeit copies of the same?

A.—(a), (b) & (c) The Government have received a copy of the notification of the Punjab Government forfeiting to His Majesty every copy, wherever found, of the issue of the journal containing the article in question and all other documents containing copies, reprints, or translations of, or extracts from, the said article. The Government have ordered the republication of the notification in the *Fort St. George Gazette*. An order of forfeiture under section 99-A of the Code of Criminal Procedure, 1898, by one Local Government is enforceable throughout British India and it is consequently unnecessary for this Government to publish a separate notification.

(d) & (e) The Government have no information; but any translations of the said article can be forfeited under the notification referred to above.

MR. ABDUL HAMEED KHAN:—"May I take it that the publication of this order of the Punjab Government will be sufficient for the purpose that we have in view and whether all these copies will be forfeited to His Majesty the King including the translations that are found in any of the papers published not only in this Presidency but also elsewhere which have a circulation here?"

THE HON. SIR MAHOMED USMAN:—"Everything will be done to enforce the notification."

MR. ABDUL HAMEED KHAN:—"May I know whether this Honourable Government will be pleased, either through the Government of India or direct, to represent to the Home Government that this article

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published in that issue of "Pearson's Weekly" has been responsible for creating bad feeling in the minds of a certain section of His Majesty's subjects in this Presidency?"

THE HON. SIR MAHOMED USMAN:—"That is the very reason why this notification has been issued by the Punjab Government and republished by us. The suggestion of the hon. Member will be considered."

B. POCKER SAHIB Bahadur:—"May I ask whether the Hon. Member will be pleased to convey the feelings of the Muslim community to the Home Government and request them to order the forfeiture of such copies in the United Kingdom also?"

THE HON. SIR MAHOMED USMAN:—"I am afraid I will have to examine the suggestion of my hon. Friend."

MR. V. M. RAMASWAMI MUDALIYAR:—"As hon. Members are expected to take an intelligent interest in what is going on in this House, may I ask whether it will not be better if they are also informed of the nature of the article and the picture against which objection has been taken?"

THE HON. THE PRESIDENT:—"Is it the hon. Member's suggestion that these should be circulated?"

THE HON. SIR MAHOMED USMAN:—"I do not think it is necessary at all."

B. POCKER SAHIB Bahadur:—"May I ask whether the Government will be pleased to publish this notification in all the vernaculars so that the vernacular papers also may know its contents and stop publishing the translation in the vernacular?"

THE HON. SIR MAHOMED USMAN:—"I do not think it is necessary. We have followed the usual procedure."

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

II.—ADJOURNMENT MOTION REGARDING RESETTLEMENT OPERATIONS IN THE KURNOOL DISTRICT.

* **MR. A. RAMAKRISHNA REDDI:**—"Sir, I beg leave to move the adjournment motion of which I have given notice, namely, that the business of this Council be adjourned for the purpose of discussing a definite matter of urgent public importance, viz.:—

'the recent decision of the Government to carry out settlement operations in the Kurnool district and to put the new settlement rates into force even though they may be in excess of the present rates'."

* **THE HON. THE PRESIDENT:**—"The hon. Member will please explain how this matter is urgent. The hon. Member ought to have come before the House with this thing on the first day of this meeting. He will please tell me how it is urgent at this stage."

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* Mr. A. RAMAKRISHNA REDDI:—"Sir, a settlement officer has been recently appointed in Kurnool and settlement operations are in progress. So far as that district is concerned, the Government have thought fit to grant a remission of $12\frac{1}{2}$ per cent. That is an admission that even at the existing rates the ryot is finding it difficult to pay the assessment."

* The Hon. the PRESIDENT:—"Is the hon. Member going into the merits of the question?"

* Mr. A. RAMAKRISHNA REDDI:—"Sir, I am merely explaining the circumstances of the case. The grant of the remission is an admission that even at the rates that are at present in force, the burden on the ryots is heavy and requires to be relieved. If the excellent suggestion of Sir A. P. Patro that the Government should explore on a regional basis to find out where the distress is actually greatest, had been adopted, it would have been seen that the Kurnool district which is the worst of the Ceded districts, rightly called the famine zone of this Presidency, is in the most miserable plight. Sir, in answer to my question on Saturday the Hon. the Revenue Member was pleased to say that even though the economic depression continued, settlement operations would have to go on and the new settlement rates put into force."

* The Hon. Sir ARCHIBALD CAMPBELL:—"On a point of personal explanation, Sir. My recollection is that the hon. Member's questions had reference to the present economic depression."

* Mr. A. RAMAKRISHNA REDDI:—"The intention of the Government seems to be that, even if the new settlement rates are in excess of the present rates, that was not a special reason for the postponement of the introduction of the new settlement rates. This answer of the Hon. the Revenue Member amounts to a decision on the part of the Government that even though the new settlement rates might be in excess of the present settlement rates and even though the economic depression might continue when the new rates come into force, the Government have almost decided to put the new settlement rates into force."

The Hon. Sir ARCHIBALD CAMPBELL:—"The hon. Member is reading more into than he is justified in doing."

11-15 a.m. * The Hon. the PRESIDENT:—"The hon. Member would have by this time understood that he is reading too much into the answer given by the Hon. the Revenue Member. If the hon. Member's adjournment motion is based on the answer that has been given, probably he will have to change his mind."

Mr. ABDUL HAMEED KHAN:—"Probably if the hon. Member makes his statement it will clear up matters."

* Mr. A. RAMAKRISHNA REDDI:—"So far as the ryot is concerned, he was very tenaciously clinging to his land in this period of depression. When this decision is known to the ryot, it will cause great

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alarm and he will think twice of sitting on his land which has been the cause of his ruin. I therefore think a serious situation has been caused which requires to be immediately allayed."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I have not got the copies before me of the hon. Member's question and my answer as recorded, but questions based on a reference to the economic situation at some date in the future would have been hypothetical. I should not have given any answer to a hypothetical question because it is, I believe, not in order to ask hypothetical questions. I understood the hon. Member's to be reference to the present economic situation. What it is going to be two years hence it is not possible for me or the Government to foretell. With reference to the resettlement of the Kurnool district, we have merely appointed a settlement officer to make some preliminary enquiries for the collection of statistics for the preparation of the usual scheme report. We do not expect to get that for a year. Then it will probably be placed before the House and the hon. Members will have ample opportunity to discuss the proposals in the scheme report."

* The Hon. the PRESIDENT:—"I think by this time the hon. Member's doubt should have been cleared. There is no urgency for this motion. I, therefore, disallow it."

III.—A BILL TO FACILITATE THE WORKING OF CO-OPERATIVE LAND MORTGAGE BANKS IN THE PRESIDENCY OF MADRAS (BILL No. 5 OF 1933.)

* The Hon. the PRESIDENT:—"The House will now proceed with the Madras Co-operative Land Mortgage Banks Bill. The House will now take up clause 8."

CHAPTER III.

Clause 8.

* The Hon. Mr. P. T. RAJAN:—"With your permission, Sir, I will move clause 8 as amended. In view of the discussions of hon. Members the other day, I hope this will be acceptable to the House."

"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 or to any person appointed by the Local Government under section 3 of the Madras Co-operative Societies Act, 1932, to assist the Registrar for the recovery of such instalment or part by distraint and sale of the produce of the mortgaged land including the standing*

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crops thereon. On receipt of such application, the Registrar or such person 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.

' (2) The distress shall not be excessive; the value of the property distrained shall be, as nearly as possible, equal to the amount due and the expenses of the distraint and the costs of sale.'

" In the clause originally moved which was accepted by the Select Committee, the power of distraint was vested in the committee of the primary bank. Subsequently it was amended with a view to meet the objections raised by the hon. Members of the House and power of distraint has been given to the officers of the Co-operative department. It was also suggested that the officer should not be below the rank of the sub-deputy registrar. In order to meet their objection, I have introduced the following clause. Under this the Government have issued a Government Order saying that 'any other person' refers to an officer of the rank of a deputy registrar or sub-deputy registrar. Then, with regard to clause (2) a statutory direction is necessary and so that clause has been included so that excessive distraints may not be made. I think the House will accept the amendment."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I second it."

* The Hon. the PRESIDENT:—" I hope the previous amendment is withdrawn formally."

* The Hon. Mr. P. T. RAJAN:—" Yes, I shall withdraw it."

* Mr. A. RANGANATHA MUDALIYAR:—" Mr. President, Sir, if I intervene in this debate it is just to elicit from the Government information in regard to one or two important points. I take it, Sir, that the idea of Government is to recover the arrears due to the land mortgage bank as they do the arrears of land revenue. Practically, it comes to that. If the rules are elastic and reasonable to the defaulter, I will rejoice exceedingly. But, Sir, there is a provision in the Revenue Recovery Act by which the defaulter can pay the amount in arrears any day before the day fixed for the sale of property and have the property released. I think that there is no corresponding provision in this Bill whereby a defaulter, if he happens to gather money, can pay the arrears and have the property released."

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* Diwan Bahadur M. RAMACHANDRA RAO:—" Mr. President, Sir, I do not see any difficulty at all in this matter. As soon as the distraint is made, a copy of the demand is served upon the defaulter. Afterwards, he has an opportunity to pay the arrears. If within 15 days of the date of distraint, the defaulter does not pay the amount for which distraint is effected, then the distrainer brings the property for sale in auction, the distrained property or such part thereof as may be necessary to satisfy the demand. My Friend raised the question whether the sale officer will, notwithstanding the tender of the amount at the time of the sale still continue to sell the property. This is a contingency which will never happen and has not been contemplated by the law now being enacted. I do not think there is any difficulty in this matter."

The amendment was put and carried.

Clause 8, as amended, was put and carried.

Clause 9.

Sub-clause (2).

* The Hon. Mr. P. T. RAJAN:—" I beg to move—

- ' (i) In line 3, for the words "adult member," substitute the words "adult male member" and
- (ii) in line 7, for the words "on his land," substitute the words "of his lands".'

" This is only to make the position clear and I hope the House will accept it."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I second it."

The amendment was put and carried.

Clause 9, as amended, was put and carried.

Clause 10.

Sub-clause (1).

* The Hon. Mr. P. T. RAJAN:—" I beg to move—

- ' In line 2, for the word "notice" substitute the word "demand."

In lines 4 and 5, for the words "the distrainer may apply to the sale officer for the sale in auction of" substitute the following "the distrainer may sell in auction."

In line 6, after the words "as may" insert the words "in his opinion."

Omit the last sentence.'

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"With reference to the substitution of 'demand' for 'notice' it is only to make it in accordance with section 9. The second, namely, that the distrainer may sell it, is in consequence of amendment to clause 8. The third is only to make the intention clear. The last is consequential."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried.

Sub-clause (2).

11-30
a.m.

* The Hon. Mr. P. T. RAJAN:—"Sir, I move—

'For this sub-clause, substitute the following sub-clauses:—

- "(2) From the proceeds of such sale, a deduction shall be made at a rate not exceeding one anna in the rupee on account of the costs of the sale.
- (3) From the balance shall be deducted the expenses incurred by the distrainer on account of the distraint.
- (4) The remainder, if any, shall be applied to the discharge of the amount for which the distraint was made.
- (5) The surplus, if any, shall be delivered to the person whose property has been sold and he shall be given a receipt for the amount discharged from the proceeds of the sale."

"Sir, these amendments are of a consequential character and are merely verbal."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it, Sir."

The amendment was put and carried.

Clause 10, as amended, was put and carried.

Clause 11.

The Hon. Mr. P. T. RAJAN:—"Mr. President, I move—

'that sub-clause (1) of clause 11 be omitted; and in consequence, the brackets and figure "(2)" in sub-clause (2) be also omitted'.

"The first part of the amendment is moved for the reason that no sale officer as distinguished from the distraining officer is contemplated in the Bill. That is why I move that sub-clause (1) be omitted. The second part of the amendment is a consequence of the first amendment."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it, Sir."

The amendment was put and carried.

Clause 11, as amended, was put and carried.

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Clause 13.

* The Hon. Mr. P. T. RAJAN:—"Mr. President, Sir, I move—

'(i) In lines 1 to 4, for the opening words "In exercise of the power of sale . . . may apply to the sale officer", substitute the words, "In exercise of the power of sale conferred by section 12, the Committee of a mortgage bank or any person duly authorized by it may apply to the sale officer."

(ii) In line 6, between the words "shall" and "sell" insert the following: "after giving notice to all the persons referred to in section 12."

(iii) Number the two sentences of this clause as sub-clauses (1) and (2) respectively.'

"The reasons for these amendments are: the first amendment is intended to make the position clear; the second amendment is moved because it was desired by hon. Members of this House that notice should be given to the parties concerned before the actual sale takes place and in order to meet the wishes of hon. Members, I have tabled this amendment. The third amendment is intended to make the position clear."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it, Sir."

The amendment was put and carried.

Clause 13, as amended, was put and carried.

Clause 14.

Sub-clauses (1), (2) and (3).

* The Hon. Mr. P. T. RAJAN:—"Sir, I move—

'(i) In lines 1 to 2 of sub-clause (1) for the words "sold under the Act," substitute the words "sold under this Chapter".'

This is merely verbal and is intended to make the clause more precise.

'(ii) In lines 5 to 7 of sub-clause (1) for the words "apply to the governing body to have the sale set aside on his depositing at the office of the mortgage bank", substitute the words "apply to the committee of the mortgage bank concerned to have the sale set aside on his depositing at the office of such bank".'

This is also intended to make the position more clear.

'(iii) In line 1 of sub-clause (2), for the words "governing body," substitute the word "committee".'

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(iv) For sub-clause (3), substitute the following:—

“(3) Where no application is made under sub-section (1) or where such application is made and disallowed, the committee shall apply to the principal co-operative officer of the district to make an order confirming the sale and on such officer confirming the sale, it shall become absolute.”

“The amendments to sub-clauses (2) and (3) are made with a view to meet the wishes of the House, namely, that the sale should be confirmed not by the committee of the bank, but by an officer of the department. I hope the House will accept the amendments.”

Mr. V. P. NARAYANAN NAMBIYAR:—“I second it, Sir.”

* Sri Man M. G. PATNAIK Mahasayo:—“Mr. President, in this clause, the putting in of an application is contemplated for setting aside a sale. But, even in the Civil Courts, though money is deposited if an application is not made, the sale is not set aside. Therefore, such a trouble may arise if the word ‘apply’ is allowed to stand. Whether there is an application or not, if the money is deposited, the sale should be set aside as a matter of course. Otherwise complications may arise. It should be possible to set aside a sale as a matter of course if a deposit is made within that period whether there is an application or not. I therefore object to the provision that there should be an application for it.”

* Mr. C. BASU DEV:—“Mr. President, I wish to address this House on the amendment moved by the Hon. Minister regarding sub-clause (3) of clause 14. Sir, under the Civil Procedure Code, after sale and before confirmation of the sale, two applications may be made for setting aside the sale—one is by the deposit of money and the other is on account of fraud or irregularity in sale. Under this provision, we are being asked to give up that statutory provision of the Civil Procedure Code, which enables a person interested in the property to apply for the setting aside of the sale on the ground of fraud or irregularity. We are asked to invest the bank with certain extraordinary privileges in the hope that this bank is going to do good to the ryots of this Presidency. On the last occasion, when this Bill was discussed on the floor of this House, I had reason to deplore that no member of this House was furnished with a copy of the administration report of this bank, which has been, on the admission of the Expert Member himself, working for the last three and a half years and has been operating with over 30 lakhs of rupees. In the preamble, it is stated that ‘Whereas it is expedient to facilitate the working of co-operative land mortgage banks in the Presidency of Madras in order to provide for the grant of long-term loans to owners of land, with a view to enable them to discharge their debts, to carry out agricultural improvements, to acquire land for the formation of economic holdings and other like

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purposes and thereby to promote thrift and self help among them.’ Sir, we have anxiously waited to know how far during the last three and a half years with an amount of 30 lakhs in its hands, this bank had translated into action these very excellent objects with which this bank was started. If we are given an inkling of the working of this bank or if we are told to what extent this bank had been able to help the ryots, we are quite prepared to invest the bank with all the extraordinary privileges that this bank wants. In the absence of any such information regarding the working of that bank, I think it is certainly not proper to ask us to give up even the statutory provision of the Civil Procedure Code. It is not fair to ask this House to vote for extraordinary powers without telling it to what extent this bank has been able to translate their excellent objects into action.”

* Mr. K. P. RAMAN MENON:—“Mr. President, Sir, I believe that Mr. Patnaik is mistaken in thinking that an application is essential in the matter of setting aside a sale when money is deposited. I would like to draw his attention to sub-clause (2) of clause 14, where it is stated ‘If such deposit is made, the governing body shall make an order setting aside the sale.’ You will also see, Sir, that wherever the words ‘governing body’ occurs, the word ‘committee’ has been put in and in some places ‘the Registrar of Co-operative Societies,’ so that the object of the amendment is merely to bring the clause in conformity with the amendments previously passed. According to sub-clause (2), the sale will be set aside when the deposit is made, and so an application is not an essential ingredient to setting aside the sale, so that, if the deposit is made, whether there is an application or not, the officer that sells the property is, by virtue of this clause, compelled to set aside the sale and he has no choice in the matter. So, the difficulty pointed out by my friend, Mr. Patnaik, will not arise.

“With reference to the objections raised by Mr. Basu Dev on the ground of want of application I think I may say that we may safely trust the bank with reference to these proceedings. For, as a matter of fact, we have allowed the Government to guarantee all the money and so we may also expect the bank not to commit any fraud or irregularity.”

The amendment was put and carried.

* Mr. K. P. RAMAN MENON:—“Mr. President, Sir, before you put to vote the clause as amended, I wish to say a few words on the clause as amended. I don’t see here any provisions similar to those obtaining in Order XXI, Rules 89 and 90 of the Civil Procedure Code. Here it is only said, ‘Where the money is deposited the sale will be set aside.’ Nothing more is said. There is no specific provision corresponding to Order XXI, Rule 93, to the effect that the money deposited shall be paid over to the depositor. All that is stated is that anybody who is interested in the property may deposit money, and also a per centum

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of the sale amount, and if that is done the sale will be set aside. What shall be done with the balance money is not said at all. So I wish to see here provisions similar to those in the Civil Procedure Code inserted. And then who is to take the 5 per cent amount?"

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Mr. President, Sir, this is only a supplemental Act. There is already the Co-operative Societies Act under which these banks are registered, and under that Act rules are framed for the sale of attached property as well as mortgaged property, and also with regard to what should be done with the money realized by sale as well as the deposit amount. I believe such things as these are to be governed by those rules; otherwise there will be a number of places in this Bill where we will find gaps which have to be filled up."

Diwan Bahadur M. RAMACHANDRA RAO:—"Sir, I think Mr. Ramalingam Chettiyar is perfectly right in the view he has taken that this Bill is supplemental to the Co-operative Societies Act, and that the provisions of that Act with regard to the disposal of the sale-proceeds and the 5 per cent deposit would apply to this Bill also. Otherwise we will have to embody all those provisions here also. As a matter of fact this Bill is conceived only to bring in certain special supplemental provisions to those contained in the Co-operative Societies Act. So there is no cause for alarm. So far as the money deposited is concerned it will be paid over to the mortgagor, and as regards the 5 per cent amount it will be given to the party concerned under the provisions of the Act."

* Sriman M. G. PATNAIK Mahasayo:—"Sir, section 11 empowers Government to make rules for the manner of effecting distraint, for the custody, preservation and sale of the distrained property, etc., but does not empower Government to make rules with regard to the disposal of the sale-proceeds or for the payment of the 5 per cent deposit. (The Hon. Mr. P. T. Rajan: 'See clause 21'.) Yes, I see. But even that does not say that the rules framed under this section shall become law so far as these matters are concerned. In the absence of such specific provisions, how can you say there is no cause for alarm?"

Diwan Bahadur M. RAMACHANDRA RAO:—"Sir, I may tell my hon. Friend that the land mortgage banks are now governed by the Co-operative Societies Act. In the actual working of the Banks it has been found that these banks require some special supplemental provisions besides those contained in the Co-operative Societies Act. It is with that purpose that the present Bill has been brought in. These land mortgage banks will continue to be governed by the Co-operative Societies Act also."

* Sriman M. G. PATNAIK Mahasayo:—"But where is it stated in this Bill that those sections of the Co-operative Societies Act will apply to these cases? There must be some clause somewhere in the whole of

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this Bill to that purport, or at least there must be some connexion between the rules framed under this Bill and those in the Co-operative Societies Act. If you read the whole Bill you don't find any such reference at all. In the absence of such connexion how can you say that the provisions of the Co-operative Societies Act will apply to this Bill?"

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I point out to my friend that the Land Mortgage Banks are registered under the Co-operative Societies Act. We are not now legislating a separate Act for the Land Mortgage Banks. Such of the rules as are already framed under the Co-operative Societies Act will continue to apply to the Land Mortgage Banks even in spite of this Bill. And this is the point I wish to put before my hon. Friend, Mr. Patnaik."

* The Hon. Mr. P. T. RAJAN:—"The rules of the Co-operative Societies Act, as has been pointed out . . ."

* The Hon. the PRESIDENT:—"Order, order, let us proceed more orderly. There has already been much talking across the table."

* The Hon. Mr. P. T. RAJAN:—"With reference to the point made by Mr. Raman Menon, I may tell him that the rule will be examined, and if there is found anywhere any *lacuna* it will be set aright."

* Mr. T. C. SRINIVASA AYYANGAR:—"A reference to clause 21 will set at rest the doubts. This clause enables rules to be made only in connexion with matters relating to Chapter IV. Those rules will not apply to sales conducted under Chapter III. There is difference between the sale under Chapter IV and the sale under Chapter III. Clause 11 under Chapter III deals with the power to make rules for the manner of effecting distraint, for the custody, preservation and sale of the distrained property, etc. But clause 21 under Chapter IV deals with the rule-making power of Government in regard to the sale of mortgaged property, and sub-clause (2) enables Government to frame rules for carrying out the provisions of that chapter alone. Hence those rules cannot apply to Chapter III. So I hope the Government will bear in mind the suggestions made and make the necessary rules therefor, under clause 21."

Clause 14 as amended was put and carried.

Clause 15.

* The Hon. Mr. P. T. RAJAN:—"Mr. President, Sir, I beg to move—

'that in line 1, for the words and figures "under section 13" substitute the words "under this chapter."

This is only a verbal amendment.

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(ii) In lines 6 to 7, for the words "the mortgage property", substitute the words "the mortgaged property."

This also is a verbal amendment.

(iii) In line 8, for the words "on account of that mortgage" substitute the words "on account of the mortgage."

This also is a verbal amendment.

(iv) Renumber the clause as sub-clause (1) of clause 15 and add the following as sub-clause (2):—

"(2) (a) Any person dissatisfied with the decision of the sale officer in regard to the distribution of such residue may, within thirty days of the communication to him of such decision, institute a suit to establish the right he claims in the civil court.

(b) The sale officer shall not distribute such residue until thirty days have elapsed from the communication of his decision to all the persons concerned or, if a suit has been instituted within the said period of thirty days by any such person, until the suit is disposed of or otherwise than in accordance with the decision of the court therein."

"With reference to this new clause, this applies only to cases where any decision is given by the sale officer. The dissatisfied party is given a chance to go to a court of law, if he is aggrieved by the decision of the sale officer. And until court decides the sale officer should not distribute the residue."

Explanation.—In this section "court" means the court which would have jurisdiction to entertain a suit to enforce the mortgage and within the limits of whose jurisdiction the property sold is situated."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried.

Clause 15, as amended, and clause 16 were put and carried.

Clause 17.

* The Hon. Mr. P. T. RAJAN:—"Mr. President, Sir, I beg to move (i) in line 4, for the words and figures "not being a lease falling under section 23" substitute the words "other than a lease for a period not exceeding five years" and

add the following as sub-clause (3):—

(3) In dealing with cases under sub-sections (1) and (2) the court shall follow as far as may be the provisions of Order XXI, Rules 95-103 of the Code of Civil Procedure, 1908."

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"Sir, the first amendment is brought in only to make the meaning clear. The second amendment is added in order to meet the wishes of the hon. Members of this House, i.e., to safeguard the interests of those whose properties are in possession and who are not parties to any transactions previously.

"I also move—

For the "Explanation" substitute the following:—

"Explanation.—In this section, 'court' shall have the same meaning as in section 15."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

Sriman M. G. PATNAIK Mahasayo:—"Sir, so far as this section is concerned, I wish to say a few words. This section is really expropriatory."

* The Hon. the PRESIDENT:—"The hon. Member must address the 12 noon.
Chair."

* Sriman M. G. PATNAIK Mahasayo:—"I think the hon. Member requires some reply."

* The Hon. the PRESIDENT:—"Even that reply should be communicated through the Chair."

* Sriman M. G. PATNAIK Mahasayo:—"I shall do that, Sir."

"Section 69 of the Transfer of Property Act is proposed to be incorporated in this Act. So far as that section is concerned, it applies only to Presidency towns and also to certain other cases which we need not consider now. Drastic provisions of section 69 are going to be introduced in this Act so that they may have mortgages of lands situated in the mufassal and also take away the rights of those who have acquired such rights over the mortgaged property subsequent to the property having been mortgaged in favour of the Land Mortgage Bank. There is no reason why that should be done. All this is done to give title to the purchaser free from all encumbrances. That will give rise to some difficulty. Very often it may not be possible for the mortgagor who has mortgaged his property to the bank to raise a loan without subsequently mortgaging it to somebody else. The money might have been raised to pay the instalments to the Mortgage Bank itself. In such a case there is no reason why the subsequent mortgagee should not retain the right of redeeming the mortgage even in the hands of the purchaser. Of course to realize the money due to the bank if the property is to be sold let it be sold in the same manner as a mortgaged property is sold in the civil court, so that a person who is not a party to the suit may if he likes to redeem pay the purchaser the money due to the bank and take away the property. Here it is probably meant that the right of redemption of the subsequent mortgagee should be extinguished. I do not find any clause which makes very clear that the right of redemption of a subsequent mortgagee would be extinguished. Reference made in clause 17

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and clause 20 gives some indication. I am not sure whether these provisions are quite sufficient to show that the right of redemption of a subsequent mortgagee would be extinguished. A simple mortgagee will not be affected by clause 17, but a subsequent usufructuary mortgagee will be disturbed. Another thing is that a lessee's possession would not be disturbed, but the possession of a mortgagee or purchaser will be disturbed. I think it is rather unfair. Lessee's possession is secured under clause 23, but not the possession of a purchaser or a subsequent mortgagee. That is rather unjust and such a thing ought not to be done. No doubt section 69 of the Transfer of Property Act was based entirely upon the notions of English Law which is due to historical reasons. Under the English law the mortgagee is really the owner of the property. But here the mortgagor has the right of redemption. The English notion is altogether different from the Indian notion. According to Indian notion the mortgagee has only the security right of the property and he can enforce that right alone. That is the fundamental difference between English mortgages and Indian mortgages. In such circumstances it would be rather hard to introduce such drastic provisions in this Act. After all the purchaser is not going to lose anything. He gets all the benefits of the Mortgage Bank. He will have paid all the amount due on the mortgage before redemption suit is decreed. I do not see why such a thing should not be done and why the interests of so many people should be affected merely because the Government are going to finance this bank and it is going to do some beneficent act. Therefore I think such a provision is unjust and it should not be adopted."

* Rao Bahadur Sir A. P. PATRO:—"My friend, Mr. Patnaik, is perfectly right on principle when he said that the provisions of the Transfer of Property Act should be enforced only wherever it is possible. Here in this we have not intended the same provisions of the Transfer of Property Act to be followed. With a view to facilitate the working of the Land Mortgage Bank we have invoked the provisions of the Transfer of Property Act. The question involved in this amendment is one of procedure. Hitherto in this section as drafted there was no right given to claimants, and no procedure was fixed. By amending this clause we have prescribed a procedure analogous to the procedure adopted in Civil Procedure Code, viz., Order XXI in regard to execution proceedings. So what we originally called the procedure should be discussed now and not the substantive right. The right is already conceded under a previous section. When they have got the right of sale there is no need to go back upon that provision. It is open to the hon. Member to say whether there is anything wrong in the procedure now adopted and if it is so, his remarks are relevant."

* Mr. K. P. RAMAN MENON:—"The hon. Mr. Patnaik has started by saying that provisions of section 69 of the Transfer of Property Act are being engrafted in section 17 of this Act. As a matter of fact whatever rights have been conferred under section 69 with regard to mortgages in regard to the three cases contemplated under that section have

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already been conferred on the Land Mortgage Bank by the provisions of section 12 which we have already passed. Section 12 says that without the intervention of the Court the Land Mortgage Bank can sell the property and what we are now concerned with is how the sale should be effected."

Sriman M. G. PATNAIK Mahasayo:—"Sir."

* The Hon. the PRESIDENT:—"Even as the hon. Member does not like anybody else interrupting him, he should not also interrupt others when speaking."

* Mr. K. P. RAMAN MENON:—"The right to sell the property has already been conferred and it is too late now to say that that right is a very sacred right and dwell upon the difference between English law and Indian law on mortgages. Now clause 17 (1) deals with cases where leases and other alienations have taken place in respect of the property after it is sold. The second sub-clause of clause 17 deals with symbolical possession of the property in the possession of third parties with a valid clause to possession. Supposing the property has subsequently been mortgaged and he is in possession of the property. What is to be done with his possession? What are we to do with such cases? That is no doubt a point that has to be answered. There are two courses open to the subsequent mortgagee who has staked his money on the land although there has been previously a mortgage of such a land to the bank. He can pay all the money that is payable to the bank under section 14 and take that right to his possession of the property. If he does so he gets all the rights which the first mortgagee has. In the language of law he subrogates the position of the bank by satisfying its claims. If he does not do that his failure to do so does not take away his right of filing a suit and redeem the first mortgage which remains unaffected by the provisions of this Bill. There is nothing in section 12 which takes away that right. Every right which is conferred by the particular statute, viz., the Transfer of Property Act enures to him. The second mortgagee as a third party in this case would be very glad to redeem the mortgage from the bank and all the rights which are conferred upon the bank will certainly enure to him. So no difficulty will arise in matters of this sort. With reference to the claims on the mortgaged property which have arisen, there was no provision as to how such claims have to be investigated and orders passed before the property is disposed of. As the section was originally drafted this was not provided for. Now new sub-clause (3) provides for it. Now that new sub-clause (3) reads 'In dealing with cases under sub-clauses (1) and (2) the court shall follow as far as may be the provisions of Order XXI, Rules 95-103 of the Code of Civil Procedure, 1908.' Now, the only objection as far as I can see seems to be why should the second mortgagee be ousted at all? As a matter of fact his rights are not extinguished. Mortgages are either simple or usufructuary. A simple mortgagee will not be in possession of the property. A usufructuary mortgagee will be in possession of the property. Now a man who advances money on the property which has

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already been mortgaged to the bank takes a risk in lending money. He advances money on a land which he knows is liable to be sold under the provisions of section 12 of this Act. He enters the transaction with open eyes. Therefore he really knows what he is about and there will be no surprise to him if any difficulty arises. He has nothing to complain."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I am sorry I cannot agree with the previous speaker. What is contemplated is this: under section 12 a sale can be effected and before the sale there is notice given and then the sale officer is appointed. He gives notice to all persons saying that all persons interested in the property may come in and redeem it. There is just the possibility of some people not getting the notice. In that case what would happen is the question now? Now section 20 is clear. If there is no notice given and if a sale is effected, the sale is valid but the person who has been ignored and to whom notice should have been given can sue for damages. That is clear. This is what section 20 says:—

'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 due 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.'

12-15 P.M. The frame-work of this Bill is this: the power of sale is vested in the bank and is exercised by a sale officer appointed by Government. The Government exercise the power of sale on behalf of the bank. The Act provides that notice should be given before an application for sale is made and also after the application is made. The latter notice should be given by the sale officer appointed by Government. The sale extinguishes all the intermediate rights created between the mortgage and the sale, but if by any chance any mistake is committed the parties have a right to proceed against the bank. That is the frame-work of the Bill and the reason for this is that unless powers are given for speedy sale and speedy transfer of possession, it will be difficult for the bank to realize the moneys due under mortgages. It is with that idea that this provision has been made. It seems to me that the right given under section 20 to a person on whom notice has not been served by mistake is of a higher category than the ordinary right, because he can proceed against the bank which is a solvent agency. If he has suffered any damages he can proceed against the bank. In the first place, there is the surplus money available for him. But if it is not sufficient he has to thank himself. If on the other hand, he pleads that if there had been a proclamation or if he had been given notice he would have obtained more money, he has the right to sue the bank. Under the circumstances, I do not think that anybody can complain about the provision. If at all anybody has reason to complain, it is the bank who may complain that for the sins of the Government Officer they might be made liable.

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It will be a legitimate grievance for the bank and not for the intermediate mortgagees who may have come into existence between the time of the first mortgage and the time of sale. For these reasons, I do not think that the objection raised by Mr. Patnaik will hold good."

* Mr. T. C. SRINIVASA AYYANGAR:—"Sir, when a number of lawyers argue the same point, it sometimes happens that far from the doubts being set at rest more doubts seem to crop up. However that may be, every one of us is anxious to save the Bank from a catastrophe which may possibly overtake the Bank by suits for damages under section 20. Three clauses deserve attention in this connexion—clauses 12, 17 and 20. Clause 12 obliges the Bank or such authority in whom the power of sale is vested to give notice to all persons who have got interest in or a charge on the property. Clause 20 says that any irregular or unauthorized exercise of power or any improper exercise of power may entail upon the Bank the liability of paying damages. The difficulty is how to save the Bank and at the same time save the interests of persons who may have acquired a charge or a mortgage upon the property. I submit, Sir, that though the provisions which are made here are sufficient to safeguard the rights of both, still there is a material aspect requiring attention, viz., how to minimise the possibility of litigation. Here again we must go to the residuary clause—clause 21 which gives the rule-making power to Government. A rule should be made that, in the mortgage-deed that would be taken by the Bank, there should be a provision to the effect that if the mortgagor creates further mortgages or charges on his property, he ought to inform the Bank about it so that the Bank may readily give notice to all persons having interest in the property before exercising the power of sale. Therefore if the Bank is enabled by a provision of this sort to give notice which is obligatory under clause 12, to all persons concerned, we can avoid as much as possible the danger of subsequent mortgagees, etc., not being noticed and of the bank facing suits for damages.

"Now, as regards the clause now under consideration, I believe there will be no difficulty whatsoever about this matter if the amendment of the Hon. Minister is accepted. The amendment provides that the provisions of the Civil Procedure Code shall as far as possible be adopted in the matter of delivery. I think that is satisfactory. But as I said before, a rule will have to be made in the matter of making a provision for notice of the subsequent creation of charges to be given to the Bank. As for the prior charges, surely they would be examined before the mortgage is accepted. As for the future charges, the mortgagor should be put under obligation to inform the Bank."

* Diwan Bahadur M. RAMACHANDRA RAO:—"Mr. President, Sir, I should like to add a few words to what has been said by Mr. Ramalingam Chettiyar and Mr. Srinivasa Ayyangar. In the first place, it seems to me that Mr. Patnaik is under a great misapprehension as to the position of subsequent mortgages. The Townsend Committee recommended that mortgagors who borrow from the Land Mortgage Bank

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should be totally prohibited by law from creating subsequent mortgages on their property. We thought that it would be too great an interference with the rights of private parties and it is for that reason that all the safeguards about giving notice and giving an opportunity for payment of the loan to all those who have an interest in the mortgaged property have been provided in this Bill. The fact must be remembered that the Townsend Committee was fully aware of the complications that would be caused by subsequent encumbrances and mortgages created by a mortgagor. Therefore, the provisions that have been made give ample opportunities to the borrower to pay up the loan and nobody has any reason to complain. In the second place, I should also like to point out that the subsequent mortgagee has a lien on the balance of the sale-proceeds after paying up the first mortgagee. It must be remembered that if there is a sale by a first mortgagee the whole of the interest of the mortgagor is sold. Therefore, if there is a balance left after satisfying the first mortgage, any subsequent mortgagee would have a lien upon it. He cannot set aside the sale, but he can certainly take whatever is left after the claims of the first mortgagee are satisfied. In addition to that, as has been pointed out by Mr. Srinivasa Ayyangar, the right to sue the Bank has been provided in the section. The suggestion made by Mr. Srinivasa Ayyangar that a rule should be made to the effect that a provision should be inserted in the mortgage-deeds making it obligatory on the mortgagor to intimate to the Bank any subsequent mortgages or charges created on his property will be a very useful one and I hope and trust that the suggestion will be adopted in practice. I may say that in the earlier by-laws there was a provision to the effect that if a mortgagor creates a subsequent mortgage on his property, the whole money became due to the Bank at once. Such a provision was made in the by-laws, but we were advised that such a provision would be a clog on redemption and it would not be right to insert a provision like that. Therefore that by-law has been omitted in the present by-law. That we were fully aware of the complications that would be created by subsequent mortgages is shown by the fact that we had provided in the earlier by-laws that if a man after mortgaging his property to the Land Mortgage Bank chose to mortgage it to somebody else also, the whole money due to the bank became due at once. Such a provision was made because the Bank did not want to be dragged into court by subsequent mortgagees. But that provision has now been omitted and in its place we have introduced all these other provisions. I trust that hon. Members will recognize that we have done our level best to safeguard the interests of everybody. I appreciate the suggestion made by Mr. Srinivasa Ayyangar and we shall endeavour to introduce a clause calling upon the mortgagors expressly to tell us about subsequent encumbrances on their property. It is very necessary, because we cannot admit everybody as members of these co-operative societies. The mortgagor becomes a member of the co-operative society and if a subsequent mortgagor redeems the first mortgage, he is also to be made

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a member of the co-operative society. There is all this difficulty to be got over. I think, Sir, there is nothing to fear for anybody either under clause 17 or clause 20."

* The Hon. Mr. P. T. RAJAN:—"Mr. President, Sir, hon. Members who are lawyers have dealt with the legal aspect of the question and I shall now deal with the practical aspect of it. By accepting this amendment, the Bank will not be involved in any suits and those who are interested in the mortgaged property will also have an opportunity before actual delivery is made to the purchaser of the property. I think the House will accept the amendments."

The amendments were put and carried.

Clause 17, as amended, was put and carried.

Clause 18.

* The Hon. Mr. P. T. RAJAN:—"Mr. President, I beg to move the following amendment:—

- (i) *In line 1, after the words "to a mortgage bank," insert the words "or the Central Mortgage Bank."*
- (ii) *In lines 2 and 3, for the words and figures "under section 13," substitute the words "under this chapter."*

The Central Mortgage Bank has been authorized under section 22 to exercise all the powers of a mortgage bank before the bank sells a mortgaged property. Such being the case, the Central Mortgage Bank must be empowered to purchase the property, if necessary. The other amendment is merely a verbal alteration."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried.

Clause 18, as amended, was put and carried.

Clause 19.

Sub-clause (2).

* The Hon. Mr. P. T. RAJAN:—"Mr. President, I beg to move the following amendment:—

- In sub-clause (2), in lines 3-4, omit the words "or by the court having jurisdiction to enforce the mortgage."*
- In sub-clause (3), in lines 2-3, omit the words and figures "in accordance with the provisions of sub-section (1)."*

As the receiver is appointed by the Board, it is thought unnecessary to give the court any power to remove him; hence the first amendment. The second amendment merely deletes words which are considered to be superfluous."

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Mr. C. BASU DEV:—"I second it."

The amendments were put and carried.

Clause 19, as amended, was put and carried.

Clause 20.

12-30
p.m.

The Hon. Mr. P. T. RAJAN:—"Sir, I beg to move—

'In lines 2-3, for the words "confirmed by the Board," substitute the words and figures "has been confirmed under sub-section (3) of section 14".'

As a result of the amendment passed to clause 14, it is not the Board but it is the Deputy Registrar who confirms the sale. Hence this amendment."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried.

Clause 20, as amended, was put and carried.

Clause 21.

Sub-clause (2).

* The Hon. Mr. P. T. RAJAN:—"Sir, I move the following amendment:—

'(i) In line 1 of sub-clause (v), for the words "for the carrying out of the," substitute the words "for carrying out the".'

This is only a verbal amendment.

'(ii) Renumber sub-clauses (1) and (2) as clauses 21 and 21-A, respectively.'

These two clauses deal with two different matters; hence this amendment."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried.

Clause 21, as amended, and clause 21-A were put and carried.

Clause 22.

The Hon. Mr. P. T. RAJAN:—"Sir, I beg to move—

'For this clause, substitute the following clauses:—

"22. Where any property mortgaged to a mortgage bank is wholly or partially destroyed or the security is rendered insufficient and the mortgagor, having been given a reasonable opportunity by the committee of the mortgage bank, of providing further security enough to render the whole security sufficient or of repaying such portion of the loan as may be determined by the committee, has failed to provide such security or to repay

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such portion of the loan, the whole of the loan shall be deemed to fall due at once and the committee shall be entitled to take action against the mortgagor under section 8 or section 12 for the recovery thereof.

Explanation.—A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds the amount for the time being due on the mortgage by such proportion as may be specified in the by-laws of the mortgage bank."

I think much explanation is not needed from me to commend this amendment to the House. If it is found that the security is not sufficient for some reason or other, provision is made to take additional security. I hope the House will accept it."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried.

Clause 22, as amended, was put and carried.

New clause 22-A.

* The Hon. Mr. P. T. RAJAN:—"Sir, I beg to move the following amendment:—

'Add the following clause as a new clause [Clause 22-A (d)]:—

"22-A (1) The Board or the trustee may direct the committee of a mortgage bank to take action against a defaulter under section 8, section 12 or section 22 and if the committee neglects or fails to do so, the Board or the trustee may take such action.

(2) (a) Where such action is taken by the Board, the provisions of this Act and of any rules or regulations made thereunder shall apply in respect thereto as if all references to the mortgage bank and to its committee in the said provisions were references to the Central Mortgage Bank and the Board respectively.

(b) Where such action is taken by the trustee, the provisions of this Act and of any rules or regulations made thereunder shall apply in respect thereto as if all references to the mortgage bank or to its committee in the said provisions were references to the trustee."

If the committee of the primary bank fails to take action in the first instance, the Central Bank and the Board will have to take action; or, the trustee will have to take action. When the action is taken by the Board of the Central Bank or by the trustee, provisions of this Act and of any rules or regulations made thereunder shall be made applicable to the Board or trustee."

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Mr. V. P. NARAYANAN NAMBIYAR:—" I second it."

The amendment was put and carried, and the new clause formed part of the Bill.

Clause 23 was then put and carried.

Clause 24.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move the following amendment:—

' In line 7, for the words " with a view of giving," substitute the words " in order to give ".'

" This is merely a verbal amendment."

Mr. V. P. NARAYANAN NAMBIYAR:—" I second it."

The amendment was put and carried.

Clause 24, as amended, and clause 25 were put and carried.

Clause 26.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move the following amendment:—

' (i) In lines 4-5 for the words and figures " Transfer of Property Act (IV of 1882) " substitute the words and figures " Transfer of Property Act, 1882 ".'

This is a verbal amendment.

' (ii) Add the following proviso at the end:—

" Provided that where there is a dispute as regards the amount of any such debt, the person to whom such debt is due shall be bound to receive payment of the amount offered by the mortgage bank towards the debt, but such receipt shall not prejudice the right, if any, of such person, to recover the balance claimed by him."

This provision is made to meet any contingency of a bona fide dispute between the mortgagor and the creditor in regard to the amount of debt to the latter; if there is any trouble, there will be this right to go to the civil court."

Mr. V. P. NARAYANAN NAMBIYAR:—" I second it."

The amendment was put and carried.

Clause 26, as amended, was put and carried.

Clause 27.

* The Hon. Mr. P. T. RAJAN:—" Sir, I move—

' (i) In lines 3-4 of sub-clause (1), for the words " a Director, or Secretary or any other officer " substitute the words " any Director, Secretary or other officer."

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' (ii) In line 4 of sub-clause (2), for the words " such Director or Secretary " substitute the words " such Director, Secretary or officer ".'

" This is merely a verbal amendment."

Mr. V. P. NARAYANAN NAMBIYAR:—" I second it."

The amendment was put and carried.

Clause 27, as amended, and clause 28 were put and carried.

Clause 29.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move the following amendment:—

' Substitute the following for clause 29:—

" 29 (1) Where a mortgage executed in favour of a mortgage bank either before or after the passing of this Act is called in question on the ground that it was executed by the manager of a joint Hindu family for a purpose not binding on the members thereof, whether major or minor, the burden of proving the same shall, notwithstanding any law to the contrary, lie on the party raising it.

(2) For the purpose of this section, the following shall not be regarded as purposes not binding on a member of the joint Hindu family, namely:—

(a) the improvement of agricultural land or of the methods of cultivation; and

(b) the purchase of land."

" In the clause as passed by the Select Committee minors and people with limited interest were given the opportunity of questioning the transaction but the burden of proof was shifted to them. It was pointed out that it would be unfair especially in the case of the minor that he should be made responsible for any contract entered into or any debt incurred by the guardian improperly. These two categories of people have been removed from the purview of this provision. The bank should take such precautions as are necessary in its interest in case it lends money to minors and people with limited interest in the property. But in the case of joint families, as the clause is worded now, though it is open to them to call into question the transactions between the bank and the managing member of the family, yet, the onus of proof lies on them. This change was introduced mainly with a view to meet the objections raised by some of the hon. Members of the House, and I hope the amendment will be accepted."

Mr. V. P. NARAYANAN NAMBIYAR:—" I second the amendment."

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* Mr. T. C. SRINIVASA AYYANGAR:—"Sir, I desire only to raise the question whether in this clause we should necessarily insert item (2) (b) 'the purchase of land;' whether the purpose of the Bill will not be served by merely enacting a new rule regarding the onus of proof, and introducing the provisions contained in sub-clause (2) (a); and whether it would not be desirable to delete sub-clause (b). It will very easily lend itself to be exploited in many cases. Of course the bank is not likely to suffer; but will it not introduce an element of infringement of the general law? I think we had better draft this clause with greater care. I do not desire to say that the Select Committee or the gentlemen who considered the Bill have not considered this point carefully. There is a great deal that can be said for both sides. However that may be, the addition of sub-clause (b) seems to me to be unnecessary, and its deletion will not in any way affect the proper or smooth working of this Act. If it is found later on that such a provision is necessary, it may be introduced. But now to introduce it would give, in my opinion, considerable scope for speculation and for exploitation of the provision."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, so far as the caution that was given to us by Mr. Srinivasa Ayyangar is concerned, I quite agree with him. There have been many cases in which by the purchase of additional land, several families have been ruined. But the object of this provision is different. It does not, Sir, enable the societies to lend money in all cases that come up before them for the purchase of land. There are cases in which for the better enjoyment of the land already possessed, an additional land, or a portion of land which would make agricultural operations really beneficial, will have to be purchased. It is only in such cases that I think the banks will be justified in lending money and not for speculative purchase of new land. It is only such cases that are sought to be protected by this provision. Of course the provision as it stands will cover even cases of speculative purchase as well; but in the actual working of the provision, I think the banks will be instructed that they ought not to lend money for speculative purchase but that they should lend money only in cases which I mentioned, i.e., cases where, for the better cultivation of land, an additional piece of land near by may have to be purchased, or where one person possesses three-fifths of a land and the two-fifth is coming up for sale and it is found in the interests of everybody that one person should possess the whole, etc. It is only in that sense that this provision has been made. As I said, as the clause stands, no doubt, it will cover cases of speculative purchase; but that will be guarded against by the by-laws that are framed on the question of the lending of money by the societies."

Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, the hon. Mr. Srinivasa Ayyangar was alarmed that he finds a clause here which would trench upon the Hindu law; but he was not alarmed when the

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mortgage law was thrown to the winds, and he looked on with complacency at that time. Now he thinks that when new property is purchased, there will be some trouble; i.e., he refers to cases where the purchase of land is considered to be beneficial and binding on the joint family property; and he is alarmed. But what I say is: this is a special legislation which is intended to be very beneficial, and, therefore, Sir, he must throw to the winds not only the mortgage law but also the Hindu law."

* Diwan Bahadur M. RAMACHANDRA RAO:—"Sir, in order to avoid further discussion on this clause, may I say that in the by-laws of the primary banks as regards loans for purchase of land, it is laid down as follows:

'Loans may be given for the following purposes: purchase of land in special cases on condition that such purchase will enable the purchaser to round off a holding and work it more economically.'

"That is in the by-laws, and I will give my friend the assurance that this by-law will be there, and if necessary we shall make it quite clear that the primary banks are not permitted to lend money for the purchase of new land, or for purposes other than those mentioned in the by-laws. It was never intended that we should enable managers to purchase landed properties without any limitation as suggested by my friend. But in special cases—say, where there are three brothers and one brother wants to sell away his portion of the property or where there are two acres of land near by which the party wants to acquire for the better enjoyment of his other property—it will be difficult to avoid permitting a person to purchase a small plot, in order to enable him to work his holding much more economically than otherwise he could. It is certainly not intended to lay down a rule that the primary banks can lend money for the purchase of land, apart from the particular circumstances mentioned in the by-laws. We shall bear this in mind and see that the by-law is laid down in much stricter language than now. We have been receiving applications all along, and we have never met with a case hitherto of a loan purely intended for the purchase of new land and nothing else. We are perfectly aware, Sir, of the dangers of granting to the managers of joint families loans from the banks for the purchase of lands."

Mr. K. R. VENKATARAMA AYYAR:—"Sir, possibly the difficulty mentioned by Mr. Srinivasa Ayyangar may be met by a slight alteration in the wording of the opening part of sub-clause (2). That portion now reads: 'For the purpose of this section, the following shall not be regarded as purposes not binding on a member of the joint Hindu family.' That seems to have the effect, as it were, of saying that the purposes (a) and (b) shall be held by the court as purposes binding on the junior members of the Hindu family. It makes very little difference whether you say: 'It shall be regarded as binding on the junior members of the Hindu family' or 'it shall not be regarded as not binding on the junior members of the Hindu family.' Perhaps the intention of the draftsman of this clause was not so much to compel the court to

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hold these purposes to be binding upon the junior members, but apparently to get rid of the Hindu law view that this category of purposes shall be outside the range of 'binding purposes.' Because, it is easily assumed here to be the notion of Hindu law that a managing member of a joint family ought not to encumber the joint family property merely for the purpose of purchasing another item of property. Such a purpose shall be deemed to be outside the range of competency of the managing member—that is the general Hindu law view. If the object in this legislation is merely to relax that rigid view of the Hindu law to a degree in favour of the mortgage banks—and there is good reason for such relaxation, because the mortgage banks do not advance moneys to every intending borrower who wants to buy land—but the mortgage banks make the very best of enquiries to satisfy themselves that in the particular circumstances of the application for loan, the purchase of the fresh property on behalf of the family is appreciated by the family to be a beneficial purpose, from the point of view of even the junior members of that family. The object, I think, can be met by saying in the opening part of this sub-clause: 'the following shall not be regarded as purposes incapable of binding a member of the Hindu family' that really means to say: 'let not the court take it to be a purpose which cannot possibly be binding.' But whether it is actually binding or not will depend upon the question as to how far the purchase is beneficial. I think if some such alteration is agreed to by those who are responsible for the present language, the point of the objection will stand removed and the bank also will stand sufficiently protected."

Rao Bahadur Sir A. P. Patro:—"Sir, it has been very well pointed out by my Friend Mr. Srinivasa Ayyangar that this provision covers a wide ground and gives rise to propositions which are contrary to Hindu law. Moreover, a perusal of the clause—I am sorry I was not present at the time this clause was discussed yesterday—will show that

'the following shall not be regarded as purposes not binding on a member of the joint Hindu family, namely:—

(a) the improvement of agricultural land or of the methods of cultivation.'

Well, how are you going to define 'improvement of agricultural land' and 'methods of cultivation?' They are too vague and general to be introduced into a statute. As regards purchase of land, the only justification which Mr. Ramalingam Chettiyar and Mr. Ramachandra Rao pointed out was that it may be a case of a co-owner who wants to sell a piece of land, or it may be a case of rounding off a small bit of land, etc. All those are mere exceptions, and do not come under the general law. Therefore, if the Hon. the Minister will agree to introduce the language of the by-law which Mr. Ramachandra Rao just now read out to us, viz., that the grant of loan would be limited to particular classes of cases, then the difficulty would be largely minimised and it would not give such a wide and large power to either the bank or the manager as now. At present, the purchase of land is not at all one that would be recognized as binding on the family.

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"In respect of improvements to lands, loans could be obtained 1 p.m. under the Land Improvements Act, and the Agriculturists Loan Act. You are again giving the manager power to borrow from the Land Mortgage Bank. These are very large powers which are considered to be very difficult to be determined by the Courts of Law. This will be giving the managers more powers than are necessary in the interests of the joint family. I would therefore suggest that it would be better if the language of the by-law is introduced in this clause and it is redrafted. Diwan Bahadur M. Ramachandra Rao read out the by-law. The by-laws may be changed from time to time with the consent of the Registrar. So, it would be better to have the provisions contained therein in the substantive statute itself. This will save a lot of confusion and will be consistent with the provisions of the Hindu Law."

* Mr. K. P. RAMAN MENON:—"Mr. President, Sir, after all, it is only a question of presumptions. It may sometimes be necessary for a manager to purchase a few cents of land to round off his property here and there; it may also be necessary for him to purchase lands adjacent to his own in the interests of harmony in the family. Why should there be any change in the ordinary presumption which governs cases like this? As has been pointed out by Mr. Srinivasa Ayyangar there is considerable doubt as to the position of a guardian in respect of loans contracted by him, whether they will be regarded as having been taken for improvements in the land or only as a matter of speculation. Sir, as regards the method of cultivation referred to in this clause the methods of cultivation are various and it would be difficult to imagine what are all the methods of cultivation, which are within the purview of this provision here. This particular clause practically corresponds to the explanation given under clause 29 of the Bill as amended by the Select Committee. May I suggest that this may be dropped altogether and the courts may be left to draw their own presumptions with reference to particular cases coming up before them. If a purchase is made, for example, of portions of land lying on the boundary, perhaps the court may hold that it was in the interests of the family. If loans are taken as a matter of speculation the court may hold them to be not binding on the family. Instead of trying to define what presumptions ought to be drawn it would be better to leave the courts to do it on the merits of specific cases. Why should we in this clause be adding a presumption? As a matter of fact I have my own doubts as to whether this is not trenching upon the Indian Evidence Act with reference to presumption and as such for introducing this it may be necessary to have a further sanction of the Viceroy. This clause is adding a presumption to the number of presumptions laid down in section 114 of the Indian Evidence Act and as such further sanction by the Viceroy may be required in this particular matter. I will leave to the Hon. Minister to say whether it is necessary to have this explanation added or to leave alone the courts to draw their own presumptions on the circumstances of each concrete case."

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* The Hon. Mr. P. T. RAJAN:—" Mr. President, Sir, hon. Members have pointed out certain difficulties which may arise in retaining sub-clause (2). As has been pointed out by my Friend, Mr. Ramalingam Chettiyar and Mr. Ramachandra Rao, there may be occasions in which it may be necessary that loans may have to be sanctioned for the purchase of land. My Friend, Mr. Ramachandra Rao, has read out in what cases money will be advanced for the purchase of land. But as far as Government are concerned, they will direct the Registrar to see that those by-laws are kept up and see that the banks do not lend money for purposes of purchase of land unless there are special reasons. If in practice it is found that banks abuse their powers, it will be time enough for the Government to bring in an amendment to the clause. I am told that the by-laws of the bank would not be altered except with the sanction of the Registrar. As such, I do hope this explanation will be sufficient to satisfy hon. Members."

The amendment was put and carried.

Clause 29, as amended, was put and carried.

Clause 30.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move—

'that this clause be deleted.'

"Provision has been made elsewhere in section 6 (a); hence the motion."

Mr. V. P. NARAYANAN NAMBIYAR seconded the motion.

The amendment was put and carried and clause 30 was deleted.

Clause 31.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move—

'In line 2, omit the words "so far as may be."

'In line 3, for the words "from their own funds," substitute the words "from funds which have not been borrowed from the Central Mortgage Bank."'

Mr. V. P. NARAYANAN NAMBIYAR seconded the motion.

The amendment was put and carried.

Clause 31, as amended, was put and carried.

Clause 32.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move—

'For this clause, substitute the following:—

"32. Whenever under the provisions of this Act notice is required to be given to any person in writing, it shall be sufficient to send such notice by registered post."

This is only to make the position clear."

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Mr. V. P. NARAYANAN NAMBIYAR seconded the motion.

The amendment was put and carried.

Clause 32, as amended, was put and carried.

Clause 33.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move—

'For this clause, substitute the following:—

"33. The Board may, if it thinks fit, delegate all or any of its powers under sections 12, 19, 22 and 22-A to an executive committee constituted by it and consisting of two or more of its members."

Mr. V. P. NARAYANAN NAMBIYAR seconded the motion.

The amendment was put and carried.

Clause 33, as amended, and clause 34 were put and carried.

New Clause 35.

* The Hon. Mr. P. T. RAJAN:—" Sir, I beg to move—

'After clause 34, add the following clause:—

"35. At any sale of movable or immovable property held under the provisions of this Act in order to recover any money due to a mortgage bank, no Director, Secretary or other officer of such bank or of the Central Mortgage Bank (except on behalf of the bank of which he is a Director or Secretary or an officer) and no sale officer or other person having any duty to perform in connexion with such sale, shall either directly or indirectly, bid for or acquire or attempt to acquire any interest in such property."

"No further explanation on this clause is needed than that it is intended to guard against any possible fraud and keep the officials of the bank above suspicion."

Mr. V. P. NARAYANAN NAMBIYAR seconded the motion.

Mr. K. KOTI REDDI:—" Mr. President, Sir, I just want a piece of information from the Hon. Minister. Supposing a Secretary or Director acts contrary to this clause, what will be the result? There is no penalty attached to a violation of the rule. In such a contingency, is there any provision in the Act which lays down that the transaction will become invalid? "

Mr. K. P. RAMAN MENON:—" This difficulty occurred to me also this morning. If this is a lacuna this occurs in the corresponding provisions in the Civil Procedure Code also and as it is not creating

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difficulties in its application, I thought there was no harm in the provision as it is. Once it is stated that such a purchase is invalid, purchases in contravention of such a provision will be *ipso facto* invalid."

* Mr. C. BASU DEV:—"Mr. President, I entertained also the same doubt just given expression to by Mr. Raman Menon. This is an irregularity and it would have been better if provision was made for setting aside the sale on the ground of at least this irregularity."

The amendment was put and carried and new clause 35 formed part of the Bill.

New Clause 36.

* The Hon. Mr. P. T. RAJAN:—"Sir, I move that the following be added as clause 36:—

'36. The provisions of sections 102 and 103 of the Transfer of Property Act, 1882, and of any rules made by the High Court under section 104 of that Act for carrying out the purposes of the said sections, shall apply, so far as may be, in respect of all notices to be served under this Act.'

"This is done with a view to enabling the application of the provisions of the Transfer of Property Act specifically to notices under sections 12, 13 and so on."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried and new clause 36 formed part of the Bill.

Clause 3.

The Hon. Mr. P. T. RAJAN:—"Sir, I move—

'In clause 3, delete sub-clause (g).'

Sub-clause (g) says: 'Sale officer' means—

'(i) in relation to the sale of movable property distrained, an officer appointed under section 11; and

(ii) in relation to the sale of immovable property mortgaged to a mortgage bank, an officer appointed under section 21.'

In view of the amendments carried to clauses 8, 12, 13 and 14, I think, this definition is unnecessary and may be deleted."

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried and sub-clause (g) was omitted.

Clause 3, as amended, was then put and carried.

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Appendix.

The Hon. Mr. P. T. RAJAN:—"Sir, I move—

'Omit the Appendix.'

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The amendment was put and carried.

The Hon. Mr. P. T. RAJAN:—"Mr. President, I beg to move—

'Renumber the clauses in the numerical order.'

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

The motion was put and carried.

Preamble.

* The Hon. Mr. P. T. RAJAN:—"Sir, I move that—

'In the Preamble for the words "Whereas it is expedient to facilitate the working of co-operative land mortgage banks in the Presidency of Madras" substitute the words "Whereas it is expedient to supplement the provisions of the Madras Co-operative Societies Act, 1932, in order to facilitate the working of co-operative land mortgage banks in the Presidency of Madras," and, in line 4, after the words "owners of land" insert the words "or other immovable property."'

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

* Diwan Bahadur M. RAMACHANDRA RAO:—"Mr. President, it seems to me that this amendment has to be slightly modified. There is one small omission here. The existing wording is this: 'Whereas it is expedient to facilitate the working of co-operative land mortgage banks in the Presidency of Madras.' I suggest an amendment as follows: 'Whereas it is expedient to supplement the provisions of the Madras Co-operative Societies Act, 1932, in order to facilitate the working of co-operative land mortgage banks in the Presidency of Madras' and then come the words 'in order to provide for the grant of long-term loans'. I suggest that the second 'in order' may be removed and substituted with the words 'with a view to provide.'"

* The Hon. the PRESIDENT:—"But, I am afraid there will be two 'with a view's' then."

Mr. K. R. VENKATARAMA AYYAR:—"The second 'with a view' may be deleted."

Diwan Bahadur M. RAMACHANDRA RAO:—"That is so. I second the amendment that the second 'with a view' be deleted."

* The Hon. the PRESIDENT:—"I will put the preamble, as sought to be amended, to the vote of the House."

[The President]

[19th March 1934]

"The question is:

'WHEREAS it is expedient to supplement the provisions of the Madras Co-operative Societies Act, 1932, in order to facilitate the working of co-operative land mortgage banks in the Presidency of Madras with a view to provide for the grant of long-term loans to owners of land or other immovable property to enable them to discharge their debts, to carry out agricultural improvements, to acquire land for the formation of economic holdings and other like purposes and thereby to promote thrift and self-help among them;

'AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act; It is hereby enacted as follows:—'

The motion was carried and the Preamble as amended, formed part of the Bill.

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

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

APPENDIX.

19th March 1934]

[Vide answer to question No. 796 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 19th March 1934, page 437 supra.]

Exports of rice and paddy to Coastwise Ports from the ports of South Kanara district during the past four years ending 1932-33 and during 1933-34 (April to January 1934).

Ports.	Paddy.				Rice.			
	1929-30.	1930-31.	1931-32.	1932-33.	1929-30.	1930-31.	1931-32.	1932-33.
South Kanara ports—								
Kannur	..	..	..	..	..	..	..	..
Malpe	..	..	..	..	..	..	..	..
Mangalore	..	..	..	..	..	..	..	..
Hangurakatta	..	..	..	..	..	..	..	..
Coondapoor	..	..	..	..	..	..	..	..
	2	64	41	9	496	303	1	43
	63	21	7	568	2,764	2,094	481	192
	363	97	145	2,976	2,094	2,094	..	655
	54	Cwt. 9	5	2,719	2,094	2,094	124	1,743
								3,012
								1,508

Imports of rice and paddy from Coastwise ports into the ports of South Kanara district during the past four years ending 1932-33 and 1933-34 (April to January 1934).

(Exports Coastwise Trade.)

Ports.	Paddy.				Rice.			
	1929-30.	1930-31.	1931-32.	1932-33.	1929-30.	1930-31.	1931-32.	1932-33.
South Kanara ports—								
Kannur	..	..	..	..	..	..	..	..
Malpe	..	..	..	..	..	..	..	..
Mangalore	..	..	..	..	..	..	..	..
Hangurakatta	..	..	..	..	..	..	..	..
Coondapoor	..	..	..	..	..	..	..	..
	1	10	7	59	37	332	12	13
	..	72	79	1,486	2,281	2,281	611	384
	233	782	585	40	79	79	2,465	3,468
	..	24	66	27	221	221	42	50
	..	..	639	388	..	..	106	274
	..	..	..	..	..	..	..	1,426
	..	..	..	..	..	..	..	3,485
	..	..	..	..	..	..	..	101
	..	..	..	..	..	..	..	1,290

(Imports Coastwise Trade.)

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Tuesday, the 20th 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.	Moses, Mr. P. C.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.	Muniswami Nayudu, Diwan Bahadur B.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.	Muniswami Pillai, Rao Sahib V. I.
Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun.	Muthiah Chettiyar, Mr. M. A.
Raja of Bobbili, The Hon. the.	Nachiyappa Gounder, Mr. K. A.
Rajan, the Hon. Mr. P. T.	Nanjappa Bahadur, Subadar-Major S. A.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Narasimhaswami, Rao Sahib D. V.
Abdul Hameed Khan Sahib Bahadur.	Narayanan Nambiyar, Mr. V. P.
Ahmed Meeran Sahib Bahadur.	Natesa Mudaliyar, Rao Bahadur C.
Alamelumangathayaramma, Mrs. K.	Palat, Mr. R. M.
Annamalai Chettiyar, Mr. S. A. A.	Pannirselvam, Rao Bahadur A. T.
Appadurai Pillai, Diwan Bahadur A.	Parthasarathi Ayyangar, Mr. C. R.
Arasu, Mr. V. T.	Patnaik Mahasayo, Sriman M. G.
Ari Gowder, Mr. H. B.	Patro, Kt., Rao Bahadur Sir A. P.
Basheer Ahmed Sayeed Sahib Bahadur.	Pattagar of Palayakottai, The.
Basu Dev, Mr. C.	Pocker Sahib Bahadur, B.
Beyabani Sahib Bahadur, S. M. K.	Premayya, Mr. G. R.
Bhanoji Rao, Mr. A. V.	Rajagopala Pillai, Mr. P. V.
Birley, Mr. F.	Ramachandra Padayachi, Mr. P. K.
Devadasan, Mr. M.	Ramakrishna Reddi, Mr. A.
Dharmalingam Pillai, Rao Sahib V.	Ramalingam Chettiyar, Rao Bahadur T. A.
Ellappa Chettiyar, Diwan Bahadur S.	Ramamurti, Rao Sahib Pandit Ganala.
Foulkes, Mr. R.	Raman Menon, Mr. K. P.
Indrayya, Mr. C.	Ramaswami Ayyar, Mr. T. S.
Jagannatha Raju, Rao Bahadur G.	Ramaswami Mudaliyar, Mr. V. M.
Jagannatham, Mr. H. M.	Ranganatha Mudaliyar, Mr. A.
Jayaram Nayudu, Rao Sahib C.	Ranganatha Mudaliyar, Mr. G.
Kesavaramamurti Nayudu, Mr. K.	Rangaswami Reddi, Mr. M. B.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ratnasabhapatni Mudaliyar, Diwan Bahadur C. S.
Kolanda Reddi, Rai Sahib C.	Sahajanandam, Swami A. S.
Koti Reddi, Mr. K.	Sami Venkatachalam Chetti, Mr.
Krishnayya Choudari, Mr. P. V.	Sesha Reddi, Mr. B. P.
Krishnamurti, Rao Bahadur D.	Shetty, Mr. A. B.
Krishnan, Mr. C.	Singam Ayyangar, Mr. K.
Kumararaja of Venkatagiri, The.	Siva Raj, Rao Sahib N.
Ladden, Mr. W. W.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Lakshmana Reddi, Mr. G.	Sreshtha, Mr. M. S.
Dangley, Mr. W. K. M.	Srinivasa Ayyangar, Mr. T. O.
Madanagopal Nayudu, Mr. R.	Srinivasan, Rao Bahadur R.
Mahboob Ali Baig Sahib Bahadur.	Sriramulu, Mr. G.
Manikkavelu Nayakar, Mr. M. A.	Subbarayan, Dr. P.
Matherell, Mr. J. K.	Subrahmanya Chetti, Rao Sahib P.
	Subrahmanya Bhatt, Mr. U. C.
	Sundara Rao Nayudu, Mr. T.

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PRESENT—cont.

Syed Tajuddin Sahib Bahadur, Khan Sahib.	Venugopal Nayudu, Rao Bahadur R. K.
Thomas, Mr. Daniel.	Viswanatha Rao, Diwan Bahadur V. N.
Thorne, C.I.E., I.C.S., Mr. J. A.	Yakub Hasan Sahib Bahadur.
Vasudeva Pillai, Mr. V. G.	Zamindar of Kirlampudi, The.
Vedachala Mudaliyar, Mr. M.	Zamindar of Mirzapuram, The.
Venkatarama Ayyar, Mr. K. R.	

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Local Self-Government

Alleged interpolations in the minutes book by the Chairman, Municipal Council, Trichinopoly.

* 802 Q.—MR. K. SINGAM AYYANGAR: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) what final orders have been passed by the Government on the Collector's enquiry regarding interpolations in the minutes book by the Chairman, Municipal Council, Trichinopoly; and

(b) if orders have not been passed as yet, the reasons for the delay, especially in view of the Hon. the Minister's reply to the Council that orders would be passed within the course of the next few days?

A.—(a) & (b) The Government have issued a notice to the Chairman asking him to show cause why he should not be removed from office. They do not therefore propose to take any further action on the Collector's report of enquiry.

Land Revenue Administration

Damage caused to Sarvarayanpet, Chidambaram taluk, by floods from the Veeranam tank.

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

(a) whether it has been brought to the notice of the Government that a group of villages round Sarvarayanpet in the Chidambaram taluk has been flooded successively for several years past by the abnormal quantities of water sent down by Velligal odai from the Veeranam tank and diverted by the obstructions in that odai;

(b) whether the Government granted to these villages the same measure of relief that they gave to places similarly affected such as the Tanjore district in fasli 1340 and the following faslis under special provisions and rules of remission;

(c) at the estimates made at the inspection by the revenue officers of the yield in faslis 1340 and 1341 respectively (i) how many acres

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have been classified as waste, (ii) how many acres as having in them a crop worth 2 annas and less and (iii) how many acres as having a crop worth above 2 annas but not more than 4 annas:

(d) whether the ryots of these villages submitted to the Government statements showing the actual loss suffered by them individually in these faslis and whether those statements were verified; and

(e) what relief the Government propose to grant these villages at least this year?

A.—(a) A copy of a petition on the subject submitted through the Collector of South Arcot has just been received by the Government.

(b) It is alleged in the petition that no special concessions have been granted.

(c) The Government have no information.

(d) It does not appear that any such statements have been submitted to the Government.

(e) The Collector of South Arcot through whom the petition has been addressed will take the necessary action in accordance with the provisions of the Board's Standing Orders.

MR. V. M. RAMASWAMI MUDALIYAR:—"Sir, may I ask whether any special concession was shown to the ryots in the Tanjore district and, if so, why such concessions were not shown in the case of the ryots of the South Arcot district?"

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

MR. V. M. RAMASWAMI MUDALIYAR:—"In answer to clause (b) it is said that no special concessions have been granted. I ask whether similar concessions have been granted in the case of the South Arcot district?"

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

Electricity

Execution of an hydro-electric scheme in Vayittiri, Malabar.

* 804 Q.—MR. P. M. THIANGAL: Will the Hon. the Law Member be pleased to state—

(a) whether it has ever been under the consideration of the Government to work up a hydro-electric scheme in Vayittiri for Malabar;

(b) whether any investigation was made in this direction;

(c) if so, whether any scheme has been prepared, and if so, what the estimated cost of the scheme is; and

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we have here two water-tight compartments, namely, jailers and deputy-jailers and warders. No training is given to our jail staff. In Burma, they are said to have a training class for these people and in the United Provinces and in the Punjab also, they provide a course of six months' training for the men selected for service in jails. The conference of Inspectors-General of Prisons has recommended that a training school attached to the Central Jail in each Province should be started for training these men. I would earnestly request the Government to give their serious consideration to this proposal."

"Then, Sir, our system of after-care for released prisoners is far from satisfactory. The report on jail administration for 1932 says that after ten years' work the scope of the Discharged Prisoners Society has been not unfairly described as a drop in the ocean. The after-care of prisoners is the key-stone of prison reform. I find that only 814 people out of 18,438 prisoners discharged in the year 1932 have been helped by this society. In this matter also, the conference of the Inspectors-General of Prisons has expressed the opinion that Government support should be made more effectual as it is in England. Government are spending 22 lakhs and odd on jails while they give to this society only a paltry sum of Rs. 5,000 and odd. Now, to sum up, the most essential measures we need are: a properly directed system of probation for dealing with first offenders of the less serious type; scientific treatment under expert supervision for reforming convicts when they are in prison; some system of preventive detention for habituals who cannot be reformed; an efficient system of after-care. I have no doubt, that if these measures are adopted by the Government, it will lead to very happy results as it has led in England. It will lead to a reduction of crime and a reduction of the prison population in jails. It will help the Government to reduce the cost they are now incurring on the jails and the police."

11-15
a.m.

* MR. SAMI VENKATACHALAM CHETTI:—"In speaking upon this motion, I cannot be oblivious of the fact that, our Hon. Colleague Sir M. Krishnan Nayar who has held with distinction the charge of this subject is retiring very soon amidst regrets of his colleagues and friends. But, in spite of that feeling I should not be considered ungracious if I should offer some criticisms on the Jail administration. Sir, the absence of any important change in the administration of jails is due more to the system than to the person himself. Because, I feel, Sir, if one should take into consideration the brilliant record of public service which the Hon. Sir M. Krishnan Nayar had to his credit before he became an Executive Councillor, it would be rather difficult to believe that such a doughty champion of public cause could have become such a docile Member of the Government of Madras. Sir, I should consider also that, during the six years which he spent as a Member of the Government of Madras, if he had devoted his attention to the public cause which he was originally championing, probably the laurels which would have attended his work, would have been more noteworthy and

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glorious. But yet there is an opportunity for our Hon. Sir Krishnan Nayar, who would soon be coming into the non-official ranks, to come with all the rich experience he might have acquired as an Executive Councillor and use that experience for the public cause in a greater measure and for more abundant good.

"Sir, I do not think, even the Hon. the Law Member would deny that the Jail administration of this Presidency is at a stand-still, so far as its reformatory character is concerned. More than once, it was our duty and necessity to tell the Government that jails in India are more in the nature of brutalizing the convict than reforming him during the period he was confined in the jail as a prisoner. The many evils attendant upon Jail administration have been revealed to the public eye by the influx of political prisoners into our jails and their exposing the evil administration of the jails to the public. One should have profited by such an exposure and one should have attempted to rectify the evils complained of and which are really deserving of being set right at the earliest moment. But, I am afraid, it is very regrettable to note that the Hon. the Law Member in spite of his promises to reform at least some of the evils in Jail administration, has failed completely to fulfil any of those promises and it is not in one single matter that there has been such a breach of promise on his part. No amount of interpreting or explaining away the promises he has made several times on the floor of this House would absolve him from the blame that is levelled against him that he did really mean the promise when he made a statement and persuaded us to withdraw the cut motions against the Demand under Jails. But, we still expected that at one time or another his own conscience would be enough spur on his heart and thought that at least some of the promises which he had made to the Legislative Council would be complied with. Well, Sir, it is for the Hon. the Law Member to say that he had made all the efforts that he could and that despite his efforts he was not able to secure the fulfilment of his promises. Sir, it would appear to me to be that those who are administering jails in this Presidency are under the belief that all those convicts cease to be human beings the moment they enter the jails. There is too much of puritanism on the part of the executive officers both in the Government and in the department, in considering violations and lapses on the part of the convicts as very serious offences and for which they punish them in a manner that would be shocking to the ordinary or decent civilized persons. I do not know if those who administer the jails are in touch with the current improvements in reformation that are going on in jails all over the world. The idea that jails are intended to punish a person has been long exploded and they are now considering them to be schools of reformation. Though the name for some of our jails has been changed the method of dealing with the convicts continues to be the same cruel form in which they were hitherto being treated. I would respectfully request the Hon. the Law Member to visualize in his mind what must be the irksomeness and inconvenience, mortification and humiliation, if a convict should be put to one form of punishment or other, such as

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bar-fetters, whipping or solitary confinement. It is said of some of those philanthropists who wanted to effect jail reform that they had passed some of their time as ordinary convicts in order to know and appreciate the difficulties under which the convicts suffer. That would be an excellent lesson for some of our administrators. As a matter of fact, we know that some convicts on account of some lapses or violation of jail rules have been put under bar-fetters for weeks together. I would like some of these gentlemen who are supposed to be moralists to try bar-fetters for an hour and find out what it means to a convict who has to suffer such a kind of punishment for weeks together. What after all is the nature of the offence that might have been committed by a convict to deserve a prolonged cruel treatment of this sort? Several convicts have become dazed, become mad and frantic, by the punishment which they have undergone on account of the supposed violation of some jail discipline. After all, Sir, who is the prosecutor and judge in deciding that a person has committed an offence and is therefore deserving of the punishments which are put down in the Jail Manual. It is all jail officials in a circle. One jail official reports to another; that jail official carries it to his superior officer and that superior officer by the sheer necessity of keeping up what is called discipline, enforces a punishment which is at once horrible and cruel. There is absolutely no check over the misuse of the powers by the superintendents of jails. There is no other person who would sit with him to judge if a convict is deserving of the cruel punishment or not. Sir, more serious offences than the violation of jail discipline are tried by magistrates and judges of tried character, experience and of complete detachment and they are also assisted by a number of other officers who will try to bring the most favourable view of a particular case, in order to reduce the punishment. Sir, that is the way in which British Jurisprudence is administered, but yet when one goes into jail, whatever might be the nature of the offence committed by him, after all the most serious offence in a jail would not be nearer a trivial offence outside the jail—for such offences he is tried by the jail superintendent who is the superior authority of all the jail officials and who awards punishments of most heart-rending character. There is no good saying that these punishments are prescribed in the Jail Manual. I am not questioning the authority of the jail superintendent for awarding punishments, nor am I entering into the fact as to why these punishments are provided in the Jail Manual. What I want is that the Jail Manual should be revised and the jails should be reformed in such a way as to make convicts better citizens when they come out of the prison than better prisoners.

“Sir, there are some diseases peculiar to jail life which are consequent upon insanitary practices which the convicts have to undergo owing to insufficient accommodation for bathing purposes, absence of proper latrines, and scanty nourishment. Those diseases are no doubt attended to by the dispensaries attached to the jails, but if the amount of money that we are spending on these dispensaries, is only spent on

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giving required or adequate food or proper and adequate accommodation for latrine and bathing purposes, it would have done immense good both from the positive and the negative side. It is a pity that in spite of various demands made to the Hon. the Law Member that the latrine and bathing accommodation in many jails is inadequate and insufficient, nothing has so far been done to improve the condition. Water-supply in jails is very insufficient and most of the convicts are asked to bathe during particular hours, the duration of which is quite insufficient for all the convicts to enjoy the bath.

“Coming to the question of diet, Sir, I am glad to note that the odourous germinating dhal has been given up and that a proper substitute is given. I hope, Sir, the report is true and that it is being followed in all the jails. Along with it, I cannot, even if I want to, forget the question of buttermilk. It is indeed a pity that here the Hon. the Law Member was unable to do anything. I refuse to believe that the jail doctors would have advised him against the introduction of buttermilk. I do not think Government would lose much if they should place the reports of the jail doctors and jail inspectors on the table of the House so that we can appreciate the difficulty of the Government in introducing 11-30 a.m. buttermilk as a form of diet to C class prisoners. Moreover, Sir, the Hon. Law Member used to skip over this question by saying that the Council and the public wanted this buttermilk only for political C class prisoners, and now that there is practically no political C class prisoners, and now that diet ceases to exist. Sir, in spite of the fact that we have been constantly telling him that it was not purely in the interests of political prisoners but also in the interests of the general C class prisoners that we wanted the introduction of buttermilk as a form of diet, nothing has been done in the matter so far. It is quite true that it was the political C class prisoners that brought this complaint to the public eye. But it is also true that whoever may be the prisoner, be he a prisoner committed for a political offence or otherwise, the minimum diet that he requires should include buttermilk. Sir, I am afraid the Hon. Law Member is not quite accurate when he says that in his part of the country buttermilk does not form part of a poor man's diet. I have heard it said by persons who have lived in that part of the country in which the Law Member has lived so long, and who have perhaps lived equally long like him, telling me that that is not a quite accurate statement. Probably it is a political statement. I do not know if there is any opportunity for the Hon. the Law Member, before he retires, to do anything in this direction. Sir, I have no doubt he himself would have been tormented by the pricks of his own conscience on various questions which have been left unsolved and undone. I beg to ask him without adding to his torments, whether he cannot himself do anything in this direction. Sir, Sir Arthur Knap, when he was in charge of the jails, laid it down that diet be supplied in jails according to the kind of food which the prisoner was accustomed to, and not according to the rate of the value of the diet. So it is not a question of

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cost that is standing in the way of introducing this much desired item in the diet of the prisoners. Sir, the Hon. the Law Member is said to be in charge of this department, and if the constitution could be believed, I take it that the Law Member subject only to the decision of the Cabinet, is the supreme head of this subject; and I particularly wish to put to him certain questions with regard to what transpired at a conference of Inspectors-General of Prisons, reported in yesterday's newspaper. The conclusions to which they have come to are simply shocking and staggering. On a perusal of the proceedings I asked myself whether the Law Member has given a free hand to those people in matters pertaining to this department. It would appear that these heads of departments are no longer members of the service. They seem to be even above Cabinet's decisions. After much fighting and higgling, the Government, either this or the Central Government, have at one time or another modified some rigours of jail discipline and jail rules to a certain extent in response to the popular and public opinion. But what do we find in yesterday's conference reported in the newspapers? Everyone of these so-called concessions is sought to be torpedoed by some qualification or another. I will read at least some of the more shocking ones, so that this House may know if the Law Member has only to agree to the recommendations made by this conference, or if he has got any freewill in the matter and the Government are not bound by the recommendations made by this conference.

'The number of visits and their duration by the non-official visitors should be strictly limited. On principle, practising lawyers and vakils should not be appointed as non-official visitors.'

"If this is a direction to Government to appoint more docile persons than they are now appointing, I don't know what purpose would be served by such honorary visitors. Already it has been bitterly complained that these non-official visitors consider their places to be stepping-stones either for title from Government or for some other recognition in one matter or another. Even those gentlemen who have this privilege of making a visit to the jails use that privilege very rarely, and even when such visits take place, they are only farcical. Now, Sir, why does this conference make this recommendation? Probably on the ground that such visits are uncomfortable to the discipline of the jails, so that they can enforce the jail rules tyrannically, undeterred and unhampered, and thus bring into existence a reign of terror.

"Then, with regard to the A class prisoners, the Government, after a long struggle—a struggle on a nation wide scale—agreed that they are willing to treat these A class prisoners as practically detainees, belonging as they do to the most respectable classes, and going as they do to the jails on account of the opinion they hold, rather than on account of any offence of moral turpitude. The conference resolved that 'A class prisoners should continue to be allowed to wear their own clothing which, however, should be limited to reasonable quantity. B class prisoners should be provided with prison clothing. The conference agreed that it is undesirable to issue dhoties to prisoners, as they facilitate escape.'

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Now, Sir, has there been a single instance where such prisoners have escaped or tried to escape from jails? In the absence of such incidents, may I know why this restriction is being sought to be put on these otherwise respectable persons from wearing the dhoties which they ordinarily wear?

"The conference agreed that A and B class prisoners should be accommodated in separate enclosures in ordinary jails. It would be also economical. The conference was also of opinion that when the prisoners are split up in separate sections, control would be facilitated over them, while when confined together in large numbers they are apt to become unmanageable and to have a false sense of their own importance. Now, Sir, this conference knows more than anybody else that these A and B class prisoners consist of persons far more respectable than the heads of these departments, and that they have gone to jails not on account of having committed any crime but for holding certain opinions. And over these people the heads of the departments want to exercise their power, and to facilitate that they suggest separate accommodation.

"Moreover, apart from the recommendation of the Court and apart from the recommendation of the Government, this conference expects the heads of jails to reduce these prisoners to C class, if they found that to be necessary. Thus even if the Local Government recommends a person to be placed in A class, or if the committing Magistrate recommends a prisoner to be put in A class, the jail authorities are not bound to obey. It so becomes that the supreme authority in this matter is the jail authority.

"The conference recommended the introduction of a non-labouring scale of diet for B class prisoners if they refused to work or carry out a reasonable task. This means practical starvation; it is only put in another phrase. I want to know from the Law Member whether he is going to give his sanction to this recommendation.

"The conference thought that 'more reliance should be placed on separate confinement and calling remission and special class concessions than in whipping and mechanical means of restraint.'

"Sir, I must draw the attention of the Hon. Law Member that this was not suggested as a substitute for whipping and mechanical means of restraint, but as an intermediate punishment between one method of punishment and no punishment. Apart from the fact that it is laid down that in cases where whipping should be resorted to, the matter should be brought to the notice of the Local Government before it is actually resorted to and their sanction obtained, there are several cases where whipping is resorted to without the notice of the Government or the Law Member; and it seems no rule can possibly stop it. If whipping is considered necessary, why not try as a preliminary to that, separate confinement, that is, either solitary confinement or cellular confinement?

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"Then, Sir, the Conference has held that 'should whipping be considered necessary, it should be carried out as soon as possible, the prior assent of the District Magistrate being considered sufficient and no reference to Local Government should be necessary.' Therefore these jail superintendents want complete authority over the human beings who are placed in their charge. It is said that 'outside practitioners should not be allowed to enter the jails to treat prisoners and that they should only be called in for consultation on the recommendation of the jail medical officer and with the authority of the Local Government.' This is an attempt to screen the wounds that may be caused by the punishment meted out inside jails.

"With regard to the question of the segregation of terrorists and communists from other prisoners, the conference recommended that the Police and Magistrates should inform the jail officers of the admission of such prisoners into the jail. This is not all. Then comes the more shocking recommendation with regard to hunger-strikes. Hunger-strike is not resorted to on mere flimsy grounds. Whether rightly or wrongly, when a person believes that he will be doing violence to his conscience if he is to obey a particular order, and therefore decides to disobey the order but is forced to obey, then he resorts to hunger-strike, preferring death to the humiliation of doing a thing against his conscience. I am not one of those who is prone to pooh-poo that idea or who should think that hunger-strike is resorted to for the sake of notoriety. It requires great courage to do that. May be it is a misguided courage; but all the same, a good deal of courage is required to adopt such a course. Some people may think that after all the objection is merely sentimental; but on account of that opinion we cannot decry or try to discredit the opinion which the prisoner considers to be sacred. We have got a right to induce him to give it up, we have got a right to persuade him to renounce it, and we have got a right to make him see the unwisdom, the futility and foolishness of the procedure he wishes to adopt. But to advise or recommend punishment of the nature that is recommended by this Conference shows the mentality of the persons composing that Conference. They are by no means the persons who have got the missionary bent of mind to humanize the system, to ennoble the minds of persons committed to their charge and reform them for nobler lives. They seem to think that they are there only to exercise the authority which they possess over these persons irrespective of any other consideration. The following procedure is recommended by the Conference in connexion with hunger-strikes:—

"(1) Segregation of hunger-strikers.

"(2) Whipping—It proves most successful in absorbing hunger-strike." That seems to be the conclusion of the conference. It therefore seems that certain persons who have resorted to hunger-strike were whipped whether or not the Local Government agreed to it, and it proved successful in absorbing the hunger-strike. Again another recommendation of the conference is that 'cooked food should not be presented

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to them—on the contrary, food should not be cooked for them unless they notify their desire to break their strike.'

"Sir, these are the recommendations made by the Conference. I hope this House will have an opportunity of hearing the emphatic denial or the approval of some or most of the recommendations of this Conference by the Government.

"I shall close my remarks on this motion with a query to the Hon. the Law Member about Mr. Narayana Menon. Well, in this matter I am disposed to think that the Hon. the Law Member must have done his best to get him released. But apart from that I think it is nearly 14 years since he has been incarcerated. I should like to know from the Hon. the Law Member whether his life term is to consist of 14 years or 20 years. Sir, it is very unusual for the Government to impose the full term punishment on life-term prisoners and it must be indeed very unusual for the Government if they should think of that extension in the case of Mr. Narayana Menon. Whatever might be his antecedents on which there seems to be keen difference of opinion, all the people, whether Europeans or Indians, officials or non-officials, think that Mr. Narayana Menon is a gentleman, that he has been completely misunderstood and that he had been a victim of fortuitous circumstance. On the other hand there is the Government which thinks, whatever might be the opinion of the people outside, that they had in their possession certain incriminating documents which would not allow the Government to show any mercy whatsoever to Mr. Narayana Menon. Whatever that might be, during the long period of 14 years during which he has been in prison, his life has been one of exemplary character. I do not think there has been any occasion on which any jail official has had reason to complain of his conduct. In fact, a Principal of the Madras Christian College who used to visit the jail in connexion with the mission work was one of the very large number of Europeans who wanted to intercede on his behalf with the Government to get his release. It was only on one occasion that he was more sinned against than sinned. Even on that occasion I do not think that the jail official persisted in thinking that Mr. Narayana Menon was wrong. Having a record of such an exemplary conduct throughout all his life in jail, may I know definitely from the Government—it would be a great consolation to his family and the public—whether he will be released at least at the completion of a smaller term than is provided for for the life-term prisoners' confinement? If it is not beside the point, I may ask the Hon. the Law Member, even as an act of grace, before he lays down his office, to secure his release and, if he should consider that the time between the actual expiration of 20 years and the present day is to be covered, he may be released on condition that he may not leave a particular area. I beg of him very earnestly to decide this question before he lays down his high office.

"As I said, it was not my intention to criticize the Hon. the Law Member who bore the brunt of criticisms for the last five or six years.

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Curiously enough his term of office synchronized with a period when I had to make searching criticisms on the Jail administration as in the case of any other administration which was in his portfolio and which was likely to be attacked by the non-officials from time to time. Therefore it was not an attack that was made on the Jail administration. If the Hon. the Law Member should think that he was the target of criticisms with regard to Jail administration, it was because we felt that something better might have been done in this matter."

* Mr. M. B. RANGASWAMI REDDI:—"Mr. President, Sir, buttermilk which is an essential article of diet has been denied to prisoners of the C class. When European prisoners are given comforts, it does not stand to reason why Indian prisoners are denied normal necessities of life. The climatic condition of India is very hot and therefore the natural diet of Indians will include buttermilk as one of the essentials of daily food. It is needless to suggest, in the absence of supply of buttermilk to all classes of prisoners, their condition will end in suffering through dysentery, etc. Many prisoners also have died in jails, I understand, from this disease.

"Though the release of Mr. Narayana Menon was recommended several times by this Council, it has not yet been done. The long contemplated revision of Jail Manual to bring it into conformity with modern times has not been given effect to. The Government should freely allot funds for the use of the Discharged Prisoners Aid Society. The Government should give facilities for oil bath irrespective of sex and class of prisoners as Indians are accustomed to oil bath to whatever station in life they belong. The Andaman as a penal settlement has been found unfit and the Government will do well to close the Andamans altogether as a penal settlement. The rules for the grant of remission of sentences for good conduct of convicted prisoners may be liberalized. Whipping, a barbarous mode of sentence, should be completely abolished.

"I should join with others in congratulating the Hon. the Law Member on having carried on the administration without any trouble and difficulty."

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, a great deal has been said on the general administration of jails. Just before going into this general question, I would like to say a word as regards the constituency which I have the honour to represent. Now, Sir, I do feel happy that I am in a position to thank the Government for the very liberal and the right policy which they have pursued in the matter of release of Mappilla prisoners. I express the debt of gratitude on behalf of my constituency to the Government and particularly to the Hon. the Law Member whose portfolio it is and also to the Hon. Sir Hopetoun Stokes, the Finance Member, who was the President of the Retrenchment Committee and who recommended the abolition of the Alipuram Jail. I must also express my gratitude to the Chief Secretary who was concerned in formulating these policies, and particularly

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Mr. Russell, the Collector of Malabar, who had the courage of his conviction in recommending the release of these Mappilla prisoners and whose policy has been justified by the very reports which the Government have published since then. I was very happy to find in the last Police Administration Report that the Mappilla prisoners who had been released were very peaceful and their behaviour was very satisfactory. Now, Sir, I appeal to the Government not to lose time in releasing a few more who are still undergoing imprisonment in the jails in this Presidency or in the Andamans. I would make a special appeal that all the remaining State prisoners who are only very few and who are still confined in various jails of this Presidency should be released. I would like to make a special reference to the case of Pukutu Thangal who has been confined in the city of Madras and who, I understand, has been laid up with paralysis since a week. He is living in Pudupet and he is in a helpless condition. He is absolutely helpless, both bodily and financially. He has got one or two children and a wife who are all living with him. I may also mention that there is no use of asking him to go to the hospital. In the first place it is generally believed and he also believes that the treatment in the hospital would not be of much good so far as paralysis is concerned. If the Government will be pleased to send him to his native place he will have the opportunity of getting himself treated there. So far as his physical condition is concerned, he is stricken with paralysis and I think the Government will concede that he will not be fit to do anything against the peace of the country, whether he is permanently released or whether he is given a long leave to go and live in Malabar. Therefore, I would appeal to the Government to take immediate steps to despatch him to his native place in Malabar.

"Now, Sir, I would make one appeal to the Government which is consistent with the policy which they have followed in the matter of the Mappilla prisoners, I ask them to repeal the Mappilla Outrages Act. The Hon. the Law Member knows that only a very few cases are dealt with under the Mappilla Outrages Act and that most of the State prisoners who are now in jail have been convicted under certain other Regulations which are applicable to all the people. It is not necessary for me to use any very harsh language in characterizing the nature of this Act, because I have already done so and the Government knows very well, more than myself, how the Act can be characterized. The main purpose served by allowing the Act to remain on the Statute Book is to wound the feelings and the sense of self-respect of the Mappillas. Apart from that no other useful purpose is served by this Act, as the Government have ample powers under other general Acts which apply to one and all. If the Government fear that a contingency might arise in which they might have to deal with the Mappillas, they could very well deal with them under those other Regulations and Acts which are applicable to one and all. On the other hand, if this Act is repealed it will be a very good incentive to the whole community to conduct themselves properly and come to the level of the other communities and

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be an asset to the country just like any other community. The existence of this Act on the Statute Book certainly wounds their feelings as it is an insult to the community. When the community has vindicated the trust placed in them by the Government by adopting a liberal policy of releasing the prisoners, I do not see any reason why the Government should not show some grace and repeal the Act altogether. This Act has been on the Statute Book for more than three-quarters of a century and to continue to keep this antiquated Act on the Statute Book would be a discredit to the Government as it will show that even after a century and a half of British Rule it has been found necessary to have an Act of this character even though it does not serve any useful purpose.

“ Now, Sir, since reference has been made to the case of Mr. M. P. Narayana Menon already by Mr. Sami Venkatachalam Chetti, I do not want to say anything more on the subject than to appeal to the Hon. the Law Member to extend the same policy which they have been following in the case of the Mappilla prisoners to Mr. Narayana Menon also, especially when this policy has been found to be very successful and the Mappillas have vindicated the trust placed in them by the Government. Because, at the most the offence of Mr. Narayana Menon will fall only in the same category as the offences of the Mappillas who have been released and who have been behaving well. It cannot be put as worse than the offences of the Mappillas. At any rate, in view of the fact that the Hon. the Law Member is about to lay down his office, I would request him at least to release him on condition that he should remain outside Malabar for some time and that he would be allowed to enter Malabar after a certain period only if it was found that he had not misused the limited freedom given to him.

“ With regard to the administration of jails, I do not want to dwell on the details as my friend, Mr. Sami Venkatachalam Chetti, has already dealt with some of them. I only want to say a few words with regard to the general administration of jails. I want to remind the Hon. the Law Member of the promise he made on the floor of the House two years back that he would see that a committee was appointed to enquire into the administration of the jails and revise the rules which at present govern the Jail administration. Although it is now two years since that promise was made, nothing has been done in that direction. I know that there are heaps of promises made by the Government which remain unfulfilled and I do not think I can have any special room for complaint that this particular promise has not been carried out. Perhaps the Government may say that, if they should carry out all the promises they make, it would be a very difficult task for them. I sympathize with them in this respect. But what I ask them is this. If they are not in a position to appoint a committee to enquire into the administration of jails and the soundness of the rules governing the present system, why should they try and effect reforms by means

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of the conference of Inspectors-General of Prisons? I can quite understand their inability to effect any reform and allowing matters to stand as they are; but why should they ask the Inspectors-General to hold a conference and make the necessary reforms according to their views instead of appointing a committee to go into the question? I do not know whether the Government are justified in resorting to this method, particularly in view of the promise they made to appoint a committee consisting of officials and non-officials. Moreover, considering the shocking recommendations made by this conference on various questions of jail administration which have been referred to by Mr. Sami Venkatachalam Chetti, I do not think the Government are right in having resorted to this method. I would ask the Government not to give effect to the recommendations of this conference before giving an opportunity to this House to discuss them. It is a well-known fact that these jails are something like the other world of whose existence we all speak but nobody knows exactly what it is. (Mr. Sami Venkatachalam Chetti: ‘Hell.’) Whatever it is exactly, the Government call it heaven and ‘Hell.’ I would ask the Government whether they should not make something of it visible to us. If the recommendations of the conference were given effect to, even the little information that leaks out through the kind of non-official visitors to jails appointed by Government, would be denied to us. With regard to these visitors to jails, I should say that the type of men appointed by Government are generally those who are very anxious to be appointed as visitors so that they may print on their letter heads the words “Non-official Visitor to Jail.” In fact I can show the hon. Members ever so many letter heads with such words. It is generally such persons who are appointed and even their number is proposed to be reduced with the result that the meagre chances of knowing something about these jails will be gone.”

* Mr. V. P. NARAYANAN NAMBIYAR:—“ Mr. President, Sir, whenever matters relating to the administration of jails come up for discussion, hon. Members had urged the appointment of a committee to suggest amendments to the Jail Manual. The Hon. Gentleman, the Law Member, assured us that the Government would carefully consider the question, but last year he made a pronouncement that the Government could not agree to the constitution of a committee because suitable amendments were being made to the Jail Manual even otherwise. While I am free to admit that certain amendments have already been made and that conditions in jails have been bettered to some extent, I do not think that jail reforms have yet reached a satisfactory level. We are in that matter far behind the rest of the civilized countries in the world. I wish that the whole question is lifted up to a higher plane and that the whole matter is decided on the highest standards of civilization and humanity.

“ To illustrate my point, let me refer to the system of convict warders, a system obtaining only in India. In England it is laid

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down that no prisoner should have control over a fellow prisoner and it is not done anywhere else in the world. Witnesses before the Jail Committee have condemned the system, and last year the Hon. Gentleman, the Law Member, said that the 'Government are not enamoured' of the system. Yet for the sake of economy the Government consider that convict warders ought to continue. Sir, economy is a word which in these days covers multitude of sins and I want the Government to realize that the system of convict warders is having the most demoralizing effect. Convict warders are prisoners who have been convicted to suffer long terms of imprisonment for serious offences. That they should be put to control and guide prisoners who have been convicted of lesser offences is certainly not at all commendable. The system of convict warders should forthwith be discontinued.

"Again, combining Superintendent and Jail Medical Officer in one officer is not a right step. Experts in England are against the combination, and it is not so in England, and it is not so in America too. Two members of the Jail Committee, Mr. Innes and Mr. Dorai Raja, have definitely stated that it is not advisable to combine Superintendent and Jail Medical Officer in one officer. But the Government are adhering to the present position because the Inspectors-General of Bengal and Bombay did not see anything wrong in the combination.

"Sir, now to the question of buttermilk. It is indeed sad that the Government have decided that buttermilk need not be supplied to 'C' class prisoners. When last year the Hon. Gentleman, the Law Member, assured this House that the question 'will be very carefully considered,' hopes were raised that the right decision would be taken. But the cost of supplying buttermilk seems to have frightened the Government. That should not have stood in the way, for Sir Arthur Knapp, when he was in charge of the administration of jails in the Province, has, on behalf of the Government, stated that diet is supplied according to the kind of food which the prisoner was accustomed to before his incarceration. May I submit that buttermilk is an essential article of the diet of the people in South India? (An hon. Member: 'Even in Malabar?') To a greater extent than elsewhere in Malabar. That the Hon. Gentleman, the Law Member, should have thought that it was not an essential article of diet and that the decision of the Government should have been against the supply of buttermilk to 'C' class prisoners will be to the standing discredit of the name of the Hon. Gentleman, the Law Member. I am indeed sorry that the parting gift of the Hon. Gentleman is the denial of buttermilk in a really deserving case.

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"Sir, before I conclude, a word about the release of Mr. M. P. Narayana Menon. That question has been raised by other hon. Gentlemen too. I do not want to go into the merits of the question. But may I point out that some years back our Legislative Council has by an almost unanimous vote pleaded for his release and that Sir Alladi Krishna-swami Ayyar who is now the Advocate-General of the Government of

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Madras and Mr. Venkatarama Sastri, a former Advocate-General, have both openly stated that Mr. Narayana Menon is after all a victim of judicial error. That being so, it would not only be an act of elemency, but an act of superior statesmanship if Mr. Narayana Menon is released at the present moment. The Hon. Gentleman, the Law Member, knows that Malabar is very strongly for his release; and, with the full responsibility of a Member privileged to represent such an enlightened district as Malabar, I say that the release of Mr. Narayana Menon will not lead to any trouble in our district."

* Mr. K. KOTI REDDI:—"Sir, if I rise to speak on this Demand, it is not with a hope that our suggestions made in this Council for the reform of jails, will have much effect on this Government. I only want to show how other countries are dealing with prisoners. The Hon. the Law Member will be surprised if I tell him that Russia—a country which is more or less on a par in many respects with India—has now adopted a system of prison reform which, it seems to me, can be very well copied to a large extent by this Government. The present system in Russia is mainly intended to detain in the prisons people who are convicted of some offence or other but not with a view to punish them. It may be that it is not possible immediately to give effect to all these reforms here on account of economic and social conditions of this country. One of the complaints I have been making in this Council from a very long time is that the Government should not spend much money on jails. Instead of jails being a source of expenditure, they must be a source of income to the Government. I now find that in Russia jails are not a burden on the Government. Though they are not making any large profit, jails are not a source of loss to the Government. Jails in Russia are now working more or less on a remunerative basis. Recently I was reading a book; unhappily I have not got that book with me now. I took some notes from that book and I have lost that paper. I am quite prepared to furnish detailed information to the Hon. the Law Member if he wants it. The actual figures of expenditure and income from jails are given by the American writer. It shows that instead of the Government incurring any large expenditure, they are actually making a profit from jails in Russia. Jails there are considered more as places of detention and as such the convict-labourer is being utilized for public advantage. Prisoners are paid actually the wages that are due to them if they work outside the jails after deducting the amount of money spent for their diet, clothing, etc. The expenditure incurred on behalf of a prisoner is less than what he earns by way of wages. As a matter of fact, some of these prisoners are paid a little extra for the work they turn out, as the Government are making a small profit out of jails. I personally do not see any reason why the Government should not utilize the convict-labour for profit especially when most of the prisoners are habituated to some form of remunerative manual work. I do not know what is wrong with this Government and why there is so much of expenditure on jails."

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“ There are two classes of prisoners in jails in Russia; one class of prisoners is given holidays for twelve days in a year. No policeman follows the prisoner to his home. He is let off whenever he wants to avail himself of the holiday; he could take leave more than once or continuously, provided the leave should not exceed twelve days. He will come back of his own accord to jail after the expiry of his leave, to spend the remaining portion of the period of his sentence in jail. The other class of prisoners gets a holiday of six days.

“ Again I find that many of these prisoners are allowed to enjoy married life outside jails. It is very hard that the prisoners here have to remain in jails for a number of years without the association of their families. I think that what is possible in Russia ought to be possible here also. In Russia prisoners can go out and live with their families during certain times.

“ With regard to diet, etc., you see no difference in the ordinary comforts which a prisoner gets as compared with a person outside the jail. It is true that the social and economic system in Russia lends a good deal for the adoption of these reforms. I hope even in this country it is possible to adopt that system to a large extent.

“ Again in Russian jails you do not find prisoners salaaming or standing up when the officers of the prison come before them. In Russian jails no prisoner stands up and salaams as a sort of discipline even to the Superintendent of the Jail. Prisoners enjoy the same privileges as those outside the jails.

“ There is another thing which they are adopting in Russia at the present moment, and it is absolutely desirable that the same system be followed in this country also. There there are very few jails of the old type, viz., closed prison walls. They have practically given up the old system of having big buildings for being used for keeping prisoners. Jails are more or less like camps where people are detained and are made to work during certain hours. I do not see why even in this country such a system should not be adopted. You may say that prisoners may run away. The camps may be fenced round with electric wires so that prisoners may not run away. Instead of spending large sums of money on buildings for prisons—which is a very costly system—the system adopted in Russia may be adopted in this country also.

“ I wish to say that in this country a large number of agricultural labourers who are accustomed to agricultural life are confined in prison cells to the detriment of their health. I want to make these suggestions to the Government. Most of the prisoners being agriculturists, it would be much better if the Government see that agricultural operations are carried on in at least one or two Central Jails. If that is done, if the prisoners can be asked to do the work to which they are

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accustomed, it will be possible for the Government to make some profit out of agriculture. I hope the Government will see whether they cannot adopt some sort of camp system as is done in Russia. Agriculture may be adopted as one of the occupation in jails in future.

“ Sir, many of us have complained about buttermilk not being supplied to ‘ C ’ class prisoners in jails. In spite of this complaint, it has not been remedied. As long as the Government do not supply buttermilk to ‘ C ’ class prisoners, the complaint will be there. Neither this Council nor the future Councils would be satisfied until buttermilk is supplied to prisoners. Buttermilk is a cheap article of diet; and it is also a necessary article of diet. The Government are giving out some reason or other for not supplying buttermilk. I hope that they will see their way to supply buttermilk to ‘ C ’ class prisoners.

“ I have only one point to refer to and that is with regard to tenders for articles supplied for jails. Jails also spend lots of money on raw materials for jail manufactures. I hope the system of accepting the lowest tenders—which system I have been saying should be adopted in other departments of Government like the Local Self-Government Department and the Public Works Department—should be adopted in the case of jails also. There may be rules to the effect that the lowest tenders should be accepted. I do not think that the rules are followed strictly. By this rule not being observed, lot of mischief is being done. The only safeguard that can be devised is to insist upon the lowest tenders always being accepted. If that could not be done, the matter must be reported to the Government and the sanction of the Government should be obtained.

“ Another complaint I have been making in this Council is why Members of the Legislative Council should not be appointed as ex officio non-official visitors to jails within their jurisdiction. Perhaps the Government think that some of the suggestions that would be made by them would be irksome. I think that they will be very useful. Of course it is delicate for us to go and ask Government to appoint us as non-official visitors to jails. As representatives of the districts I think it is only fair and just that the Government should appoint every Member of the Legislative Council as a non-official visitor to the jails in his jurisdiction. There is nothing wrong about it. I hope that my suggestions will be considered by the Government. I hope that the Government would see that Members of the Legislative Council are appointed as non-official visitors for jails within their jurisdiction.

“ I do not see why this Government should spend a lot of money on jails while in other countries like Russia they are making a profit from jail administration. Convict or conscript labour is in vogue in jails and if it is properly utilized, it ought to be possible for the Government not to incur any loss on account of jail administration. At the present moment lakhs and lakhs are spent on jails.”

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p.m.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, I shall try in the brief time that is at my disposal, to answer most of the important points referred to by my friends to-day. My friends, Mr. Sami Venkatachalam Chetti, Mr. Shetty and others, referred to the system of discipline that ought to exist in the jails and the treatment that should be accorded to the prisoners in the jails. My friend, Mr. Shetty, in particular, said that the conditions in the Indian jails are not so good as those in the jails in the West. I may at once say, Sir, that I agree with many of the suggestions made by my friend, Mr. Shetty, regarding the system that should obtain in jails. I may, in this connexion, refer briefly to the policy that is followed in our prisons and the way in which our prisoners are treated in the jails. The prisoners are divided into several classes—men prisoners, women prisoners, juvenile prisoners and adult prisoners. There are separate jails for women prisoners and for men prisoners; and there are separate—I don't call them jails—institutions like the certified schools and the Borstal schools for the benefit of the juvenile and adolescent prisoners. In these certified and Borstal schools, general instruction is given to the unfortunate boys and they are also given special training in certain industries. So also with reference to adult prisoners, there are elementary schools in all the central prisons and in most of the district jails, where general instruction is imparted to these prisoners. In addition to that, they are also taught some industries such as weaving, shoe-making, carpet-making and other industries, which will be of use to them after their release from the prison. The object of such training is to enable them to live as honest citizens and eke out an honest livelihood. Those persons probably in whose blood criminality exists will not be benefited by this system of industrial training, after their release from the jails; but I have no doubt whatever that many of those prisoners in whose blood criminality does not exist, will certainly be benefited by this system of industrial training in these jails.

"Then again my friend, Mr. Shetty, referred to the habituals being segregated from the casuals. There are special jails, Sir, where habitual prisoners are kept, and there are other jails in which casual offenders who have been unfortunately convicted by criminal courts are kept. Again, there are separate jails for accommodating persons who are suffering from diseases such as leprosy, etc. There is a leper annexe in the Trichinopoly Jail and another in the Salem Jail; so that, these persons who have the misfortune of suffering from this disease can be treated there separately. Again, in the Cuddalore Jail the mental defectives are segregated and special arrangements exist there for their benefit. For the sake of those who are suffering from consumption, there is the Wellesely Sanatorium at Bellary, where such people are cared for. This is, briefly, the policy by which the prisoners are classified. I thank my friend, Mr. Venkatachalam Chetti, for the personal references that he made to me; but at the same time I must say that he painted the system of administration of jails in this Presidency in the blackest way possible. I must differ

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from him there. He referred to the kind of sanitation that prevails in our jails. I wish I could take my friend to one or two jails; and he will find that the sanitation that obtains in those one or two jails is almost perfect; that the kind of sanitation that exists in the jails does not obtain even in many of the houses in our towns. I do not of course say that sanitation is not perfect in some houses; but I can say this boldly that the system of sanitation obtaining in our jails is, as I said, almost perfect.

"My friend, Mr. Venkatachalam Chetti, stated that the conditions obtaining in the western countries are much better. I am sorry that I myself have not gone to Europe and seen the jail system and jail discipline in those countries; but I am quite prepared to admit that the system of jail discipline—I suppose as in many other matters—the system of jail discipline in the West is very much better than what we find here. I venture to state, Sir, that in spite of all our defects—and I do think there are many defects in our jails—the administration of jails in this Presidency is, without any disparagement to the other Provincial Governments, very much better than that in other Provinces. I may also state that the system of classification was referred to by my friends. I suppose that many of my hon. Friends in the Council will agree with me when I say that in the system of classification into 'A,' 'B' and 'C' class prisoners, this Government have been following a very liberal policy. It must be within the experience of many Members of the Council who came to me with requests for changes in the classification of some prisoners placed in 'C' class to the 'A' or 'B' class or 'B' into 'A' class, that the Government have been adopting a very liberal policy. The prisoners in the jails are at liberty to make representations to the Government in regard to their classification. Their friends or relations were also making representations to the Government on their behalf. When the Government have received these representations, in consultation with the District Magistrates concerned, wherever possible, the prisoners have been treated in respect of classification very liberally. In this connexion I may also state that the Leader of the Opposition, Dr. Subbarayan, last year at the time of the Budget discussion referred in very appreciative terms to the policy of the Government with reference to the classification of prisoners.

"Coming now to the question of diet; the best test as to the quality of food supplied to the prisoners—I am speaking of the prisoners in general, the 'C' class prisoners who form the bulk of our prison population—lies in the increase or decrease of the weight of the prisoners. In a very large majority of cases, persons, after they have been in prison for some time, gain weight. That, I submit, is a very good test. With reference to the question of germinating dhall, to which my friend referred, the medical opinion is that germinating dhall, so far as nutritive value is concerned, is very much better than split dhall. But having regard to the repeated complaints made by my friends in this House as to the smell that is said to emanate from the germinating dhall, I went

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into the whole question; and as my friend, Mr. Venkatachalam Chetti, pointed out, it has been resolved to give up germinating dhal and resort to the old system of giving split dhal. Of course germinating dhal will be used for the purpose of making chutney or some such thing, but that is a small matter. So, according to that test of increase or decrease in weight, I submit that the food supplied to these prisoners is very satisfactory. This is with reference to the 'C' class prisoners.

"In regard to the 'A' and 'B' class prisoners, I must say that the food supplied to them is even luxurious. It is indeed remarkable that no complaint whatever has been so far heard on the floor of this House regarding either the food or the other comforts supplied to 'A' and 'B' class prisoners.

"Turning now to buttermilk, as Mr. Venkatachalam Chetti stated, I promised that I would carefully go into the question and I did do so. I called for detailed reports from the Inspector-General who, in addition to being the head of the Prison department, is also an Indian Medical Service officer, a medical man. He gave the pros and cons of the case, and dealt elaborately with the question both for and against the giving of buttermilk to the 'C' class prisoners. After considering his report and after considering everything connected with the subject, the Government have come to the conclusion that it is not necessary to give buttermilk to 'C' class prisoners. At present, in any case, there is no need to give buttermilk to the 'C' class prisoners because the number of civil disobedience prisoners now in our jails is not large. I made that statement on a previous occasion and I adhere to it to-day. I differ from my friend, Mr. Venkatachalam Chetti, when he says that there is a demand for buttermilk from the ordinary 'C' class prisoners. Sir, prison administration has existed for so many years in this Presidency. It was only after the civil disobedience movement started and particularly within the last three or four years that we have been hearing about the necessity for the supply of buttermilk to 'C' class prisoners. The number of civil disobedience prisoners in the jails on the last day of February 1934 is 77; out of these, 4 are in 'A' class and 11 in the 'B' class. Since that date, probably, some have been released.

"Again, it was stated by Mr. Narayanan Nambiyar and others that buttermilk is an article of diet which is used by the prisoners daily in the course of their meals—he referred to the ordinary 'C' class prisoners, not to the civil disobedience 'C' class prisoners. My friend, Mr. Nambiyar, will excuse me if I say that I have greater experience of Malabar. He is a very much younger man. My experience of the world, and of the Malabar world, especially is very much greater than his experience. What I am trying to point out is that the classes from which the ordinary criminals in Malabar—such as cut-throats, dacoits, etc.—are coming generally, are not ordinarily in the habit of using buttermilk. Probably my friends from the other districts may be in a position to say that the same is the case in their districts. In any case, my knowledge with reference to Malabar, as I submitted, is certainly

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 more than that of my Friend, Mr. Nambiyar. So, I believe, there is nothing wrong in the Government having refused buttermilk to the 'C' class prisoners.

"I may be permitted to say one word with reference to the statement that Mr. Premayya made the other day. I have been thinking over that statement and did not want to refer to it as I thought that there was no need for it and that I could neglect it altogether. But, I have been advised by my several friends in this House to refer to it. Mr. Premayya stated that in self-governing countries, when one of the political parties comes into power, that political party puts the leaders of other parties, and not only leaders, but leaders first and followers subsequently, into prison. I believe, that in England which is our model in very many respects—it is a self-governing country—the conservatives, the Liberals and the Labourites who form the important political parties in England, do not indulge in the pleasant pastime, whenever they come into power, of putting the leaders of the opposite party into jail. I do not want further to go into the accuracy or otherwise of the historical researches of Mr. Premayya. He said—I suppose he meant it as a joke—that when his party comes into power, the first thing that he will do is to put the Law Member and others into prison. (Mr. Sami Venkatachalam Chetti: 'As an act of clemency.') I do not mind being put into prison by the party of which Mr. Premayya is a Member, though I doubt very much whether any Member of the party to which he alleges he belongs, does entertain this kind of opinion. Now, what I am concerned with is this. I am concerned with the decorum, dignity and the decency that should be attached to the deliberations of this Assembly. I am rather jealous of the dignity of this House and I am afraid that coarse and vulgar jokes like this will have the effect of bringing down the dignity of the House to a great extent. I leave my Friend, Mr. Premayya, at that, with reference to the statement he made.

"Then, Sir, my hon. Friend, Mr. Venkatachalam Chetti, referred at length to the resolutions—I also saw them in the newspapers last night—passed at the Conference of Inspectors-General of Prisons. My friend dwelt at length upon them and commented upon them and wound up with an appeal that I should not accept those resolutions. I may tell my friend at once that this Government have not received those resolutions till now and that when these resolutions are received by the Government, I can promise my friend that this Government will certainly not accept those resolutions, simply because they have been passed by the Conference of Inspectors-General of Prisons. Government, as in the past, in the future also, will go into the reasonableness or otherwise of all these resolutions. . . . (Mr. Sami Venkatachalam Chetti: 'Are they competent to pass such resolutions individually on behalf of the Governments which they represent?') These Inspectors-General go there to attend the conference with the permission of their respective Governments and they are at perfect liberty to pass any resolution that they please, but whether those resolutions will be binding upon the Governments or not is another matter. I may tell my friend that these resolutions are not binding upon the Government.

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Government, as I said before, will, when these resolutions are received, go into them carefully and then come to their own conclusions.

“ Then my hon. Friend, Mr. Pocker, and many other friends also referred to the release of Mr. Narayana Menon. I may tell my friends that the question of the release of Mr. Narayana Menon was considered by this Government on very many occasions and that the last time on which the question of his release was considered by this Government was, I believe, in September last—it may be in October or so—and that the Government after a great deal of consideration came to the conclusion—the district authorities were naturally consulted—that it was not desirable to release him.

“ My friend, Mr. Pocker, particularly referred to the release of Mappilla prisoners.”

Mr. SAMI VENKATACHALAM CHETTI:—“ What about the term of Mr. Narayana Menon? ”

The Hon. Sir M. KRISHNAN NAYAR:—“ Mr. Narayana Menon was sentenced by a court of justice to transportation for life, I believe, on the 24th of September 1922 and as my lawyer friends of this Council know, the usual term ‘ transportation for life ’ means imprisonment for a term of 20 years, so that in the ordinary course, his term of imprisonment will expire on the 24th of September 1942. Whether he will be released before that or not, it is not possible to say now, but as I stated, Government after a great deal of deliberation, came to the conclusion that it was not desirable to release him now.”

Mr. SAMI VENKATACHALAM CHETTI:—“ Is it not usual to release life-time prisoners by fourteen years? ”

The Hon. Sir M. KRISHNAN NAYAR:—“ No, there is no such general rule. It all depends upon circumstances. It is quite possible, however, for Mr. Narayana Menon to get remissions, when it will be possible for the Government to release him before 1942, but at the present moment, I am not in a position to say that he will be released or can be released before that date.

“ Then my friend, Mr. Pocker, referred to the release of the Mappilla prisoners. I am very glad to observe that he appreciates, on behalf of his constituency, the acts of the Government in this matter. As a matter of fact, as my hon. Friend knows, and as he himself has stated it, the Government have been very liberal in the treatment of the Mappilla prisoners. Not only hundreds, but thousands of Mappilla prisoners have been released and what is more, last year and the year before last, Government also allotted thousand rupees each for the upkeep of these Mappilla prisoners. With reference to this matter, my friend made an appeal to me, that the remaining prisoners that are now confined in the prisons should be released. With reference to that, I may tell my friend that the Government are even now considering whether some of these

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prisoners who are kept in the Andamans and in jails in this Presidency, or who are compelled to live in particular areas, should not be released. I wish to inform the House that the number of such Mappillas is very small. For instance, the number of prisoners in the Andamans now is only 28, and out of this 28, ten have been ordered to be released and they will be taken over to India by the first steamer available. Then, the number of prisoners in the jails is only 59; and the number of those unfortunate persons kept in the Cuddalore Jail on account of mental defect is five and of this number, the question of releasing four is now under consideration.

“ Then, as regards the Mappillas detained under Regulation II of 1819, there are only 29 prisoners and out of this number, the question of releasing 14 is under the consideration of Government at present. Then, there are only seven persons who are kept under the Mappilla Outrages Act and the question of their release was recently considered by the Government. In this connexion, I may say that I am very much indebted to the Chief Secretary, Mr. Bracken, who helped me very much in the matter of the release of these Mappilla prisoners. I feel greatly indebted to him and I am glad that I have had this opportunity of publicly acknowledging his help to me in this matter.”

B. POCKER SAHIB Bahadur:—“ What about the repeal of the Mappilla Outrages Act? ”

The Hon. Sir M. KRISHNAN NAYAR:—“ With reference to the repeal of the Act, I am very sorry that I cannot hold out any hope to my friend. My friend said that it is an affront to the Mappillas. I may assure my hon. Friend that it is not retained on the Statute Book for the purpose of affording any affront to the Mappillas, but that it is retained as much for the security of the respectable portion of the Mappillas as of the other portions of the population of Malabar. My friend knows, as well as I do, that within the last so many years there has been not a single Mappilla that has been deported or has been taken outside Malabar under the Act. There is that weapon in the Government armoury which can be utilized in times of danger and I do not think it safe to take away that weapon from the armoury. As I said before, I cannot hold out any hope as to its repeal.”

B. POCKER SAHIB Bahadur:—“ What about the man stricken with paralysis in Madras? ”

The Hon. Sir M. KRISHNAN NAYAR:—“ I am glad that my hon. Friend reminded me of him. If my hon. Friend will give me particulars, I shall make detailed enquiries and if it is found necessary to release him I will certainly do so.

“ One more word, Sir, with reference to what fell from my hon. Friend, Mr. Koti Reddi. According to the description that he has placed before this House of the state of prisons in Russia, I wish I were one of the prisoners there. He said that prisoners in Russia are afforded

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all comforts and luxuries (laughter). Joking apart, I may tell my hon. Friend, Mr. Koti Reddi that I myself have been reading a number of books about the state of affairs in Russia. We have been receiving all sorts of contradictory reports from Russia. It is absolutely impossible to come to any conclusion as to the real state of affairs that obtains in Russia. In any case, my Friend, Mr. Koti Reddi, will pardon me for not adopting his suggestions regarding the treatment of our prisoners, based upon what he thinks is followed in Russia."

* Mr. G. R. PREMAYYA:—"It is a great pity, Sir,—I am not making a speech—that my Hon. Friend, the Law Member, was not able to understand the flash of my good humour. If he were a Britisher, I know he would have immensely enjoyed it. As he is joking with others, he must know how to take the jokes that others make. I am sorry. I withdraw the motion, Sir."

The cut motion was, by leave, withdrawn.

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

DEMAND XIV—POLICE—RESERVED.

* The Hon. Sir MAHOMED USMAN:—"Sir, I beg to move—

'that Government be granted a sum not exceeding Rs. 1,52,94,100 under Demand XIV—Police—Reserved.'"

* Mr. C. BASU DEV:—"Mr. President, Sir, I beg to move—

'to reduce the allotment of Rs. 20,300 for Presidency Police—Superintendence—Pay of Officers, by Rs. 100.'

Sir, the object of this motion is to invite the attention of this House to the desirability of making the Police force more attractive to a better type of man by making the salary and other conditions of service more alluring. Before I proceed further to speak on this aspect of the question, I would like to pay my humble tribute to the Hon. the Home Member who has been in charge of this difficult subject during perhaps the most difficult period which any Government was called upon to face. Only the other day, I have heard with considerable gratification and surprise from my hon. Friend, Mr. Arasu, a tribute and a compliment of which any gentleman would rightly feel proud.

1 p.m. "Mr. Arasu one of the most violent and, may I say, reckless critics of this House paid one of the highest compliments which any Member of the House or outside could offer. That, Sir, is sufficient to show how the firm administration of the department has received the approbation of this Province. The other day when the general discussion on the Budget was going on, Mr. Sami Venkatachalam Chetti said that this Budget should be cut down by 50 per cent while at the same time the Raja Sahab of Parlakimedi had deplored the inadequacy of the Police

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force to meet the requirements of this Province. Sir, during the last four or five months I have had occasion to visit villages quite often and I found in what state of consternation the villagers are on account of the frequent occurrence of burglaries. I heard the Police asking the villagers to be more careful and watchful during the nights. The administration report of the Police department says:

"The continued slump in agricultural prices and the difficulty experienced by the ryot in disposing of his produce, coupled with the return of numbers of emigrants from abroad, resulted in unemployment in all parts of the Presidency and created conditions which were undoubtedly conducive to the prevalence of crime. The growth of rioting resulting from rivalry among candidates for election to local boards and municipal councils is a disquieting sign in view of the impending increase in the numbers of the electorate."

"In view of these observations I should think it would be very unwise to suggest or for the Government to adopt the suggestion to retrench the Police force at this particular time. Far from there being a necessity to retrench, I think there is every reason for augmenting its strength. In view of the fact that this department is presided over by one of the ablest officers which any country can boast of, I refer to, Sir Charles Cunningham, I am content to leave the question of its strength in his hands. Sir, the Police has been very often criticized for its handling of the civil disobedience movement. At the time when the Police indulged in acts of firmness and perhaps of some force on those who disobeyed law at that time, public sympathy had naturally veered round to those who were affected and only late in the day would the action of the Police be approved. The taluk board of Parlakimedi dominated as it is to-day by the Swarajists passed the following resolution about an event which took place hundred years ago:—

"As the campaign led by George Russell who was appointed by the Madras Government in 1832 as Special Commissioner to suppress the rebellions that had disturbed public peace in the Parlakimedi taluk for about 60 years was brought to a close before April 1834 and as lasting peace was established by the measures he then took, it is proposed (1) that the Russell centenary be celebrated before the end of March 1934, by the Parlakimedi Taluk Board as representatives of the people of this taluk who have since then reaped the benefits of that peace and enjoyed security of peace and prosperity as well as the rights and privileges of British citizenship and are desirous of commemorating the glorious achievements of George Russell."

"Such a tribute is paid by a set of Swarajists and ostensible non-co-operators hundred years after the event to an officer of the Government of Madras. But the result of the firmness of Sir Mahomed Usman has been appreciated almost immediately after the civil disobedience movement was suppressed. I do not think the department requires any support from anybody. I must say that the Police department was criticized only on two occasions and criticized very badly. First at the time when the mill hands were on strike in the Buckingham and Carnatic mills and when the Police wanted to suppress the movement of disorder. . . . (Interruption by Mr. Sami Venkatachalam Chetti.) I am sure my hon. Friend will follow me and I am rather nervous in anticipation of his fume and fury. (Laughter.)

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"As I have referred already the object of the cut is to impress upon the Government the necessity of making conditions of service more attractive. The service is not sufficiently attractive to get the best of men into the service and even those who are already in service do not have sufficient inducement to do greater and more efficient work. Opportunities of promotion should be more than what they are now.

"A friend of mine suggests, Sir, that the recent non-application of the communal Government Order to the services in the Police department has caused discontent among the loyal section of the Madras public and it is the desire of many on this side that Government may consider the re-application of the communal Government Order. The salary now offered to the sub-inspectors, constables, head constables and even inspectors are not at all sufficient to make them work with greater enthusiasm and efficiency or to attract men of a better type. I therefore, Sir, very strongly urge on the Government to make conditions of service more attractive."

* The Hon. the PRESIDENT:—"This is a Demand on which there is a large demand from Members for an opportunity to speak. I, therefore, request hon. Members to take as little time as possible to enable others also to speak."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I want in this connexion to bring to the notice of the Government two matters which are of a serious character in my district. One is, Sir, the very large number of murders that are committed in my district which have not been reduced by any steps taken by Government whether in Police or any other departments. Sir, we in this Council, some years ago, suggested that at least an enquiry may be held as regards the reasons for these large number of murders in the district. But nothing seems to have been done. The Police have been finding it difficult, Sir, to bring to book the culprits even in cases where murders have been committed in broad day-light at 2 or 3 o'clock in the day. Life, Sir, is very insecure in some parts of the district. In Tiruppur, a big place with a population of thirty thousand, in broad day-light a murder was committed. The ex-municipal chairman was attempted to be murdered in this same place and he escaped with injury. It is up to Government to make enquiry as to the causes for such large number of murders in this district and try to do something to improve the state of affairs. In this connexion I may state that the Government may use the preventive sections of the Criminal Procedure Code a little more liberally in the Coimbatore district and districts similarly situated. Probably that will avoid to a certain extent at least the number of murders and bring about a little improvement in the state of affairs. Another matter so far as this district is concerned—and to a certain extent connected with others also—is this. In cases where delivery of possession is ordered by a civil court there is very often obstruction. It is unfortunate that the Police do not always co-operate in getting the processes of the civil courts executed. I know, Sir, many cases in which the Police declined to have anything to do and I have been told and I cannot vouch for the

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truth of it that some District Superintendents of Police have said that their hands are full, that they could not help the civil courts and that they must look for themselves. I must ask the Government to consider whether it is not their duty to see that the processes of civil courts are executed properly and speedily and to that end the necessary Police aid is given. That is a matter which I want the Hon. the Home Member to consider well. Probably some of the murders which are caused in my district can be avoided by the Police rendering help to those who are entitled to the possession of land and also by helping the processes of courts being executed properly. In any case it is but proper that where there is a lot of trouble both to civil and criminal courts and a lot of murder, Government should move in the matter without loss of time. If the Police will help in ejecting the people who are not entitled to land and help those who are entitled to be in possession of the land in their being in possession of the land, things will probably be very much better. I would request the Hon. the Home Member to specially consider this case because it is not confined wholly to my district but it is a general complaint. I have heard, Sir, from several districts in all parts of the Presidency, that the help that is rendered by the Police to the process of civil courts being executed is anything but satisfactory. I do hope, Sir, that some sort of action is taken in this matter.

"There is one other matter which I want to bring to the notice of the Hon. the Home Member. But I do not know how far it is practicable for him to help in this matter. At the present moment we have got a Police station for a very wide area and it is not possible for the person in charge of the Police station to control the whole area. That is a matter which will have to be considered. If, for instance, the area is smaller and the person in charge of the station knows the feelings of the several factions in the locality he can help to a large extent to prevent serious crimes being committed. That is not possible at the present moment because the area is very large and the personal touch of the Police officer with the several factions and their activities is not anything like what it should be. Sir, it is a question which the Hon. Member may consider. I know it is a matter of finance, duplicating and triplicating the number of officers in the area and giving more constables is no doubt a matter of money and the question of finance will have to be considered. From the stand-point of reason I have no doubt that the areas should be very much reduced. I hope the Hon. the Home Member will consider these things and do something in the matter."

* Mr. A. B. SHETTY:—"Mr. President, the Police administration was the subject of much hostile criticism in the days of the civil disobedience movement. We had any number of adjournment motions and the Hon. the Home Member was being bombarded day after day with questions and supplementary questions. Sir, the Hon. the Home Member must be feeling much more comfortable in his seat now because we are having more peaceful days. This is the time when Government should consider the question of improving the Police administration and organization and of developing Police methods and technique. Sir,

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prevention of crime has been said to be the best and highest kind of Police work. It is, therefore, very gratifying to note from the report that the figures for crime have been declining year after year and in 1932 they were the lowest ever recorded. Madras per population is claimed to be the least criminal of the Provinces and to add to this, in the year under report, it is claimed that the year's record for detection is the best ever recorded.

"Sir, the provision of an honest and expert Police system is the first essential for securing a reduction in the volume and variety of crime. With this object in view Government must constantly endeavour to raise the standard of recruitment and training. With regard to constables I find in the report that there is no difficulty experienced in having a continuous supply of recruits of proper physique, character and literacy. A number of S.S.L.C. holders, one intermediate and one B.A., have been enlisted as constables. The recruitment of the constabulary from the educated youth of the land will surely do much to raise the tone and morale of the whole Police force. I am sorry that there are still 909 or 3.9 per cent illiterate among the constables. The recruitment of illiterate people should be put a stop to in the agency tracts also as they have done elsewhere and the training course provided for these constables should be extended to nine months at least. The conference of Police officials held in 1927 has recommended this as the minimum time required for giving proper training. In regard to sub-inspectors, the last but one report rightly says that these form the backbone of the Police force and it confesses that there are still many shirkers and dullards among them. There has been a rise in the educational attainments of the people recruited to this class, but still we find that the large majority of them are S.S.L.C. holders. I would raise still further the standard of recruitment as regards education, and select graduates as far as possible. We must recruit a better educated type of men as sub-inspectors and inspectors and we must also raise the standard of efficiency among these people. We must give them training not only in the ordinary work of the Police, but also in detection work and in prosecuting cases. Unless cases are intelligently prosecuted, the time spent on investigation is more or less a waste.

"It is now considered desirable that there should be a gradual separation of the investigating staff from the 'Law and Order' or the 'Uniform Police.' It is pleasing to note that they now have a Central Intelligence Bureau and District Intelligence Bureau. The detective staffs in the districts are said to be rendering practical help in investigation work. If this detective staff has really been found to be useful, then it must be further developed and perfected so that it may be of still greater service in detection work and in dealing with serious and professional crime which requires longer investigation.

"I am glad to note that the Criminal Investigation Department is developing its activities in many directions. There is a Crime Branch which is attending to the investigation in regard to counterfeiting of coins and forging of currency notes. There is a Finger-print Bureau

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and a shorthand Bureau. The crime classification system has been adopted in this Province also. The report says that this system has been found to be of great value in improving the methods of investigation and in producing better results in detection work. The method of crime classification followed in the United Province was said to be in advance of most Provinces about half a dozen years ago. I wish to know whether the system adopted in Madras has been found to be successful, whether adequate staff is provided for this work and whether there is proper control exercised from above.

"The Police system must be made an expert profession based upon adequate specialised training. The criminals of the present day, particularly professional criminals are exploiting the resources of modern science and mechanism for their purpose. Improved methods of attack are necessary to deal with them. The motor car is now and being increasingly used as an aid to crime. In England, they have what is called a flying squad to encounter 'motor bandits' and this squad is equipped with motor cars of various types carrying a concealed wireless set. Scotland Yard is said to have devised a system for wirelessness even finger prints. The conference of Police officials in 1927 recommended that at certain centres there should be suitable reinforcements of flying squads such as the one they are now employing in Burma for aiding the district detective staff in case of need. In England, since the Great War, the Police at Liverpool and other ports are provided with canine helpers. At the headquarters of several provincial police forces there is a kennel of trained dogs for tracking purposes to be taken on an emergency to the place of crime and the use of these trained dogs is said to be becoming more and more popular particularly in country districts. Our Police force must have up-to-date equipment and be ahead of the expert law-breaker.

"With regard to traffic control the conference of Police officials held in 1927 and the conference that met in 1929 have expressed the view that to cope with the growth of motor traffic extra staff for traffic control should be provided. The Inspector-General of Police has been asking for extra traffic Police, but, on account of retrenchment, nothing was done. I find in the Budget provision has been made for an additional Assistant Commissioner for traffic work in the city, but there is no provision for extra staff for traffic control work. Money for this purpose can be found by effecting retrenchment in certain ways. During the previous debates on the Police Demand the abolition of the Malabar Special Police has been urged by some of the members. The Hon. the Home Member may examine this question and find out whether in the present circumstances, considering the relations that exist between the Hindus and Muhammadans in Malabar to-day, it is necessary to continue this expensive Police force. Two Members of the Retrenchment Committee have suggested that at least one post of Deputy Inspector-General can be safely abolished. The old Retrenchment Committee had proposed the abolition of all these intermediary posts. This also may be considered by the Hon. the Home Member. The

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retrenchment effected in this way will give the necessary money for effecting improvements in the directions I have suggested.

"Sir, I find from the report that there is more co-operation now coming from the public. I need hardly say that the co-operation of the public is very necessary for the Police to carry on their work. The co-operation of the public will depend upon the attitude and behaviour of the Police. We often hear complaints of the highhanded and discourteous actions of the Police, particularly the subordinate Police. If in England the Police have earned a large measure of trust and affection from the public, it is due to their civility and attentiveness to persons of all classes and ranks. The higher officers must set an example and show what the policeman's behaviour towards the public should be. I hope, Sir, the Hon. the Home Member will give his earnest consideration to the suggestions I have ventured to make in the course of my speech."

* MR. SAMI VENKATACHALAM CHETTI:—"Sir, I am glad my hon. Friend, Mr. Shetty, has pointed out that the time has come for making constructive suggestions for the reformation of the Police. Now when sensational and panicky times are over, it is very desirable that the Government must receive our criticisms in a friendly spirit. I may in this connexion say that the indiscriminate use of the lathi during the last four or five years has really affected the psychology of the Policeman towards the ordinary citizen. It is desirable that he should be told that those times are over and that he must have regard and courtesy to every one in the country. It therefore becomes necessary that the Government should give a warning to the Police against their doing anything elated with their success over the Civil Disobedience movement. Fulsome praise is far more devastating and demoralizing than even biased criticism. I therefore respectfully suggest to the Hon. the Home Member, particularly now when he is going to become our acting Governor, to tell the Police, whenever necessary, that they are in the wrong and also to encourage them in the work that they have got to do in the most judicious and in the most dignified manner. As I have been saying, of late, there is not that regard for the private citizen that is expected of the Policeman. Sir, we must so conduct the Police administration as to convince the people that the Police department exists for helping the honest citizen against the dishonest man. When you find persons running to Police stations and making complaints for very many trivial and serious things to which they might become victims, then only it can be said that the Police is popular.

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"Sir, nowadays, when we find that moneys are stolen, or when houses are burgled, or some other offence is committed, our first concern is to avoid the Police. (Laughter.) For we see whether we cannot recover the lost property without resort to the Police. Why? For, a complaint to the Police is far more inconvenient than even the inconvenience sustained by the loss of the property. There are many instances where skirmishes have taken place and where disorders have happened,

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and yet if we go to the Police station or telephone to the Police, we are met with the firm and curt reply to bring the offender to the station, as though that duty is cast upon the complaining citizen. So, it is necessary that the Police must be told quite clearly and definitely that they must attend to these complaints at once, no matter from which quarter they come. It may appear to some that I am trying to make a big complaint of a small affair. That is not so. It is because it has been the daily experience of some citizen or other in the city or outside that I voice this matter here and now. As a matter of fact many people do not get the assistance of the Police in times of need.

"Even in the matter of detection of crimes, though there has been some improvement during the last year, still I must say that there is much to be done. I must say that last year, the three or four murders which have been committed in the city, have been within a short time detected. But still there are two or three more that remain undetected. Anyhow I must acknowledge the fact that the Police this time have been more alert in getting at the clues of the murder than heretofore. The police also must be told that they need not show their record of service by the number of cases booked. For there is a tendency on the part of the police officials, particularly the zealous police officials, to book as many cases as possible, and in that misguided zeal, they naturally mismanage the cases and present a very clumsy presentation in the courts. In one or two matters the police very deservedly got censure from the Bench. But it is only in very few cases even the judiciary is bold enough to pass severe strictures on the police on the conduct of cases. It is therefore desirable, Sir, that the work of the police department should not be judged by the number of successful cases which they carry to courts. I may also say that I cannot from the nature of things, substantiate that statement. There is a disconcerting number of suicides committed by the persons under remand. It is difficult to conceive of the possibility of such a thing when a prisoner is under remand, i.e., when he is practically under the very eyes and nose of the police. When one considers that, one wonders how does that happen when a man is under police custody? Apparently all the night there is no watch over these prisoners, and so when the door of the lock-up is opened next morning, the constable or the orderly finds to his astonishment a corpse hanging by a rope from the beam! If one is disposed to put a rather ungenerous construction on such incidents, he might well ask, is it entirely unconnected with the treatment which that prisoner might have received at the hands of the police? In any case there is no indication that the post-mortem examination of those cases of suicide was held by independent medical officers, so that the public might be assured that the suicide is a natural suicide and not a concocted one. I therefore throw out this suggestion to Government to avoid, if possible, the possibility of one thinking ungenerously that the treatment overnight might have caused the suicide. At any rate one cannot ignore the fact that of late the methods adopted to extract confession seem to be very hard, or more

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hard than they were used to be some years ago. There is no possibility for persons like us to verify these things, because we have no access to those places. The Hon. the Home Member is in a position to ascertain as to how far there is truth in the statement of the departmental officers in these matters; and so, if, in spite of the statement of the Police officials concerned in the matter, there is a general feeling abroad that the Police are resorting to objectionable methods in extracting confession, I request him to find out the real cause of the alleged suicides. That is a point to be remembered, apart from the usual encomiums showered upon the Police officials.

“Now, Sir, with regard to retrenchment I am definitely of opinion that this department is capable of much retrenchment. All of us are aware of the fact that the serving Police man was patronized in times of great political stress by his pay being untouched, while that of other officers was retrenched. Well, that is itself not quite a right way of doing things, while the officials in other departments were as zealous as the Police, and while they were as faithful as the Police themselves. For it would be placing a premium upon the rather very unfair and somewhat harsh methods adopted by the Police if we are to allow that cadre of service untouched in the matter of cut in their pay.

“Apart from the general cut, the Hon. Home Member is aware that ever since he took office there has been a large accretion to the expenditure in this department. Very many new appointments have been created, and indeed some appointments which were abolished have been restored. And whenever the non-officials in this House raised a cry against the increase in the establishment, it was discounted on the ground that the political situation of the Presidency required a larger number of staff. And added to that, there are our illustrious zamindars, who, in order to collect their rent, want the support of the Police and the Government officials, and so they always want an increase in the Police staff. I can understand if the increased staff is required for safeguarding peace and order in the Presidency; but I cannot countenance for a single moment if it is required for assisting the zamindars to collect their rent dues. To me that reason is highly objectionable and I deprecate any Government which endorses that view. I was astonished the other day, when the Hon. Home Member welcomed that proposal from the Raja of Parlakimedi. I thought he said so only to use that as a counter argument against those who wanted a reduction in the staff. I do not think he is going to increase the Police staff any more.

“My hon. Friend, Mr. Basu Dev, made himself very famous by giving notice of a cut motion in the Police Demand. And when it comes to a matter of voting, as you are all aware in all deliberations like this, his vote should go in favour of his motion, as otherwise the President has got a right to admonish the Member who votes against

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his own motion. (Laughter.) My hon. Friend, Mr. Basu Dev, has expressed his dissatisfaction in the Police administration at least in a few matters; and I expect, if the vote should be taken on his motion, he will vote in favour of his motion; otherwise he deserves admonition at your hands, Sir.

“Some of my friends who spoke previous to me have referred to the question of traffic in the city and in towns. In this connexion, I have a serious complaint against the police with regard to the motor vehicle traffic. It has become notorious all over the country that these bus-owners, bus-drivers and conductors have become the prey of the Police officers. I cannot say that this taking of tips from these bus people is confined only to the constabulary. For it is difficult to believe that the constabulary has got a right to go off with these perquisites without the cognizance, nay, the active cognizance of the higher officials. They may deny emphatically, but all the same the fact is there. You have got only to ask any person, any bus passenger or any bus-conductor for that. In the city of Madras this evil assumed very high proportions probably due to the enthusiasm of the erstwhile Commissioners of Police, Mr. Windle and Mr. Rowlandson. I am glad that they have agreed to help the public in the detection of this evil and to put an end to it with a strong hand. Unfortunately the section of the motor vehicle traffic is managed by one inspector only for all time; and I wonder why he should be permanently fixed. In my opinion there should be fresh blood coming in, so that one might know the improvements in that matter. Sir, bus traffic stands to disappear not only in the city but also in the mufassal, in case this evil is not stopped. Every day Rs. 2 or Rs. 3 have to be paid per bus by way of tipping, and it is easy for anyone to imagine what gain there will be for the bus-owners, if things go on like this. I think the Hon. Home Member will be well-advised to examine this question, and to avoid all trouble to confine issuing licence to a single particular public organization. My reason for suggesting this is this. It is because of the keen competition between individual bus-owners or bus-drivers that the necessity for tipping the officer at beat stations occurs. That competition can only be avoided if there is a public organization for a number of these buses all put together, or at any rate for buses plying in a particular route, and to issue licence to that agency for running buses in that route, so that no other bus may ply there.”

1-45
p.m.

* The Hon. the PRESIDENT:—“Does the hon. Member propose to take more time?”

* Mr. SAMI VENKATACHALAM CHETTI:—“I will finish in a minute, Sir. There is another thing which I wish to say. With regard to the ghastly accidents which have taken place on account of rash driving, I think these accidents are again due to the cut-throat competition, that is going on among the buses. If Government would only examine this question of traffic in relation with the cities and towns and in

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relation with the necessity for competition with railways, it would be desirable to merge all these buses into one or two organizations for each city or town.

"I am glad Sir Mahomed Usman has promised to consider the cases of refusal of gun licences in South Kanara. I hope even after the Budget debate that promise will stand good. My Hon. Friend, Sir Usman will be retiring from the distinguished office, which he has been occupying for the last nine years. Sir, we have crossed swords with him on very many occasions. And I think it is complimentary to both of us that not a harsh word has passed between us, though there was a severe sword play. If to-day we are so pleased that he has been appointed as our acting Governor, it is because he is an Indian and honoured to occupy a distinguished place like that. Probably his case would be followed by several more during the days to come. But under the present Constitution it is certainly a very very pleasing feature that he has been appointed as acting Governor. Sir, the same genuine feelings of congratulation and pleasure that we feel on his promotion must prompt in him that sympathy and responsiveness to public opinion even in matters affecting Police. Therefore, I hope, Sir, that he would take the criticisms and suggestions that we have offered on this occasion as constructive suggestions and helpful criticisms, and try his best to effect the reforms, which we have suggested."

* The Hon. the PRESIDENT:—"The House will now adjourn and reassemble at 2-30 p.m."

After Lunch (2-30 p.m.)

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, from the administration report of the Police department we find there has been satisfaction all round. As far as the representation of the Depressed Classes in the Police department is concerned, their representatives have been pressing on the Government for a fair representation of their men on the rank and file of the Police department. So far I do not think any good has been achieved. We think that the representation of the Depressed Classes is more essential in the Police department than in any other department. From the report of the Inspector-General of Police for the year 1932 I find on page 14 it is stated:—

"In Ramnad district serious trouble continued in the area around Devakottai commonly called the "Four Nadus" where the local population of Nattars are determined in disputing the united efforts of the Adi-Dravidas to free themselves from their social disabilities. Matters came to a head on the 5th July when there was a fight between these two communities at Eluvankottai. The police were luckily promptly on the scene to quell the disturbance and adequate precautionary measures taken prevented thereafter further trouble."

"Sir, from the report that is given to me I find the position of the Depressed Classes is not at all satisfactory. The Depressed Classes are treated in a worse manner due to the apathy of the Nattars added to that of the caste Hindus. Of course in 1932 some of us appealed to the Hon. the Home Member that a committee must be set up to finally

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decide this matter. He was kind enough to convene a small conference and take all necessary measures to bring about satisfaction between Nattars and the Depressed Classes. But I now find from the papers and also from the report that the matter is getting worse day by day. A woman who went to a well with a brass vessel to fetch water was robbed of the vessel and was treated in a most merciless fashion. I shall just read a few lines from the report that I have just received:—

"On the 26th February 1933, an Adi-Dravida village called Thevabattu near Kallal had been looted and many men were wounded. On information police had been to the spot and sent the wounded persons to the hospital but no steps had been taken and thereupon the Adi-Dravidas had filed a private complaint before the Sub-Magistrate of Tiruppattur and the case had been compromised on payment of Rs. 75 as compensation to the Adi-Dravidas and on the undertaking of the Kallars that they would not trouble the Adi-Dravidas thereafter."

"Now, on the 6th February 1934, the very same village had been looted and several men had been very seriously wounded with deadly weapons. It appears that the divisional police do not wish that the Adi-Dravidas should make any statement about the dacoity. So far no tangible measure is being taken to arrest the offenders or to detect the looted properties and the Kallars still continue to ill-treat the Adi-Dravidas with a view to subordinate them and influence them to believe their power is supreme and the police could not do anything to help them. Certainly most of the Depressed Classes are led to believe that the police is not meant to protect them but only to help the caste people in their attempt to subordinate the Depressed Classes to obey their will."

"Sir, I am glad that for Ramnad district a Muslim District Superintendent of Police has been posted. He is very sympathetic in our cause. But I am afraid that the subordinate staff would not be of the same temperament and it is that that is responsible for the whole miserable condition of the Depressed Classes. The Hon. the Home Member has been able to achieve much during the last two or three years under Law and Order. Unless he issues orders to the police in the Ramnad district to do something tangible to remedy matters, I am afraid the Depressed Classes in Ramnad will suffer enormously."

"I make a final appeal to the Hon. the Home Member that as human beings the subordinate police must pay some better attention to this matter and I am convinced that this will not be cured unless some serious steps are taken as it was done some 30 or 40 years ago. It is for this reason that some of us, the representatives of the Depressed Classes, have been trying our level best to induce the Government to give better representation to the Depressed Class people at least in the police constabulary. The Depressed Class people working as constables do not enjoy the same facilities as other constables, and a distinction is made between Depressed Class constables and constables belonging to other communities. There are instances where police constables belonging to the Depressed Class are not allowed to take water from the wells that have been opened at the expense of the public funds by the Government. This is a serious state of affairs and, unless it is remedied in the early stages, it will lead to a lot of complications in the future."

"Another fact that I want to refer to is that recently public meetings have been held by the Sanatanists where the Depressed Classes were abused in a way not worthy of the position of the Sanatanists. The

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Depressed Classes have been styled under various names and it is up to the police to have given some protection to the Depressed Classes from the attacks of communalists who think that they are above everything.

“Now I would like to thank the Hon. the Home Member and the Police department for the prompt steps they took in capturing those people who were responsible for the raid in Ootacamund. I know as a matter of fact that the whole town was alarmed at the raid and I think the police have done very efficient work in catching those people and bringing them to book. The whole town of Ootacamund praises the police for their promptness.

“One other point and I have done. In connexion with the control of motor traffic the owners and conductors of buses are getting anxious every day at the strict control that is being exercised over them by the police in carrying out the instructions of their superiors with regard to motor traffic. In one sense this strict control is quite essential because the police will have to care more for human lives than for bus-owners. But at the same time as my hon. Friend, Mr. Sami Venkatachalam Chettiyar, said there is some misuse of power by the subordinate police which is not liked by the public. I think it is up to the Government and the higher authorities of the Police department to see whether those who are responsible for enforcing these rules and regulations are really doing something beneficial for the people or are misusing the powers given to them. From the report I find there have been any number of prosecutions against people for not carrying out the instructions given to them by the police. With the increase in the number of buses, there must be more vigilant control by the police than their strictly enforcing the very letter of the law against bus-owners and conductors for even the slightest mistake committed by them.

“The Hon. the Home Member deserves every praise for efficiently carrying on the administration of the Police department.”

* Rao Bahadur C. NATESA MUDALIYAR:—“Sir, I am very glad to note that there is development in efficiency all round in the police force to-day. Even the lowest official of the department, the constable, feels his responsibility to the public. From the report we learn that there was a continuous supply of recruits of proper physique, character and literacy. If a constable is given all the facilities to keep up his self-respect and dignity, the post will attract many of our young men. I am convinced that if the turban is replaced by a hat and for those who will not like to wear a hat the turban is changed for a better one, many of our young men will be attracted.

“Now, Sir, with regard to Recruit school, what I request the authorities is to see that these recruited people are taught their duty to the public. It must be drilled into their ears that they are to be appointed for safeguarding the interests of the public. My conception is that a constable should not only possess a good physique, character

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and literacy but he should also be courageous. He should be chivalrous, he should be courteous and he should be well informed. Above all, he should have very good manners. They are telling us so much about the London police. I learnt that if an Indian goes there and if he does not know a place and if he asks the police he gives the information. Our constables are not of that type. Sir, it is better that our authorities bring an expert from Scotland Yard, train our constables in detection, discipline and various other things in which the London police excels ours. There was one educated man, a school final, who accepted the constable's place possessing all these qualifications, viz., education, character, courage, good manners and all other things. He entered as a constable. He rose to be a sub-inspector and we thought that he would soon become an Inspector. But what happened was the Inspector under whom he worked belonged to a different caste from his and he condemned this man and reverted him to a constable once more. It is for this reason I think it is necessary to have officers in a taluk belonging to different communities so that there may be an inter-communal love and respect and consequently communal safeguard.

“I now come to our City. The Police Administration Report says 2-45 that the pedestrian has not got good ‘road sense’ and that this is the p.m. cause of so many accidents. I ask, Sir, who is to create that sense in the pedestrian. Is it not the duty of the police to do it? I have seen the police directing vehicular traffic on the roads, but I have never seen them directing the pedestrian traffic. They direct the carriages and cars towards the very direction where pedestrians are grouping themselves or moving about. They should ask the pedestrians to take to road side platforms where they exist and where there are none, ask the pedestrians to keep to the sides. My hon. Friend, Mr. Hameed Khan, may say that we are taking away the rights of pedestrians—he said so once in the Corporation—but I submit that the rights of pedestrians are bound up with their very lives. Perhaps I should not criticize my Friend, Mr. Hameed Khan, for he is coming just after me and will take me to task. Anyhow I have pointed out what is lacking in the control of pedestrian traffic.

“Then, Sir, the Corporation of Madras asked the Government to lend some police constables to prevent the committing of nuisance in the streets, but the Commissioner of Police did not agree to transfer them to the control of the Corporation. They are still under the control of the Commissioner. The result is when the constables are wanted by us at 6 o'clock in the morning to prevent the nuisance, they come at 8 o'clock for their duty when all the nuisance has been committed. Our beach is a huge latrine to-day and there are so many other places like that. We wanted the help of the police only to prevent such things happening. I am sure the Inspector-General of Police whom I know very well and who cares only for justice and not for prestige and the present Commissioner of Police will look into these things and set them right. I do not want to speak more, because if I go on saying

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all that I want to say, the time at my disposal will not be enough and I have requested the President to give me only ten minutes.

“I want to say a few words about our Home Member. Sir, we are very sorry we will be losing him shortly and he will no longer be occupying the first and the corner seat in the Treasury Bench. He belongs to an old family of Madras and he knows as many old Hindu families as Muhammadan families. I was priding myself that in Triplicane we Hindus and Muhammadans were living together as members of a family, but I was surprised to see that our Home Member knew very well the history of so many old Hindu families in Madras. He is indeed a storehouse of such information. The other day I was very much delighted to hear so many stories of old families narrated by him. Then what about the lecture he delivered the other day to the students of the Boddham Hostel? It was a good social, political, cosmopolitan and nation-building lecture, and a lecture which only Sir Mahomed Usman, who is acquainted so well with Hindus and Muhammadans can give. It was a beautiful lecture. With regard to his character, Sir, I say that it was his character and character alone and his strong belief in destiny that brought him to this high position. He has given the lie direct to the belief entertained by some people that if a man was to rise up, he should have at least some slight criminality in his brain. I hope people who want to rise up will see in him that it is character that elevates a man and not any capacity for double, triple and quadruple dealings. I hope, Sir, when he occupies the high position of Governor soon, he will do everything possible to encourage men of character.

“In 1914, the people of Madras agitated for the appointment of a Muslim Executive Council Member and our prayers were heard and the Government were pleased to appoint a Muslim member. Here on the floor of the House one Member or Members agitated that the police and the judicial portfolios should be put in charge of two different members and Sir Mahomed Usman was put in charge of the police portfolio and this gave him an opportunity to display his genius, with the result that the police administration of the Presidency of Madras under him was a remarkable success. He took up the police portfolio in troublous times. There were thundering criticisms about the police from all the parties, but the Hon. Member took them all coolly and calmly and answered them easily but quite sincerely and was never perturbed. Whatever he promised, he carried out strictly and thus created a confidence in the Opposition in the Council. I have said, Sir, that it was character alone that brought him to this position, but he has other qualities also and they are loyalty, vision and wisdom. It is said:

‘Let the monarch put trust in him who has loyalty, wisdom, clear vision and is free from avarice.’

The Hon. the Home Member was made an Executive Council Member when he possessed all these qualities, but the King found that he had

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all these qualities and more so His Majesty made him His Majesty's representative to govern our Presidency. With these words, Sir, I congratulate the Hon. the Home Member.”

Mr. ABDUL HAMEED KHAN:—“Mr. President, Sir, the attitude of the Opposition towards this Demand is different to-day from what it used to be when there was a conflict between the Government and the people. Now that the Congress has withdrawn mass civil disobedience there are not opportunities for conflict between the people and the police. Therefore, I do not think it will be proper for us to take up the political aspect of the police so far as our Province is concerned at present. I think that the Opposition will content itself with making a few constructive suggestions to the Hon. the Home Member, so that he may think over them and try to give effect to popular opinion as much as possible.

“Hon. Members, who have spoken before me, have already referred to the qualities which ought to be possessed by policemen from the top to the bottom. We usually compare policemen in our country with policemen in the west and we find that our policemen are wanting in many respects. There are various causes for that and the first cause is that not only policemen but even the people themselves on account of the fact that they are a subject people have got that inferiority complex which is responsible for the condition to which they have been reduced. This affects the policemen also and particularly the Indian policemen. I suppose the only remedy which will certainly reform the policemen in this country will be to see that we get freedom for this country as early as possible.

“So far as the Crime Branch of the police is concerned, I am afraid it is not working as satisfactorily as it should work. There is no doubt that new methods are devised and every endeavour is made by the officers of the department to find out ways and means to put a stop to the spread of crime, but unfortunately they have not succeeded. In this connexion, I would suggest that just as we do in the case of Education and other departments, we should send a large number of very efficient and strong young men to foreign countries for training. It will, of course, be a very good idea if a large number of young, efficient, strong and brilliant men are sent out to England and Japan and other countries where they have got better police administration and better methods of detecting crime are employed. Of course Scotland Yard is uppermost in our minds. I am sure if a large number of our young men are sent out for such training they will come back better equipped and qualified for the police work here.

“I now come to the control of traffic by the police and here I would take a little more time. There is no doubt, Sir, that the police are endeavouring to do their best to control the traffic not only in the city but also in the mufassal. But unfortunately the rules framed by the Government are so strict and so inelastic that they do not give that

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amount of discretion which is necessary for the heads of the Police departments particularly in the city. I have myself come into contact with the heads of police in the city, particularly those in charge of the Traffic department. I have found that they were in some cases helpless, because the rules were such that although they might have been willing to stretch a point here and a point there to accommodate the public, they could not do so on account of the rigidity of the rules. I therefore hope, Sir, that the Hon. the Home Member will consider the advisability of revising these rules and, when he does so, I would request him to take us also into his confidence. Some of us are interested not only in the safety of the public but also in the prosperity of the people who are engaged in the motor transport industry. I request him to take us into his confidence in revising the rules. For instance, there is the Madras Motor Bus and Commercial Vehicle Owners' Association which has been helping the police to control the traffic better. It is with the help of non-official organizations like this that we will be able to control the bus-owners much better. I am sure, Sir, that we will also bring about results which the police also has at heart.

"My hon. Friend, Mr. Sami Venkatachalam Chetti, mentioned about the numerous accidents that take place. Of course they are caused not only by the commercial vehicles but also by the private vehicles whose speed is not controlled. There is absolutely no limit to their speed and they go at very high speeds. It is more on account of their high speed that accidents happen, than on account of the regulated speed of the commercial vehicles. However, Sir, the rules have to be revised in order that a certain amount of discretion should be given to the heads of departments which control the traffic. To give one instance, I found that it was difficult for the Commissioner of Police to reduce the traffic. The number of prosecutions has been increasing, but yet the trouble has not abated. What is responsible for it? The police seem to think that they will be able to reduce the number of accidents by increasing the number of prosecutions. But I have found that the larger is the number of prosecutions, the larger will be the number of offences committed. The department has not gone into the root of the trouble in order that it may be put down. It is not by merely prosecuting people and punishing them sometimes mercilessly that we will be able to achieve any result at all.

3 p.m. "There are certain things which some of us may be able to suggest. In the city there has always been a good deal of competition in bus traffic, on account of the fact that the Police have been going on giving licences to any number of buses in each line. They are not able to restrict the number of buses that should run on each line. As the number of buses that are plying on each route is much more than what is actually required for the route, naturally there is what is called cut-throat competition and every one wants to take advantage over the other man. This competition is the cause of all the trouble. I made some suggestions to the Commissioners of Police, Mr. Windle and Mr. Rowlandson; they tried their best to find some remedy for it. The

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rules were such that they could not refuse licences to persons who apply. They are not able to restrict the number of buses plying in each line to such an extent as to prevent these accidents and to control traffic in the manner desirable. I would like to go further into this matter. I would request the Hon. the Home Member to persuade his Hon. Colleague who is in charge of motor taxation and to try to see that the rates are reduced.

"Owing to the prevalence of gambling, racing, etc., the city is very much affected. In spite of the numerous Acts that we have passed in this House, we have not been able to put down the crime to the extent to which we should have done. It is due to the fact that the Act, after it is passed, is not given effect to to the fullest extent. It may be that the Act may be defective; if it is so, I hope the Hon. the Home Member would come forward with suitable amendments. Recently I drew the attention of the Government to the numerous amusement shows that came into existence in the city and I must thank the Hon. the Home Member and the Commissioner of Police for putting them down with a high hand so quickly and so promptly. Unfortunately licences are given in different names in different places. I find that a new amusement show has been licensed near the General Hospital called the Willingdon Show. I have not gone there. If that show is as big as it is, there is the possibility of making lot of money by means of gambling. If licence is given to such amusement shows indiscriminately, I do not know whether the complaint will be remedied. Some hon. Members come forward and say: 'Why put restriction on people's freedom and liberty?' These are all questions of ethics and I do not want to deal with them. As a layman I would suggest that it is the duty of the State to protect people in as many ways as possible.

"I wish to refer to the restrictions imposed in the matter of issue of gun licences, and the way in which even gentlemen of good status—whose loyalty cannot be questioned even by the most reactionary people—are treated in this matter. They are called upon to hand over their guns for no reason whatsoever. I think the present policy of the Government with regard to the withdrawal of gun licences and restriction in the issue of gun licences, is not good and the Government will have to revise it; I think that the present restrictions ought not to be imposed on the owners of guns. There are many people who require guns for their protection; they live in places where they find it very dangerous to live without this protection; they should not be deprived of this protection. The Government have not enough Police to give protection to people living in distant places, to people living in villages and even in the city. The Government think that these guns and firearms might be stolen by the so-called terrorists, from these people. But I am sure that owners of guns will take particular care of these guns and will not allow them to be taken away by anybody. I understand the dealers in firearms also are treated rather harshly. They have been asked to hand over their property to the Police. I do not know how

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people can carry on trade in firearms if they are called upon to hand over their wares and deposit them in the Police station. It means loss to them; of course they have to meet that loss.

“Then I wish to refer to the riots that have taken place in the districts. My hon. Friend, Mr. Muniswami Pillai, referred to the conflict recently between the Nadars and the Depressed Classes. I find, Sir, that the Police officers—not all of them, but some of them—take delight in creating communal disturbances. I hope the Government would tell their officers that it is not their business to set one community against another and create conflicts.

“I should like to say a word or two about the Police school. I have heard complaints from a large number of students of the school that the treatment meted out to them there is very harsh. There is no doubt that the young men who go to the Police school should be prepared to undergo very difficult training. But at the same time there must be a limit to that training. They cannot all of a sudden become completely fit for their duties. In course of time they will be quite prepared to take risks gradually. The moment you enter the school, if you are asked to ride a horse without saddle, you may find it very difficult. If you are not able to stand the test, you will be sent home. All this training should be given with a certain amount of humanity. The gentleman who is in charge of the Police Training school and who is training these young men is wanting in that sense of humanity.

“I find for some reason or other, it has not been possible for the authorities to bring a larger number of Muslims to the city. Of course there are two Inspectors of Police now in the city where there was only one for a long number of years. The Hon. the Home Member is a Muslim and he cannot be partial to members of his own community; he has not been partial to his community; but what we ask is real justice. I know that the Inspector-General of Police is really anxious that communal justice should be done to all the communities; for some reason or other the city has been reserved for a particular community; I do not know why it is so; I hope the Hon. the Home Member and the Inspector-General who is really a very sympathetic gentleman, will look into this question. I will conclude by requesting the Hon. the Home Member to kindly do his best.”

Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—“Sir, in rising to talk on this cut motion, it is not my object to pass any criticisms on the administration of Police during the year. The administration has been really so peaceful and successful that there is no criticism to be offered at all. I wish to take this opportunity of making a small suggestion in the matter of appointments in this department. First of all I would suggest that Indianization should be pushed forward in the higher offices of this department. The experiment of direct recruitment to the Deputy Superintendents' cadre was started more than twenty years ago and in the year 1924 when the Hon. Sir C. P. Ramaswami Ayyar was Home Member in charge of this portfolio

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gave an assurance to this House that he would appoint Indians to the higher offices. It is now ten years since that promise was made; as I have already said, it is twenty years since direct recruitment to the Deputy Superintendents' places was resorted to; now that we have many Indians of vast experience and recognized merit, I should think that the Government will find it easy to Indianize at least some of the Deputy Inspectors-General and the Personal Assistants. I find, Sir, that in other departments of Government service, almost all the Personal Assistants happen to be Indians and I do not see any reason why Indians should not be given chances in the Police department. The only objection that can be raised, so far as I can see, is the seniority rule. If the seniority rule is to be given effect to strictly, it will be possible for only the European members of the service to get into these higher posts; because the age for entry into this service is, as far as Europeans are concerned, only about 20 and so far as Indians are concerned, it is 25. Therefore it is almost impossible for any Indian to get into the higher offices by reason of his seniority alone. Therefore, I think, it is very necessary that some special reservation should be made for Indians in the higher ranks of this department.

“I wish to refer to one other matter, namely, the communal Government Orders. I do not see any reason why the communal Government Orders should not be given effect to in this department. I must point out that it is only in this department that the communal Government Orders should be given effect to strictly, because it is in this department that Non-Brahmans and minority communities have got real mettle to show and they have always been—wherever tried, found successful. So it is I say that we can find absolutely no reason why the communal Government Orders should not be applied to this department. It is my request that the Hon. the Home Member should be pleased to consider this point and do justice to all the communities in this department of public service.

“One word more, Sir, and that is with reference to the new experiment which the Hon. the Home Member is trying in the Trichinopoly P.M. district, viz., the opening of a special criminal branch. I think I must congratulate the Hon. the Home Member on trying this experiment, and I feel sure that it will prove a successful one and will in course of time be extended to the whole Province.”

* Mr. U. C. SUBRAHMANYA BHATT:—“Mr. President, Sir, in supporting the cut motion before the House, I would like to repeat what my hon. Friend, Mr. Khalif-ul-lah Sahib, stated, that is, that the Government have been very slow in the matter of the Indianization of the higher services of the Police department. There are, for instance, such posts as the Personal Assistant to the Inspector-General of Police, the post of Superintendent in charge of Criminal Investigation department, the several posts of Deputy Inspectors-General of Police, etc. These are posts to which Indians might be usefully appointed. If, for instance, the office of the Superintendent in charge of the Criminal

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Investigation Department is held by an Indian, he will be in closer touch with the Indians and thus be in a better position to detect crimes and guide the officers under him properly.

"I would like also to urge a more frequent transfer of the subordinate Police officials of the cadre of Sub-Inspectors and above from one district to another. It is quite patent that in almost all taluks and villages there are factions. If Police officials of the cadre of Sub-Inspectors or Inspectors are quartered in one district from the very beginning of their career, they get mixed up with one faction or other, so much so that it is absolutely impossible for them to sever themselves from those factions. Such being the case, a more constant transfer of these officials would be very advantageous and would very much minimize the consequences of the identification of these officials with particular factions or groups.

"I want next to refer to the question of amusement parks. I understand that recently the Government have passed a Government Order allowing amusement parks to be carried on without any molestation by the Police on the ground that in those amusement parks there are games of skill. My submission is that in these parks there is very little of skill in the games; they are all games of chance. I myself have been to some of these parks and I know personally what is going on there. For instance, on a certain table there, there are several coloured squares. Each man is asked to put an anna coin into one square or other, and one man turns the wheel. In whichever square the pointer stops, the man who put the coin into that square succeeds, while all the others lose. I do not understand where the element of skill comes in here. Therefore, Sir, a freer hand should be given to the Police to interfere with these amusements parks whenever they find gambling of this sort going on, rather than that Government should take the responsibility on their own shoulders.

"Then I desire to refer once again to the question of gun licences and their cancellation in our district. In reply to questions put by me, the Hon. the Home Member stated that as many as 278 gun licences were cancelled in the district of South Kanara recently, merely for the reason that the owners of the licences did not purchase ammunition within the course of year. Sir, before cancelling these gun licences, the owners were not asked to state whether they purchased any gun-powder during the year, whether they were using the gun or not, whether they got their powder from their friends or whether they imported gun-powder from any place. All of a sudden, behind their backs, the Collector of the district ordered their licences to be cancelled on the presumption that the guns were not used. In my opinion, Sir, this procedure is unjust and unfair. If the Collector acted on any supposition, he ought to have given an opportunity to the owners who have invested large sums of money on the purchase of the guns, to say whether they purchased ammunition in the year or not, and whether they did not use their guns or if there was an occasion to do so or not. In answer to my question as to whether any such opportunity

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was given, the Hon. the Home Member said that no such notice need be given under the Gun Licences Act. I may also say, Sir, that nowhere is it said in the Gun Licences Act that the mere fact of non-purchase of ammunition should be a sufficient reason for cancelling the licence. I would request the Hon. the Home Member to redress this grievance and instruct the Collector to issue notices to all the people whose licences have been cancelled and give them an opportunity of getting fresh licences.

"Lastly, Sir, I must thank the Hon. the Home Member and the Chief Secretary for the part they played in ordering an enquiry to be held into the several allegations which were made by me and the people of South Kanara into cases of Police excesses and illegalities committed during the days of civil disobedience and in accepting our version of the case against that of the Police in the district. As this is the last opportunity that we have of talking on the Police Demand while the Hon. the Home Member has that portfolio in his charge, I take this opportunity to thank him. In the past, even a few months ago, we criticized the Hon. the Home Member and the department which he is administering, because we felt that we had, in justice to our constituencies, to criticize him when we felt that his acts and that of his department merited criticism. Now all that is past, and though the action taken was a little belated and though it was not quite adequate to the gravity and seriousness of the offences committed by the Police, still, I thank him for what he has done for the district of South Kanara in general and to me in particular in this respect."

* Mr. V. T. ARASU:—"Mr. President, Sir, the year that is now closing has been one of calm after a storm. No doubt, the Police force has had to go through a storm, as every hon. Member of this House knows, during the years 1930 and 1931. On account of the fact that they had to go through a storm, we were not very trenchant in our criticisms regarding the discipline that existed in the Police force. But now, Sir, that we are having a calm, it is time that the Government turned the searchlight inwards and remedied the defects in the system itself. It appears to me, reading the report of the Inspector-General of Police for the year 1932, that the discipline of the Police force has somewhat declined. In paragraph 5 of the report, he states that the percentage of officers and men punished for offences has been rising compared to the years 1930 and 1931, and that the percentage of punishments rose from 3.8 in 1931 to 4.0 in 1932. As regards punishments meted out by criminal courts to certain officers and ordinary members of the Police force, it appears that there was a slight increase. From these, it is evident that the morale of the Police force has been on the decline. Therefore, I submit it is high time that the Government had gone into the matter in detail and see that the morale of the Police force is improved to some extent.

"Certain hon. Members who spoke before me pointed out that there has been a decrease in the number of crimes in the Province as a whole; but my reading of the report of the Inspector-General of Police does

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not show any such thing. For I find that 'though the price of food-stuffs has gone down considerably and to-day the price of foodstuffs is very much lower than what it was before the year 1909 and before, yet the number of crimes has not diminished to any considerable extent' and in some cases it has even increased. At page 9 of the report, under 'thefts,' I find that in the year 1911 there were 15,160 cases of thefts while in the year 1932, there were 16,223 cases, i.e., there has been an increase of over 1,200 cases of thefts. But the Inspector-General says that with the fall in the price of foodstuffs, there has been a *decrease* in the number of crimes committed. It is strange, Sir, that on the other hand, there has been an increase in the number of crimes in the Province.

"My hon. Friend, Mr. Basu Dev, tried to explain away this state of affairs this morning in the course of his speech by saying that we are not able to attract the type of men that we ought to attract for our Police force. The hon. Member, coming as he does all the way from Vizagapatam to Madras, ought to have noted that the Police force has been attracting men of the right type for the past four or five years. He swore by his political Guru, Sir Charles Cunningham, and said that he was prepared to leave these matters into the hands of Sir Charles. I would only refer the hon. Member to the statement made by Sir Charles Cunningham himself in the report in regard to the recruits that the Police force has been able to attract during the past three or four years. In one of the paragraphs he has clearly stated that the right type of men are coming forward and that, even for constables' posts he had applications from graduates, Intermediates and S.S.L.C. men. This goes to show that it is not at all correct to say that the Police force is not attracting the right type of men.

"Mention was made this morning by certain hon. Members of the help rendered by the Police force to the zamindars in the matter of the collection of rents. Such instances have been brought to my notice—I am speaking particularly of the Tamil districts. I do not know whether it is the primary duty of the Police force to help the zamindars in the speedy collection of rents. I submit, Sir, it is not so. That ought not to be the function of the Police force. I know of several instances in the Trichinopoly district, especially in the Udaiyarpalayam zamindari, where the zamindar went about from village to village with a posse of armed reserved Policemen, with bayonets fixed, and coerced the villagers to pay down the rents. I would therefore suggest to the Hon. the Home Member to go into this question and see that the Police force is not converted into a force of tax-gatherers of the zamindars.

"Sir, mention was also made by some hon. Members about gun licences issued and about the manner in which gun licences have been cancelled wholesale in certain parts of the Presidency. I would like to bring to the notice of the Hon. the Home Member also the fact that in the matter of the issue of licences for automatic pistols, the policy pursued by the Government appears to be quite strange. The Hon. the Home Member in reply to a question on the floor of this House the

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other day said that the policy of the Government in regard to this matter, namely, the cancellation of licences for automatic weapons, is that they are small and that they can easily be stolen away and therefore it is that they are cancelling licences for such weapons. I wonder if the Hon. the Home Member is aware of the fact that it is not in all cases that automatic weapons are smaller than revolvers. I can point out several revolvers which are not so and therefore the suggestion on the part of the Hon. the Home Member that the automatic pistols are smaller than revolvers and therefore they can easily be stolen away and on that basis they have come to the conclusion that licences should be cancelled, it is really strange. I would therefore request the Hon. the Home Member to reconsider this question and see if the licences in regard to these automatic pistols which were cancelled within the last four or five months are renewed."

* The Hon. Sir MAHOMED USMAN :—"Mr. President, Sir, the debate to-day took the form mainly of suggestions being made for the consideration of the Government. A number of suggestions have been made by the hon. Members, and it would not be possible for me to deal with all of them on account of the shortness of time, but I shall deal with some of the important suggestions that have been made by hon. Members of this House.

"My hon. Friend, Mr. Basu Dev, said that higher salaries should be given to Policemen in order to attract the right type of men. But I may say that at the present moment we are getting the right type of men and there is no necessity at all to give them increased salary. I find from the administration reports that I have received during the last two or three years from the Inspector-General of Police that we are actually getting the right sort of men. Another thing that he wanted was that we should apply the communal Government Order to the Police force. As I said once before, the policy of the Government in this department is that we do not apply the communal rule in regard to promotions, but communal considerations and communal rules are observed in recruiting men to the Police force. Promotions are made on considerations of merit and seniority. When we recruit people, we apply the communal rule in order to see that all the communities are properly represented in the Police force.

"My hon. Friend, Mr. Ramalingam Chettiyar, spoke about the number of murders committed in the Coimbatore district. Perhaps they are due to the fact that people there have more criminal propensities than people in other districts. (Laughter.) But, still, I shall go into the question and discuss it if necessary with the Inspector-General and see whether anything can be done to prevent these murders.

"As for the Police help in connexion with the processes issued by the courts, I understand that whenever Police help is required, it is given. If my hon. Friend brings to my notice any specific case in which there has been hardship felt, on account of the fact that the Police did not render assistance, I shall draw the attention of the Police authorities.

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" My hon. Friend then spoke of the Police station area and suggested that more Police stations should be brought into existence and that the area under the jurisdiction of a Police station should be made smaller. All that means that more money has to be spent, but at this time when we are financially not well off, I do not think that that suggestion can be taken into consideration at all.

" My hon. Friend, Mr. Shetty, spoke of raising the standard of recruitment and training. I may say, Sir, we have already prescribed certain qualifications for recruitment for various posts and I do not think anything further can be done. He also made a suggestion that the Sub-Inspectors appointed should all be graduates. I do not think it is possible for Government to accept such a suggestion. If we do so, communities educationally backward will greatly suffer. What about the depressed classes? How many graduates can they produce and how many of them can come forward as candidates for the posts of Sub-Inspectors? Therefore, the suggestion made by my hon. Friend, Mr. Shetty, is unthinkable. (Mr. A. B. Shetty: 'Graduates as far as possible.') There is no use of saying, as far as possible. I think the present policy of the Government is the best.

" As for the traffic control, I may say that Government themselves feel that more ought to be done in order to improve it, but unfortunately, on account of the financial stringency, we are not able to go forward with our schemes. The Inspector-General himself is aware that in many districts we have to improve our traffic control, but at the present moment, owing to the policy of retrenchment, Government could not consider his suggestions, but I can assure the hon. Members that when we come to better times, Government will not hesitate to consider the question of improving the traffic control throughout the whole province. As far as the City of Madras is concerned, we are appointing an Assistant Commissioner of Police in order to assist the Deputy Commissioner who is now in charge of traffic control.

" My hon. Friend, Mr. Shetty, also made suggestions for increasing the expenditure of the Police department by introducing various reforms and said that we could meet the increased expenditure by abolishing the Malabar Special Police Force and also by the abolition of the posts of Deputy Inspectors-General of Police. Sir, it is not possible at all for Government to consider the question of abolishing the Malabar Special Police Force. Hon. Members know the history of the genesis of the Malabar Special Police force which has contributed greatly to the peace of the district, I do not think Government will ever abolish it.

" As for the abolition of the posts of Deputy Inspectors-General, I wish to tell hon. Members that they are entrusted with great deal of work. In the interests of efficiency, it is not possible to abolish the Deputy Inspectors-General's posts. They do very useful work. They inspect, hear appeals and co-ordinate the work of District Superintendents of Police.

" My hon. Friend, Mr. Sami Venkatachalam Chetti, wanted that the Police should cultivate the spirit of serving the citizens. I may

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say that there is no question about it. The Police exist for the people and one of the things that they should do according to the Police rules is that they should cultivate the spirit of service and I have so far heard no complaints from the public that the Police are not doing their duty in this respect. I may, however, assure my hon. Friend, Mr. Sami Venkatachalam Chetti, that it is the duty of the Police to serve the people and they are really serving the people properly.

" Again, Sir, it was said that we have been appointing additional Police in order to assist the zamindars in the matter of collecting their rents. No such thing has been done and no additional Police has been appointed for that purpose. My hon. Friend, Mr. Sami Venkatachalam Chetti, also brought to the notice of Government certain cases of suicides committed by prisoners on remand. I find, Sir, the number of suicides of undertrials in jails was 3 in 1930, 1 in 1931 and 1 in 1932 and there were no suicides in 1933, and only 1 in 1934; and none of these were due to ill-treatment by the Police or Jail officials. In all cases enquiries were held by Magistrates. Anyhow, I am making further enquiries in the matter.

" My hon. Friend also stated that ever since the Police department has been under my charge, or in recent years, there has been an increase of expenditure. The following figures will, I am sure, explain the position:—

	Expenditure.
	RS.
In 1930-31 (actuals)	1,79,45,532
In 1931-32 (actuals)	1,59,94,089
In 1932-33 (actuals)	1,52,60,453
In 1933-34 Budget Estimate	1,52,72,800
In 1933-34 Revised Estimate	1,52,40,900
In 1934-35 Budget Estimate	1,52,94,100

The slight increase in the Budget Estimate for 1934-35 is due to certain new schemes which Government have found it necessary to provide for in the interests of efficiency. The schemes referred to are, (1) the appointment of an Assistant Commissioner of Police to assist the Deputy Commissioner of Police (Traffic and Licensing); (2) strengthening the Armed Reserve in the North Madras district; (3) appointment of six sub-inspectors and three constables to supply the deficiency in the vacancy reserve; (4) opening of an out-post at Thiruvokolam in the University town of Annamalaiagar; and (5) reorganization of the Trichinopoly Town Police. On account of all these schemes there has been a slight increase. It is not therefore true to say that we have been going on increasing the expenditure in the Police department.

" As for the gun licences, I have already answered one or two questions on the floor of this House. I will certainly go into the question as desired by my hon. Friend, Mr. Bhatt, but it is open to people whose licences have been refused or cancelled to appeal to Government.

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"Then, Sir, my hon. Friend, Mr. Muniswami Pillai, wanted that the Depressed Classes should be employed in larger numbers in the Police department. With reference to that, I may say, that I have already drawn the attention of the Inspector-General of Police to this aspect of the case and I am glad to say that the policy of the Police department has been to employ in larger numbers, members coming from the Depressed Classes.

"As for the communal trouble that he referred to, all that I can say is, that it is rather unfortunate that there should have been such communal trouble, but the Police are doing their very best to prevent them. As for the charge that the Police are taking sides, I do not believe it. Anyhow, I shall draw the attention of the Inspector-General of Police to the remark made by my hon. Friend.

"My hon. Friend, Mr. Natesa Mudaliyar, said that we should give instruction to the Police force to cultivate the spirit of service to the people. I may assure my hon. Friend that in the Police Recruits school, at Vellore, recruits are given a good training, the object of which is to serve the people.

"Then, Sir, my hon. Friend, Mr. Hameed Khan, drew my attention to the traffic rules. Now and then Government revise the traffic rules and when any important rule is revised, I shall bear in mind the suggestion made by the hon. Member that we should consult his association. He has also made many suggestions regarding the motor traffic rules. I shall see what I can do in the matter.

3-45 p.m. "With regard to the amusement parks, I think a question was put and I said in reply to that question that the Government would consider the question and take necessary action. Orders were passed to close down such parks. After the issue of those orders it was brought to our notice that on account of the action taken by the Government without any notice, some of the shows had incurred heavy financial loss. Therefore we gave the Commissioner of Police discretion to extend the period in special cases. But at the same time we have made it clear that the element of gambling should be eliminated. A report has been called for in this connexion and when that report comes, I shall go through it and see what could be done to eradicate the evil. I do not think there is any other matter about which I should like to speak. (Voices: 'Indianization?')

"As for Indianization, Sir, the policy of the Government is to make no distinction at all. My hon. Friend referred to the posts of the Deputy Inspector-General and one or two other posts. Once again I may say appointments are made on considerations of merit and seniority. (A voice: 'Indians have to retire before they rise to higher places.') No such thing. (Rao Bahadur T. A. Ramalingam Chettiyar: 'is there anybody who can rise to the Deputy Inspector-General of Police before 55? What is the answer please?') If there is any vacancy in any post and if an Indian is qualified according to the tests I have mentioned, namely, seniority and merit, he will certainly be

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appointed. I am very glad, Sir, that the Police force to-day, as I have said on a former occasion, is in the most efficient condition in spite of retrenchment.

"Before I resume my seat I should like to thank the hon. Members for the cordial manner in which they have referred to my work in this Council. I may say that for the past two or three years when the civil disobedience movement was going on, it was my duty here to defend the action of the Police. I did it simply because I thought the Police were in the right. I am very glad that the hon. Members have realized that I have done my duty and have offered to me thanks and congratulations. I thank them all once again."

* Mr. C. BASU DEV:—"Sir, in these days of depression and competition, Government evidently are not experiencing any dearth of proper candidates for service in the Police department. This, therefore, does not seem to be the proper time to urge on the attention of the Government the need for better terms of employment. With regard to the remarks of some of my hon. Friends there seems to be an impression in the House and outside that the Police is an institution to protect property and zamindars and that they do nothing more. Let me assure my friends here and outside that the Police not only protect property but also person. Adequate Police force is a very great necessity. With these words, I beg leave of the House to withdraw my motion."

* Mr. V. T. ARASU:—"Are we hearing a second speech? Or are we hearing a reply?"

* The Hon. the PRESIDENT:—"We are hearing a reply."

The cut motion was, by leave, withdrawn.

The Demand was put and carried, and the Grant was made.

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.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Wednesday, the 21st 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 Nayudu, Diwan Bahadur B.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.	Muniswami Pillai, Rao Sahib V. I.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.	Muthiah Chettiyar, Mr. M. A.
Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun.	Nachiyappa Gounder, Mr. K. A.
Raja of Bobbili, The Hon. the.	Nanjappa Bahadur, Subadar-Major S.A.
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.	Palat, Mr. R. M.
Alamelumangathayaramma, Mrs. K.	Pannirselvam, Rao Bahadur A. T.
Annamalai Chettiyar, Mr. S. A. A.	Parthasarathi Ayyangar, Mr. C. R.
Appadurai Pillai, Diwan Bahadur A.	Patnaik Mahasayo, Sriman M. G.
Arasu, Mr. V. T.	Patro, Kt., Rao Bahadur Sir A. P.
Ari Gowder, Mr. H. B.	Pattabhiramayya, Mr. K.
Basheer Ahmed Sayeed Sahib Bahadur.	Pattagar of Palayakottai, The.
Basu Dev, Mr. C.	Peddi Raju, Mr. P.
Bayappa Reddi, Mr. P.	Pocker Sahib Bahadur, B.
Boyanbani Sahib Bahadur, S. M. K.	Premayya, Mr. G. R.
Bhanoji Rao, Mr. A. V.	Rajagopala Pillai, Mr. P. V.
Birley, Mr. F.	Ramachandra Padayachi, Mr. P. K.
Devadasan, Mr. M.	Ramakrishna Reddi, Mr. A.
Dharmalingam Pillai, Rao Sahib V.	Ramalingam Chettiyar, Rao Bahadur T. A.
Duraishwami Reddiyar, Mr. K. M.	Ramamurti, Rao Sahib Pandit Ganala.
Ellappa Chettiyar, Diwan Bahadur S.	Raman Menon, Mr. K. P.
Foulkes, Mr. R.	Ramaswami Ayyar, Mr. T. S.
Gopalaswami Ayyangar, Diwan Bahadur N.	Ramaswami Mudaliyar, Mr. V. M.
Hood, I.C.S., Mr. H. M.	Ranganatha Mudaliyar, Mr. A.
Indrayya, Mr. C.	Ranganatha Mudaliyar, Mr. G.
Jagannatha Raju, Rao Bahadur G.	Ranganatha Mudaliyar, Mr. M. D. T.
Jagannatham, Mr. H. M.	Rangaswami Reddi, Mr. M. B.
Jayaram Nayudu, Rao Sahib C.	Ratnasabhapatni Mudaliyar, Diwan Bahadur C. S.
Kesavaramamurti Nayudu, Mr. K.	Sahajanandam, Swami A. S.
Koti Reddi, Mr. K.	Sami Venkatachalam Chetti, Mr.
Krishnayya Choudari, Mr. P. V.	Sesha Reddi, Mr. B. P.
Krishnamurti, Rao Bahadur D.	Shetti, Mr. A. B.
Krishnan, Mr. C.	Singam Ayyangar, Mr. K.
Kumara Raja of Venkatagiri, The.	Siva Raj, Rao Sahib N.
Ladden, Mr. W. W.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Lakshmana Reddi, Mr. G.	Sreshtha, Mr. M. S.
Langley, Mr. W. K. M.	Srinivasan, Rao Bahadur R.
Madanagopal Nayudu, Mr. R.	Sriramulu, Mr. G.
Manikkavelu Nayakar, Mr. M. A.	Subbarayan, Dr. P.
Metherell, Mr. J. K.	Subrahmanya Chetti, Rao Sahib B.
Moses, Mr. P. C.	Subrahmanya Bhatt, Mr. U. C.
	Sundara Rao Nayudu, Mr. T.
	Syed Tajuddin Sahib Bahadur, Khan Sahib.
	Thomas, Mr. Daniel.

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PRESENT—cont.

Thorne, C.I.E., I.C.S., Mr. J. A.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venkatarama Ayyar, Mr. K. R.

Venugopal Nayudu, Rao Bahadur R.
 K.
 Viswanatha Rao, Diwan Bahadur, V. N.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Public Service

Typewriting as a compulsory qualification for recruitment to public service.

* 805 Q.—MR. A. RANGANATHA MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the candidates desirous of employment in the public service are by a recent order required to have passed the special test in typewriting either in the higher grade or in the lower grade in an examination held after January 1933, and if so, the reasons therefor and the class of appointments to which this rule is applicable; and

(b) in what respects the examination in the lower grade held before 1933 differs from the one held afterwards?

A.—(a) The attention of the hon. Member is invited to the answer to clauses (a) and (b) of question No. 363 given in the Council on the 4th November 1933.

(b) The lower grade examination held after the 1st January 1933 includes a test in the mechanism of the typewriter.

B. POCKER SAHIB Bahadur:—"With reference to the answer to clause (b), I should like to know whether it is necessary for all these people to know how to repair typewriters?"

The Hon. Sir ARCHIBALD CAMPBELL:—"It is necessary for them to know something about the mechanism of the typewriter in order to keep it in proper order."

B. POCKER SAHIB Bahadur:—"That is exactly what I want to know. My question is whether it is necessary for them to know how to repair the typewriter if it goes out of order?"

The Hon. Sir ARCHIBALD CAMPBELL:—"It is necessary that they should know something about it. The examination in mechanism in the lower grade is not such as will enable them to carry all the repairs to typewriters. It will only enable them to keep the typewriters in working order."

B. POCKER SAHIB Bahadur:—"Will a clerk be paid specially if he repairs the typewriter which he uses?"

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

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Education

Abolition of the Fixed Travelling Allowance System in the case of Deputy Inspectors of Schools.

* 806 Q.—MR. R. K. VENUGOPAL NAYUDU: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) why the fixed travelling allowance system was abolished for Deputy Inspectors of Schools (junior and senior grades);

(b) whether there are any touring officers of other departments originally subject to the fixed travelling allowance system who have been similarly affected; if so, the reasons therefor;

(c) if the answer be in the negative, why the officers of the Educational Department have been singled out for this treatment;

(d) whether the abolition of the fixed travelling allowance system was prayed for by the Deputy Inspectors themselves;

(e) if the answer be in the affirmative, the number of such petitioners with the grade to which they belonged; and

(f) whether the connected papers will be placed on the table of the House?

A.—(a) The fixed travelling allowance system was abolished because it was represented to Government that the rules regulating this system caused hardship, especially in cases where Deputy Inspectors of Schools had a large number of schools to inspect within five miles of their headquarters.

(b) The information is not available in the Education Department.

(c) Does not arise.

(d) The answer is in the negative.

(e) & (f) Do not arise.

MR. P. V. KRISHNAYYA CHOUDARI:—"May I ask the Hon. the Minister for Education whether the Deputy Inspectors will get travelling allowance under the Fundamental Rules if they inspect schools within a radius of five miles?"

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

MR. P. V. KRISHNAYYA CHOUDARI:—"As a matter of fact, no daily allowance can be claimed for journeys within a radius of five miles. That is the reason why I say that fixed travelling allowance must be given in these cases seeing that there are a number of schools within a radius of five miles within each municipal area."

The Hon. the PRESIDENT:—"Is the hon. Member making a speech or putting a question?"

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Excise*Remodelling of the Excise Licensing Boards and the Excise Advisory Committees.*

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

(a) whether proposals have been called for from the Collectors to remodel the Excise Licensing Boards and the Excise Advisory Committees;

(b) whether the Government have arrived at any decision regarding them;

(c) whether they will be published and public criticism invited before final orders are passed; and

(d) whether the proposals will be placed on the table of the House to enable the House to raise a discussion, if necessary?

A.—(a) The Government invited the views of the Commissioner of Excise who consulted Collectors.

(b) The subject is under the consideration of the Government.

(c) & (d) Government do not consider it necessary or desirable to do so.

Mr. A. B. SHETTY:—“ May I ask the Hon. Minister for Education and Excise what the nature of the proposals under the consideration of the Government is? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The answer to clauses (c) and (d) says that the Government do not consider it necessary or desirable to place the proposals on the table of the House.”

Mr. A. B. SHETTY:—“ May I know why they are considered confidential? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Public interests do not require that they should be laid on the table at this stage.”

Rao Sahib V. I. MUNISWAMI PILLAI:—“ With reference to (d), may I know when the Government will come to a decision on this matter? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ As early as possible.”

Opening a foreign liquor shop at Namakkal.

* 808 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether any representation was received from the people of Namakkal (Salem district) to open a foreign liquor shop at Namakkal; and

(b) what the result of the representation was?

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A.—(a) & (b) A petition, dated 6th February 1934, signed by K. N. Venkatarama Chetti and others of Namakkal was received by the Government and was transferred for disposal to the Commissioner of Excise who has to deal with applications for such licences.

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

II.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND XV—AGENT FOR GOVERNMENT CONSIGNMENTS—RESERVED.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ Sir, on the recommendation of His Excellency the Governor, I move
‘ that the Government be granted a sum not exceeding Rs. 12,300 under Demand XV—Agent for Government Consignments—Reserved.’ ”

Mr. P. V. KRISHNAYYA CHUDARI:—“ Sir, I move—
‘ to reduce the allotment of Rs. 12,300 for Agent for Government Consignments—Reserved, by Rs. 100.’ ”

In my district there are seaport stations, called Vadarevu, Nizampet and Kothapeta. Till recently Nizampet was a recognized port and we were agitating for the recognition of Vadarevu also as a seaport. As Vadarevu is not a recognized port, large quantities of groundnuts to the extent of one lakh and odd tons, have now to be carried to Masulipatam for exporting purposes. As the producer has to pay railway freight on all this from Guntur to Masulipatam, he is not getting full value for his produce. If Vadarevu is recognized as a port, we could export all our produce from there and avoid this transshipment to Masulipatam. Recently a limited company has been formed there to encourage export trade and facilitate the recognition of Vadarevu as a seaport and they have constructed several small boats for carrying these products, etc., to the sea-going vessels. One or two private companies have looked into this question and have come to the conclusion that in the business interests it would be very desirable to convert Vadarevu into a seaport. As a matter of fact one European company has promised to make Vadarevu into a port at a cost of 10 or 12 lakhs if only they would be permitted to change the name Vadarevu into the donor's name. That is why I request that this may be recognized as a port. But, as I said, when we are agitating for converting Vadarevu into a port, the authorities took away from the recognized list Nizampet port also. It means that when we wanted more what we had has been portaken away. I request the Hon. Member who has himself visited Vadarevu to consider this question. As a matter of fact, even in the days when we had no connexion with the Madras and Southern Mahratta Railway, Vadarevu was a thriving seaport doing big export and import business as is evident from what is left of the old godowns, etc., to be seen there. The hon. Member himself has seen this also. I request him to recognize Vadarevu as a port.”

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* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Sir, I was listening carefully to the representations which my hon. Friend, Mr. Krishnayya Choudari, made. As a matter of fact, this Vadarevu is port under the Indian Ports Act. Recently, the Central Board of Revenue issued a notification to the effect that this is a port only for the purpose of coasting trade and not for foreign trade. Now my hon. Friend said that a private company or a rich merchant is prepared to construct a pier at a cost of about 12 lakhs. Representations of a similar nature, but not mentioning this sum of 12 lakhs, was made by Mr. Kuppuswami Choudari to Mr. Hood who is in charge of this department and they had conversations. Ultimately a reply was sent by Mr. Hood to Mr. Kuppuswami Choudari. Apparently, my hon. Friend has not seen that reply. As a matter of fact, the Presidency Port Officer is against making this Vadarevu port available for foreign trade. The Central Board of Revenue also are against it. As the matter stands at present, it is difficult to make it a port for foreign trade. But having regard to the representation made by my hon. Friend, I shall bear this question in mind.

" With reference to the Nizampet port, the Presidency Port Officer reported that there was no trade at all for the last eighteen months and so for the purpose of economy it was closed. Unless there is improvement in the trade, I am afraid it will not be possible to reopen it. These are the difficulties in our way."

The cut motion was, by leave, withdrawn.

The Demand was then put and carried and the Grant was made.

DEMAND XVI—ELECTRICITY—RESERVED.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Sir, on the recommendation of His Excellency the Governor, I move—

' that the Government be granted a sum not exceeding Rupees 51,18,800 under Demand XVI—Electricity—Reserved. '"

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—" Mr. President, Sir, I move the cut motion standing in my name, namely—

' to reduce the allotment of Rs. 84,900 for Electricity—Reserved—Hydro-Electric Survey—Pay of officers by Rs. 100. '

Sir, electricity is a remunerative enterprise so far as we are concerned. I should like to know, therefore, how the thing is being managed, so far as one or two schemes are concerned. With regard to Pykara I should like to know from the hon. Member in charge whether his expectations with reference to the taking of power have been realized and whether all the power available has been taken up so far. We are under the impression that a lot of power is available for which a market has to be found. This view is supported by the activities of Government in extending the transmission lines in all directions going as far as Salem on one side and Cochin on the other.

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" Then there is the question which I raised in this House last year, namely, the giving of power for agricultural operations. From the way in which this business was managed in the beginning I thought the intention was to care more for supply in bulk than for supply in retail for agricultural operations and things of that kind. I know the difficulties that will naturally arise in any scheme of power supply for agricultural and allied purposes. The power taken will be very small and probably the transmission lines will have to be longer than in other cases. Also the central station from which the power should be transmitted would have to be located in a suitable place. But all this will have to be done if the cultivators are to benefit by this. Sir, last year I also raised the question of the rate charged for power consumed for agricultural operations.

" I mentioned last year that the rates charged for agricultural operations are high, and the hon. Member in charge promised to look into the matter. I should like to know whether as a result of his inquiry, any concessions have been given, and if so, how far those concessions have been availed of. 11-15 a.m.

" Then, Sir, I wish to address myself to the question of the utilization of this power for purposes which are under the control of the Government itself. I mean, Sir, the electrification of Government buildings and residences of Government officers. For instance, in Coimbatore, you have got a number of such buildings and residences, and these can be very easily electrified. Those offices and officers are incurring a lot of expenditure now by way of peons and punka pullers, for lighting and such other purposes. In the case of the residences of these officers, the interest on the outlay of electrifying their residences, can be collected from them, and so the Government will not be losers. Similarly in the case of Government offices a lot of expenditure incurred under the head 'Contingencies' can be saved also. Thus on the whole Government will be only gainers and not losers. So, I should like to know from the hon. Member in charge whether he is going to take up this matter as a whole, and see that all the public offices and the residences of the Government Officers are electrified, so that there may be a saving in the Budget of 'Electricity' and the Budgets of other heads put together. If electricity is really cheaper than man-power, I think the proposal I suggest will lead to a lot of saving under this head.

" I will also say that at the present moment money is cheap in the market, and if capital expenditure is going to be incurred for the purpose of electrifying these public buildings, probably this will be the best time.

" Then, I wish to refer to one other matter, namely, the complaint of the Calicut Municipal Council, with reference to the treatment accorded to them by the Government. I may say at once that I do not know the facts of the case; I am only saying this from the pamphlet circulated among the Members of this House. From that it would appear that the licensee to whom the right of distribution was given, was not in a position to carry out the terms of the contract; and that at

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that stage the municipal council applied for the grant of the concession to them. And also a third party wanted to become the transferee of the licence. The right of granting licence vests in the Government by whom the original licence was granted. If that is the case and if the Government were not bound to give the concession to the third party transferee, then I don't know why Government should not have given that licence to the Calicut Municipal Council themselves, all the more so, after the Hon. the Law Member had said that he would see that preference is always given to municipal councils. (The Hon. Diwan Bahadur Sir M. Krishnan Nayar: 'No, no, not in this case; I did not say that with respect to this case.') Yes, I know the Hon. the Law Member did not say that in this particular case. When the general question was raised, when the Coimbatore Municipality applied for the grant of licence, as to whom the licence should be given, it was on that occasion that it was said that applications from public bodies should be preferred to private individuals or companies, which wanted to make money out of it. It was to that that I was referring, Sir. If that principle is going to be applied all round and if the Calicut Municipality is entitled to that privilege, I do not know why Government thought fit to recognize the claims of the third party instead of giving that licence to this Municipality. As I said, Sir, I do not know all the facts of the case, as I have no personal knowledge of the matter. From the pamphlet I have in my hand, it seems to me that this is a matter which requires reconsideration by Government. I hope Government will see whether it is not possible to accede to the request of the Calicut Municipal Council. I may say from the paper circulated, the Municipality seems to feel very strongly in the matter, and it seems they have resolved not to take any power from the scheme, and it seems they have also asked the rate-payers also not to take power from the scheme. That shows that strong feeling exists in the matter. So, it is all the more why the matter should be reconsidered by the Government.

"I have been urging in this Council with reference to the supply of power to the bigger mills, whether the charge that was levied by the Government is always cheaper than the cost incurred by them for power they are generating from firewood or oil. Now the price of oil and firewood has come down considerably. So, in consideration of that I should like to know from Government whether they are going to reduce the rate so as to suit to the requirements of the situation. I may say that so far as new mills are concerned they will be no doubt very glad to start with an electric plant because that would mean to them less capital investment. It means also that they are able to get from Government power without themselves incurring any expenditure in installing the necessary machinery. But so far as old mills are concerned, there is no sort of inducement for them to change to electric power, because they have already got machinery for generating power, which they cannot scrap so easily, and sometimes it may happen that such machinery, if it is to be sold, cannot fetch any decent price in the market. In view of this I hope Government will reconsider their decision as regards the fixing of rates."

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Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, Sir, last year speaking on the Pykara Electric Scheme, we said that we are glad that it has become an accomplished fact, and that our congratulations should go forth to Major Howard and the Hon. Sir M. Krishnan Nayar for expediting the scheme and bringing it to fruition. On this matter I must say that if only Government will revise the tariff rates, the scheme is bound to succeed than what it is to-day. Even with the present rates I think the Government are sure to get a better outturn than what was expected when the scheme was ushered in. I do not think Government would be justified in making very large revenues out of the scheme, even though it is a remunerative concern. In fact they should not expect more than 3½ per cent or 4½ per cent out of it. When the rate of interest advanced by the Government of India for such purposes has been reduced, it is but natural also that this Government should expect only a reduced outturn from these schemes. If they wish to work out the scheme, then surely they must reduce the rate to some extent. In the long run by a reduction in rate, Government will stand to gain, as also the people; for the greater the quantity of power consumed the greater will be the revenue for Government; and so Government need not at all feel shy to reduce the rate. Further if the rates are reduced, it will be a greater inducement for more and more industries to spring up.

"Since last year, I am glad to find that Government have reduced the rate of electric power for agricultural operations from As. 1-6 to 1 anna. Even this the agricultural ryots find it rather high. The oil-engine plants which they were having previously for generating this power were costing them only from 9 pies to 10 pies, whereas the Government rate is 1 anna. Unless this rate is reduced to 9 pies, the ryots may not go in for hydro-electric power in a large measure. So also small industries like ginning factories and others which are having 20 or 30 horse-power find that the rate of 1 anna works out much more than what it was costing them previously. I know of a concrete instance. The St. Joseph's Industrial school, which was having a 15 horse-power motor-engine was getting electric power at the rate of 9 pies per unit and when they changed it for the hydro-electric power, it cost them more than 1 anna. The school authorities also brought this to the notice of the Chief Engineer for Electric Supply and also perhaps to the Government. I am afraid the reduction granted in this respect is not at all adequate. Therefore I would request the Government to reduce the rate still further so that the Government may be benefited in the long run. Besides agriculture and small industries, even big mills find that it is not advantageous for them to go in for hydro-electric power. Though I cannot agree with Mr. Ramalingam Chettiyar that the cost of electric power per unit which is generated by using fuel and oil was less than the rate per unit of hydro-electric power, unless the use of hydro-electric power is more advantageous to the mill-owners, it will be very difficult for the old mills to change for the hydro-electric power. Unless the rate charged for the hydro-electric power is less than what it was costing the mills previously, it will not be possible for the mills to change for the hydro-electric power.

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11-30
a.m.

"While speaking on this subject I may say that Government should also be more liberal in paying advances to old mills and new mills in the matter of equipment of those mills with electrical appliances. If the Government were to be more liberal, I am sure more mills will spring up in Coimbatore and also in the area round the Pykara Hydro-Electric Works, which will be advantageous both to the Government and to the people.

"My hon. Friend, Mr. Ramalingam Chettiyar, referred to the non-electrification of Government quarters and other offices by the use of the hydro-electric power from Pykara. Government have been very prompt in supplying electricity to Government quarters and other offices in places for which licences had been given to private companies. In the case of Guntur, Government have sanctioned a very large grant for electrification of the Government quarters. I must say it is to the advantage of the Government to see that Government quarters and other public offices are provided with electricity. I understood Mr. Ramalingam Chettiyar to say that it would also give additional revenues to the Government because of the enhanced rental value which may be realized by the occupation of those Government quarters.

"Coming to the grant of licences to Calicut and other places Mr. Ramalingam Chettiyar invited the attention of the Government to the policy which they initiated at the time of granting licences, viz., that preference would be given to local bodies for the supply of hydro-electric power. So far as the Erode and Salem Municipal Councils were concerned, there was a complete change in their work, viz., of taking hydro-electric power from the Pykara Works and as such I cannot understand the attitude of the Government in still not considering the claims of the Erode and Salem Municipal Councils to undertake this work. So far as these municipal councils are concerned, the scheme itself has been completely changed, and the Octavius Steel Company have no right of continuing the licences in their own hands. The Government have not adopted a sympathetic policy towards the municipalities. Owing to this the Government themselves are losing a considerable sum of money. The Salem and Erode Municipal Councils have resolved that they will not take electric power from the hands of the Octavius Steel Company. I do not think the Government realize that this is a loss to them. In this connexion I may say that the Erode Municipal Council will go to the length of purchasing from the Octavius Steel Company all their electrical equipments and in that case the Government will not lose anything. On the other hand they will stand to gain, because they will be able to supply electric power to a greater extent from Pykara to the municipality.

"Coming to another scheme, viz., Kollegal scheme, Kollegal is isolated from this district and it is in a corner and is very close to the Sivasamudram falls which is the headquarters of the Mysore Electric Supply Scheme. It was not possible to supply electricity to this place from Pykara, because the intervening distance was very long. Therefore it was proposed to purchase power from the Mysore Government, i.e., the power generated at Sivasamudram. I understand that the cost of

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the line between Sivasamudram and Kollegal is going to be charged to the general supply scheme. That is very hard. As the Mysore Government intend taking their supply through Kollegal to certain places which are situated within the Mysore State it is not fair that the cost of the line between Kollegal and Sivasamudram should be charged to the Kollegal general supply scheme. So I request this Government to move the Mysore Government to see that the cost of the line between Kollegal and Sivasamudram is charged to a general scheme and not to a scheme relating to Kollegal Union.

"Since speaking on this subject I am glad—I think the House also will be very glad—that the rate per unit of electricity in Madras has been reduced. I still feel there is justification for some more reduction. I think the rate was reduced by one anna. It is not at all sufficient. I can prove that the Madras Electric Supply Corporation even at this rate must be making large profits. For the purpose of balance sheet and for the purpose of giving figures to the Government, they may say that they are making out only 6 or 7 per cent. There are many ways of manipulating these figures. Now the Government themselves are working out many of these supply schemes in several places such as Dindigul, etc., and therefore they must be in a position to know how cheap it is to supply electric power. Therefore, they must ask the Electric Supply Corporation to reduce their rate still further."

* MR. K. P. RAMAN MENON:—"I also join my hon. Friends who spoke before me in congratulating the Hon. the Law Member in expediting the supply of electric power to Tiruppur, Coimbatore and other places. The object of my rising to speak on this subject is just to ask the Government what they are going to do with regard to the supply of electricity to the Calicut town. Two or three years ago a private gentleman started an electric installation with which he was able to supply houses in certain portions of the municipality with electric lights and fans I mean the houses situated in the municipality. There have been no electric lights in the streets of Calicut Municipality because the private gentleman referred to and the municipality quarrelled with each other with regard to the supply of electricity or with regard to some other details. That gentleman, it seems, has sold that right to some company or other at some considerable amount of profit. But unfortunately for the people of Calicut the supply of electricity was absolutely stopped owing to some defect in the engine. About the end of February I wrote to that company if as a matter of fact they were going to supply us with electricity. After two days they replied that they hoped to have it done about the end of March. So, for one month they did not have electric lights or fans working. We had to resuscitate superannuated old lamps and with them we have been lighting our houses. How unsatisfactory this is can be imagined.

"Then, with regard to the rate per unit, the rate charged there is simply outrageous. They charge As. 8, whereas As. 4 is charged in other municipalities. In these circumstances I want to know why it is that Government have not supplied the Calicut Municipality with electricity

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from Pykara. Is it a case where concession has been granted to a private company and which cannot be broken? If that is so, it was a very good opportunity; when the private gentleman who started this concern sold that right to another firm, the Government could have stepped into the shoes of that private firm and taken up the matter in their own hands and proceeded to supply electricity to the various firms and others working in Calicut. To an interpellation of mine, I was told that the distance between Pykara and Calicut is 70 miles. I learn that the distance from Pykara to Tiruppur is 75 miles, and from Pykara to Coimbatore it is 66 miles. Again a line has been laid from Coimbatore to Palghat to a distance of 96 miles. Under these circumstances I fail to see why electric power cannot be supplied to Calicut from Pykara scheme. The municipality has been anxious to secure this right. Perhaps they have to some extent mishandled the situation, but anyhow it is up to the Government to see that the lighting of the town is entrusted in the hands of the municipality rather than in the hands of a third party who is concerned more with making a large profit out of the concern. I make this suggestion with a view to see if yet it is possible that the private firm which has now been granted a licence cannot be got rid of and the licence given to the municipality. I shall be very glad to know why it is that the municipality of Calicut has been unable to secure the concession from the Government. There must be something wrong in handling the situation and I should be very glad at least for the sake of the people of Calicut to know what the attitude of the Government is in connexion with this matter."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, it is a matter of great satisfaction to know that the Government of Madras have been able to complete the Pykara Hydro-Electric Scheme in a manner satisfactory to the country. I have given a token cut motion to discuss what arrangements the Government have made if there is a breakdown or some accident. I find from the report that has been presented to us that the high-tension wire runs a distance of about 316 miles. Of course there is the Electricity Act to deal with cases of accidents in this department. But as the wire passes through a vast country where the people are not so much literate, it is often possible that accidents may happen. I think it is up to the Government to let the people know in the area through which this high-tension wire passes and see what precautionary measures will have to be adopted to safeguard human life. In one place of the report I find that at the headworks there is much malaria and efforts are being made to find ways and means of keeping the staff healthy. In view of the fact that the electric current is being consumed in various districts far and near, I think no time should be lost to find ways and means of keeping the staff at the headworks in good health."

"I find that my hon. Friend, Mr. Ramalingam Chettiyar, touched about the use of electricity by the agriculturists. I think in previous years I also joined with him and said that Government must find ways and means as to how best they could help the agricultural ryots by supplying them with cheap electricity. Now the high-tension wire passes

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through a dry country where it is not possible to get water easily for irrigation purposes. I understand that in advanced countries electricity is made use of in boring wells thereby giving water to agriculturists. I would request the Government to see whether they could also extend their hands to the agriculturists in this matter. Sir, as one coming from Nilgiris, I could see the use of electricity from Nilgiris as far as Erode. But I understand that the cost per unit is high. Taking Mysore into account, I think cheaper current is supplied in Mysore than what is obtained in this Presidency."

"So far, it has not been possible for the poor man to take to electricity owing to the high cost prevailing. I am sure that the arguments advanced by hon. Members who have preceded me would convince the Government and they would make some arrangement by which cheaper current can be supplied to poor people. I know as a matter of fact that in the town of Ootacamund which began to use the electricity from Pykara, people find it difficult to use electricity on account of the high cost prevailing."

"My hon. Friend, Raman Menon, touched about giving electricity from Pykara to Calicut. I read in the report that Glen Morgan plant which was supplying electricity to Ootacamund and Coonoor before the main plant was working, is lying idle. At times the power that is generated from the Glen Morgan plant is being utilized along with the main plant. I think the distance from Pykara to Calicut is not so much as that from Pykara to Tiruppur. The hon. Member, Mr. Thangal, interpellated yesterday as regards the question of supplying electricity to Malabar. I hope the Government would seriously consider the question whether the current generated from the Glen Morgan plant could not be diverted to Calicut and other places. I am sure that greater amount of electricity can be used by the poor people if the cost of production is less."

"I cannot close my speech without paying a tribute to His Excellency Lord Willingdon and the then Law Member, Sir C. P. Ramaswami Ayyar, who were responsible for initiating this important hydro-electric scheme and to the present Law Member, Sir Krishnan Nayar, for completing that project. This is a very important scheme and I think in years to come it will prove beneficial to the revenues of this Province."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. Deputy President, Sir, I should like to say a few words on this subject about which I have been interesting myself in putting interpellations from time to time. I am glad that the town of Salem has been supplied with electricity from Pykara; but our complaint all along has been that the charges made are enormously high. I thought that after the current from Pykara is introduced the charges may be reduced to some extent. But I find that no reduction has been made so far. I would request the Government to consider that aspect of the question and popularize electricity by making it cheap."

[Mr. K. A. Nachiyappa Gounder] [21st March 1934]

"With regard to the hydro-electric scheme at Mettur, from the Hon. the Finance Member's speech, there is some apprehension that the scheme will not be immediately taken up and proceeded with. So far I think considerable sums have been spent on that scheme by putting up pipes and by making other arrangements at Mettur, and the Government should not delay or postpone the execution of this scheme soon. A number of important schemes in Salem district depend upon this hydro-electric project. Firstly, it will affect the supply of drinking water to the town of Salem from Mettur reservoir. This question mainly depends upon this hydro-electric scheme. If this scheme is to be postponed, it will necessitate the matter of providing the crying need of the problem of drinking water to Salem town from Mettur reservoir being deferred indefinitely.

"The other day when I was speaking on the Demand VII—Irrigation (Cauvery-Mettur Project), I was making suggestions that some area in Salem district can be provided with water for irrigation from Mettur reservoir by means of pumping. A friend of mine, who is a retired engineer and who has got a good knowledge of these parts, informs me that it would be of great advantage to try this pumping system. This system depends upon electricity to be produced at Mettur by means of the proposed hydro-electric scheme there. If this scheme is to be deferred for the present or if it is to be postponed, it will hinder a great deal and put back the benefits which Salem district is likely to derive from this huge reservoir.

"With regard to the question of electrifying some of the towns such as Tiruchengodu, Yedapadi, etc., in Salem district, no further action seems to have been taken. I had occasion to speak to the Engineer of the Electrical Company which is distributing current at Salem and he says to me that sufficient number of people are not forthcoming to take up electricity for mills, etc., in those places. Since the present rate of charges for electricity is great, since people fear that the working expenses will be very high besides the capital expenditure they will have to incur by changing the machinery, etc., they fear very much to take to electricity. In order to popularize electricity and in order to induce the people to enjoy the amenities of electricity, the Government should reduce the charges considerably. If that is done, the mill-owners and the general public will readily take to this power and it will be of great advantage to the development of many of the useful rural industries in the district of Salem. I request the Government to consider that question and to see that rural parts are electrified as early as possible.

"Last year I referred to the question of starting an hydro-electric project at Papanasam in the Tinnevely district. I am told that that place has very great facilities for developing a big hydro-electric project and that some important mills can be started there. Some days back I got a pamphlet stating that every facility for starting paper industry in that place is available there. If an hydro-electric project in that place is taken on hand, a paper-mill also can very well be

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started along with it and it would be a very profitable concern to the Government. So, I would request the Hon. the Law Member to consider that scheme also. With regard to the Mettur scheme, I would request him once again to make speedy arrangements to push on the scheme and complete it as early as possible. With these words, I have great pleasure to give my support to this cut motion."

B. POCKER SAHIB Bahadur:—"Mr. Deputy President, Sir, I have given notice of a cut motion to elicit information with regard to the conditions on which licence was granted to Mr. K. C. Menon for supplying electricity to the Calicut town, whether he has fulfilled all the conditions of the licence and whether the Calicut Municipal Council wanted the licence to be granted to it. I put some interpellations on this matter some days back and they have not been answered so far. This matter has been referred to by the previous speakers and I do not think I should take much time of the House over it. I am given to understand that Mr. K. C. Menon was given this electric licence about 7 years ago—I think it is a fact. The Government also have stated that for the last 7 years this licensee has not been able to carry out the object of the licence. This also cannot be denied by the Government. Very soon after the licence was given, it was found that his financial position was unstable and that he would not be able to carry out the purpose of this licence. This fact was brought to the notice of the Government. When the Government came to know of this fact that he would not be in a position to carry out the purpose of this licence and that he had broken the conditions under which the licence was given, the Government should have revoked that licence and given it to some other competent person or to the municipality itself which has been insisting upon its getting the licence. I think the Government are not justified in allowing matters to go on like this for over 7 years and in depriving the people of Calicut of the benefits of electricity. It has become a necessity in these days. I must say that the action of the Government is really responsible for the people of Calicut being deprived of the benefits of electricity. So far as I can see, no reason has been given by the Government why they should not revoke the licence given to Mr. K. C. Menon when they found that he was not able to fulfil the conditions of the licence soon after it was granted. If there were no other applicants, the Government ought to have called for such applicants. After all, the statute itself provides that, if the municipality is prepared to work out the scheme, it should be preferred to other applicants. I do not see any reason why the Government should not comply with that request. What I understand is this; I speak subject to correction by the Hon. the Law Member. Even after the municipality made this request to the Government to allow it to carry out the scheme, they have allowed Mr. K. C. Menon to assign his licence to a third party, to some corporation or institution outside Malabar. I am not so much concerned who that person is. I understand that even that assignment has not been completed. I would like to know what are the conditions under which the Government have agreed

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to this assignment. In spite of the fact that Mr. K. C. Menon has been successful in depriving the people of Calicut of the benefits of electricity, I do not know what the conditions which the Government have put upon the proposed assignee are. How far this business of assignment has proceeded, I would like to know from the Hon. the Law Member. When this proposal of assignment was under negotiation, not only the municipal council but the public of Calicut also passed resolutions requesting Government to allow the municipality to work the scheme. When the municipality found that in spite of its own protest and the protest of the public, the Government had given their consent to the assignment of the licence to the new company, it passed the following resolution:—

‘This council has read with indignation and surprise the Government Order, dated 12th instant, communicated to the Chairman permitting the assignment of the Calicut electric licence to the West Coast Electric Supply Corporation, Limited, ignoring the repeated requests of the Council, for the said licence as well as the protest of the council against the proposed assignment.

‘In view of the utterly unjustifiable and inexplicable conduct of the Madras Government in refusing the repeated requests of this council for the grant of the licence and in permitting the assignment of the licence liable to have been revoked long ago, this council resolves not to accept any electric supply from the said West Coast Electric Supply Corporation, Limited.

‘This council urges citizens and ratepayers of Calicut to safeguard the prestige and interests of the Calicut Municipal Council by taking proper action in this matter.’

‘I also understand that the municipality has been collecting some rates from the people on account of lighting, thinking that it would be in a position to fulfil its obligation in this matter by some arrangement with the first licensee; but that licensee has not been able to carry out the conditions of the licence, and the municipality itself has thus not been able to fulfil its obligations to the citizens. In view of these protests both from the municipal council and the public, I should like to know from the Government whether they still persist in leaving affairs to continue in the same state, as they have done all these seven years and to allow another experiment to be tried by the new assignee. I understand that, whatever arrangement for the supply of electricity there was originally, it has broken down about a week or two ago. I would therefore request the Hon. the Law Member to reconsider the requests of the municipality and the public of Calicut, that the municipality itself should be permitted to work the scheme.

‘There is only one other matter which I should like to refer to. Yesterday in answer to a question put by Mr. P. M. Thangal, as to—

‘whether it has ever been under the consideration of the Government to work up a hydro-electric scheme in Vayittiri for Malabar and whether any investigation was made in this direction’

the Government replied that some

‘reconnaissance survey of two schemes in the Wynad was made.’

In answer to a supplementary question, the Hon. the Law Member categorically stated that the investigation will not be pursued.”

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The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“I said ‘immediately.’”

B. POCKER SAHIB Bahadur:—“The word ‘immediately’ will mean anything particularly when it is used by the Government. I therefore request the Government to investigate the matter as quickly as possible and see whether anything would come out of it.”

* Mr. V. T. ARASU:—“Mr. Deputy President, Sir, I should like to join my hon. Friend from Coimbatore in urging upon the Government the necessity for reducing the rate at which they supply electric energy to Coimbatore and other places out of the Pykara Hydro-Electric scheme. As already pointed out by Mr. Ramalingam Chettiyar, the other means of producing power, viz., liquid fuel and firewood, have gone down in price considerably. I believe the Hon. the Law Member must be aware of the fact that liquid fuel which was selling about two years ago at the rate of about Rs. 90 a ton has now gone down to Rs. 60. When these commodities which are the main competitors with electric power have gone down in price, is it not reasonable that the Government should also reduce the rate at which they supply electric energy? It may be argued by the Government that they have got to look out for a certain return on the amount they have invested over the scheme. It is but right that they should do so, and I am in agreement there. But I ask whether the Government should not urge upon the Government of India from whom they have borrowed large sums of money for carrying out these works for the reduction of the rate of interest at which they have lent the amount? On more than one occasion in this House, in connexion with the discussions on the Cauvery-Mettur Project, a suggestion was made to the Government that they should urge upon the Government of India this point of view. I request the Hon. the Law Member to take that hint in regard to the loan taken for the Pykara Hydro-Electric scheme also and urge on them the necessity for the reduction of their rate of interest. If the rate of interest is reduced, the Government can very easily pass that on to the consumer, by reducing the rate per unit which they are at present charging.

“Sir, encomiums have been showered on the Hon. the Law Member for the way in which the Pykara Hydro-Electric scheme has been expedited. I am one with other hon. Members in saying that the Hon. the Law Member and the Chief Engineer for Electricity ought to be congratulated for finishing the scheme within the estimated period; but I cannot congratulate the Hon. the Law Member for the scheme itself. For, it must be admitted on all hands that this scheme was inaugurated during the time of his predecessor, I mean, the Hon. Sir C. P. Ramaswami Ayyar, and therefore no great credit can be taken by the present Law Member for it. I should have however congratulated him if, during the years he has been in office, he had undertaken any one of the several other hydro-electric schemes, on the investigation of which the Government have been spending large sums of money

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from time to time. I find from the reports that the Government have conducted an investigation into the Periyar Hydro-Electric scheme. I also understand that they have spent a sum of about Rs. 14,000, besides the cost of extra establishment set up for the purpose. In spite of that expenditure that they have incurred, I doubt whether they have published any report as to what action they propose to take in the matter, or whether they have any idea at all of undertaking that scheme. There is another scheme called the Kolar scheme on the investigation of which also they have spent about Rs. 42,000; but what has become of that scheme, I do not know. Members of this House ought to be taken into confidence by the Government and should be provided with copies of reports submitted by the Special Officers appointed for investigating these schemes. There is a third scheme called the Cambar scheme for which also a special staff has been appointed by the Government. These are some of the important schemes which the Hon. the Law Member could very well have taken on hand and carried through during his time. It is really unfortunate that nothing has been done in this direction. I find from the Budget Estimates for the year 1934-35 that the Government propose to appoint an additional staff for the Electricity department; and for that purpose, a sum of Rs. 37,000 has been provided. But information is lacking as to what the nature of the additional staff is. Even from the papers circulated to the Members of the Finance Committee I am unable to understand the nature of the additional staff required. I wish the Hon. the Law Member would throw some light on this point.

“Hon. Members who preceded me have urged upon the Government the necessity for extending the supply of electricity to their respective districts. I should in my turn like to ask the Government whether they have any idea of supplying cheap electric power from the Pykara Hydro-Electric scheme or any other scheme, to the Madras City and the neighbouring district of Chingleput. I remember some years ago having read some reports of the Government in which it was stated that they would be in a position to supply electricity to the Madras City from the Pykara Hydro-Electric scheme. I wonder what has happened in the meanwhile to make it impossible. I wish the Hon. the Law Member would give us some idea on this occasion as to whether the Madras City can ever hope to get electricity at a cheaper cost than at present, from out of the energy generated at the Pykara works, or any other scheme.”

* Mr. M. A. MANIKKAVELU NAYAKAR:—“Mr. Deputy President, Sir, I believe that the area to be served by the Pykara Hydro-Electric scheme has been increased from time to time. Towns and districts which were not included in the original survey of the scheme have now been included in it; and I want to know whether the district of North Arcot and important towns in that district will ever get a supply from Pykara, under the latest survey. There is also a new scheme called the Periyar scheme in regard to which it is said that an exhaustive survey has been made and a line is proposed to be laid between Mettur

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and Madras. I want to know whether from any of these two schemes, it will be possible for the important towns in North Arcot to get their electric supply.

“With regard to the question of the Government granting licences to Electric Supply Corporations, I believe certain conditions are stipulated when granting licences; and one of those conditions I believe is with regard to the rate at which the energy is to be supplied to consumers, i.e., the maximum rate. I want to know what the maximum rate is and whether that rate will vary from Corporation to Corporation, or whether it is a flat maximum rate for all electric supply corporations. There is a Corporation in Vellore town which charges at the rate of annas 6½ per unit, while in Madras, as hon. Members are aware, the rate is annas 4. It was recently reduced from annas 5, owing to the cheapness of materials. I would therefore request the Government to examine whether the rate now charged in Vellore town is not very exorbitant and whether the Government cannot take any initiative in drawing the attention of the Electric Supply Corporation at Vellore to have the present rate reduced.”

Mr. K. KOTI REDDI:—“Mr. Deputy President, Sir, I am glad to see that the Pykara Hydro-Electric scheme is almost completed. When this scheme was about to be started, there was a good deal of discussion in this Council and outside as to whether the development of hydro-electric energy was to be in the hands of private people or of the Government; I was one of those—and I am yet of that view—who felt that development of hydro-electric schemes should not be left to private enterprise and that Government ought to take the entire responsibility for the development of hydro-electric energy. One of the reasons why I support that view is that the power out of which energy is developed is the property of the State and it is only proper that whatever profit that one may be able to make by utilization of the flow of water of great rivers ought to benefit the State and not a private concern. Moreover, Sir, we find that the sources of revenue of the State are not very fluid in this Presidency; the Land revenue is practically stationary and the Excise revenue is going down and ought to and probably other sources of revenue also will dwindle. The Government can make up the fall in revenue by taking up the development of electric energy which may prove remunerative. On these considerations, Sir, I thought that it was absolutely necessary that the Government alone should have the monopoly of developing hydro-electric energy. I am glad the view I held was accepted by the Government. But, I must say that the Government do not seem to follow any intelligible principle with regard to making the development of hydro-electric energy a remunerative concern. I do not know what the principle of the Government is in regard to the imposition of rates for the supply of energy to private people. Is it the clamour of the people? The Government ought not so lightly yield to the demand of people of various districts for lowering of the rates. What I say is that the Government should have some intelligible principle in the matter

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of imposing rates for the supply of energy. The sole test for the rate ought to be the test which a private man will impose, i.e., the utility of the electric energy for the consuming public, apart from the cost of production of the electric energy. Consideration should be given to the rate a particular consumer will be willing to pay which will ultimately depend on what it was worth while for him to pay. It is only then that this can become a source of revenue to the Government. I hope that the Government is following the principle and, if they are not following, I should like to know why they have not followed it.

“Coming to the needs of my district, I also clamour for a share of the energy to my district. My hon. Friend, Mr. Manikkavelu Nayakar, wanted the Government to supply energy either from Pykara scheme or the Periyar scheme to North Arcot district. North Arcot district being near to my district, I do not see why, if a supply is to be made to North Arcot district, it will not be possible to extend it to my district. My complaint against the Government is that they have not investigated into the possibility of development of hydro-electric energy in the Ceded districts. I once suggested the possibility of generating electricity on the Kistna river on the border of Guntur and Kurnool districts; and I do not know if any attention was paid to my suggestion. When I found that with a flow of not more than 20 feet, the amount of electricity generated in the Ganges Canal scheme is so much, my hopes were naturally raised that it is possible even in the Ceded districts to develop this source of energy in some rivers. I want to request the Hon. the Law Member to induce his Colleague, the Hon. the Revenue Member, to take up the Tungabadra project and other big schemes. Just as it was possible in the case of the Mettur project to generate electricity in addition to its being an irrigation scheme, the Tungabadra project also, if started, may be a source of irrigation as well as a source for the supply of electricity. Unhappily, I find that the attention of the Government in the development of electric energy is confined to water sources. Why should they not try other sources and supply electricity to the people, particularly to poor ryots for agricultural purposes. I fail to understand how a big scheme alone could benefit the citizen. Smaller schemes also ought to be considered and taken up. The utilization of electric energy by agriculturists will very much improve agriculture. In the matter of lifting water from wells, etc., it will save a lot of expense for the ryot. The Government should take up small schemes and try to supply electricity for cottage industry. The Government do not seem to have bestowed any attention on this matter and I hope they will bear this in mind and at least investigate the possibility of developing electric power from other sources of mechanical energy with a view to supply energy to cottage industries, for agricultural purposes and irrigation.

“The present is the opportune time for the taking up of schemes, big or small. The Government can get money at a very cheap rate of

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interest and if instead of depending upon the Government of India, they float a loan themselves, I am absolutely certain they can get it, say, at 2 or 2½ per cent. This is really the time for embarking on big schemes of a remunerative nature. The question of unemployment will be solved also to a certain extent. The Government are now paying very high salaries to officials and especially in departments which are of a commercial nature the pay at present obtaining should be so cut as to bring it into level with what a private owner would pay for them. If the pay is brought down to the level which a private man will usually pay, I am certain that the maintenance charges of many of these schemes will come very low and a number of schemes which the Government have abandoned or may abandon as unremunerative will prove to be remunerative. This is a direction in which I want the Government to investigate. Intelligent young men are prepared to accept jobs at a reasonably low rate of salaries. As such I do not know why the Government should continue to pay high rates of pay for their officers in a department like the Electricity department which ought to be worked on commercial lines.

“There is one other point on which I want to say a few words. It may not be entirely the concern of the Hon. the Law Member; but he is concerned in it. If development of electricity is really a remunerative concern, Government ought not to spend any money out of revenue balances. Some time ago it happened that money was actually spent out of current revenues. I personally do not for this purpose distinguish between actual revenue and revenue balances. What I say is these schemes should be started from borrowed capital and if they are really remunerative they should be able to pay interest from out of the income. There are other departments for which money from the revenue balances may be utilized; for instance, the Education department. Suppose under the Education department, a building is to be constructed; it is not a remunerative concern. Other departments need not be starved for the purpose of finding money for the remunerative schemes; and both could have money, the electric concern being started on borrowed capital and the buildings being constructed from the balances. I would request the Hon. the Law Member not to spend money from the revenue balances on capital expenditure on electricity; but to borrow money so that money out of the revenue balances could be spent for unremunerative but necessary purposes.

“Sir, I find from the report that in Bellary a whole cinema was about to be set on fire; and it has been attributed to the habit of smoking by the Chief Operator. I hope the Government will make a rule to the effect that smoking by those engaged in operating cinemas is prohibited.

“Before I close, I appeal to the Hon. Member to show, before he lays down his office, some sympathy for the Ceded districts by at least carrying out some investigations into the possibility of developing hydro-electric or other electric schemes in the Ceded districts.”

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Mr. DANIEL THOMAS:—"Mr. Deputy President, Sir, in our country there are two sets of people, those who go forward and those who go back. For instance, there are certain people in our country who want to go back to certain long past golden age, the land of self-contained village communities, the land free from the incubus of modern civilization in the shape of motor cars, railways, aeroplanes, steamers and so on; but history has a knack of going forward without regard to the views of individual persons and classes of people.

(At this stage, the Hon. the President occupied the Chair.) "Sir, India is fast becoming an industrial country and it is too late in the day to set back the hand of the clock and I am glad that Government have recognized the important part that the supply of electricity would play in the industrial expansion of the country and have initiated and brought to fruition the hydro-electric scheme at Pykara. But, Sir, if India is to take its proper place as an industrial country, it is not sufficient if schemes are started and worked only in particular areas. Throughout the length and breadth of the country electric supply must be made available for industrial and other concerns. Naturally in connexion with such schemes for industrial expansion by the supply of electrical energy, those places and those areas which have natural facilities for the development of hydro-electric schemes should come in for preferential treatment. There can be no question that in this respect Tinnevely is most advantageously situated and in Papanasam, for instance, we have a water-bath which can become, under proper guidance and development, a vast power-house for the whole of South India. Sir, this hydro-electric scheme in Papanasam has been, I believe, under the consideration of the Government for several years past, but Sir, the scheme is being considered and considered and it seems it is a case of longstanding consideration, but as yet nothing has emanated out of all this long and deep consideration of the Government of Madras. I do not know, Sir, what exactly stands in the way of starting this hydro-electric scheme. After all it is a scheme which will pay and it is a scheme which if initiated, developed and worked, is bound to pay its way. It has also been pointed out to the Government that in the vicinity of Papanasam itself, there is scope for the development of the paper industry. Sir, paper is now an absolute and essential requisite of modern civilization and any effort to develop and increase the supply of indigenous paper supply in our country is deserving of the careful and sympathetic consideration of the Government. Sir, I understand from responsible officials that Papanasam is very advantageously situated in this respect, that at least there is a class or variety of bamboo grown in and round the hills of Papanasam which produce very fine pulp and that if Government would carry on simultaneous schemes of hydro-electric supply and also a paper mill at Papanasam, both the schemes will be abundantly paying and would also be a great boon to the people of South India.

"Again, Sir, Tinnevely is a very large cotton growing district and in Papanasam itself you have a mill of Harvey's which is considered

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to be one of the largest spinning mills in the world; and besides Papanasam itself there are various mills in Kovilpatti and Tinnevely; and with proper and cheap supply of electric energy, cotton mills are likely to grow in other parts of the district also. I would therefore earnestly request the Government and the Law Member not to shelve the question, not to merely keep it on as a scheme for consideration and investigation—I believe investigation is over—and the time has perhaps come when I think that something tangible and practical should be done by the Hon. the Law Member in this matter of hydro-electric scheme in Tinnevely."

Diwan Bahadur S. ELLAPPA CHETTIYAR:—"Mr. President, Sir, I wish to say a few words on this cut motion with a view to discuss the desirability of reducing the cost of supply of electric energy from Pykara for domestic consumption. Sir, in an agricultural country like Madras, the bulk of electric energy available is consumed only for domestic purposes and not much for industrial purposes. And if it is the wish of Government that electric power should be consumed on a larger scale by the people, it is possible only by reducing the cost of supply for domestic consumption. It is open to Government to adopt thoroughly business like methods in their commercial undertakings, but they must at the same time realize that their undertakings are for the benefit of the people and not for merely making large profits. The rates obtaining in the neighbouring State of Mysore are sufficiently attractive and induce even the villagers to go in for electricity for their daily requirements.

"The conditions obtaining at Pykara are not less favourable than at Sivasamudram. What is wanted is heart and a desire to make electric energy easily available even for the ordinary man. I wish that Government examine this question at their early convenience and see that the rates are reduced."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, the great progress in electric schemes during the last few years is very creditable to this Province and the name of the Hon. the Law Member will be associated with the progress which has been made and we are all very thankful to him for the great interest he has displayed in pushing forward electric schemes. He has spoken very highly about the benefits of electricity and its usefulness in increasing the amenities of rural areas and I therefore took the opportunity last year of bringing to his notice certain schemes which I thought were desirable in South Kanara, but I am sorry to say that nothing has been done in that direction so far. Probably the difficulties are very great and I have no doubt he will tell us to-day what progress he has made in examining the schemes so far as they affect South Kanara and also Malabar. I would like to point out that in South Kanara there is electricity available only in one place and the cost per unit is very heavy. If the waterfall or rather the water-power that is available close to Mangalore, namely, the Hassamar valley, is utilized, the cost would be greatly reduced. There

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has been an examination of this scheme for the purpose mainly of finding out whether water from the Hassamar valley could be brought to Mangalore town where the water-supply question is very acute. There is a considerable amount of typhoid in the town and it is, I believe, daily increasing; and my hon. Friend, Mr. Langley, tells me that many of the officers of his firm who go to Mangalore suffer from dysentery, and this he attributes to defective water-supply in the town. I think there is a great deal of truth in that and I trust that early steps will be taken to remedy the state of affairs. I speak about it in this connexion because both the question of water-supply and electric power may be settled together by one and the same scheme. If a tank is built in the Hassamar valley, that water may be used for supplying water to the town and the water-fall might be made useful for the purpose of generating electricity and the cost per unit would be considerably reduced.

“There is also a similar place in Malabar where it is possible to get electricity. It is somewhere in the Western Ghats. My hon. Friend, Mr. Thangal, asked some questions about it also the other day. If that scheme is taken up, it will be possible to supply water not only for improving water-supply in Malabar, but it may also be utilized for the purpose of generating electricity thereby reducing the cost per unit of electricity supplied at Calicut, where it is heavy and has been the subject of complaint. (Mr. W. K. M. Langley: ‘Very heavy.’) I correct my word. The cost is not merely heavy, but very heavy. It is not sufficient if electricity is supplied only to some important towns, but attempts should be made to supply electric power to all the districts and to all rural areas. I have no doubt that in view of the interest which the Hon. the Law Member has displayed in the matter, he will make an earnest attempt and I daresay he has already made an earnest attempt to solve this problem. Now that he is giving up the reins of his office shortly to our great regret, we take the opportunity under every Demand to make a few more requests so that the grant of these requests may be coupled with his regime. I therefore request the Hon. the Law Member who has no doubt the interest of his own district at heart—but he has been impartial and has made every attempt to satisfy other districts—to consider the claims of Malabar and South Kanara and see whether the schemes which have been put forward for the supply of electricity in those two districts are properly examined; and we will all be very glad if something is done for the benefit of these two districts.”

* Mr. M. DEVADASAN:—“Mr. President, Sir, my hon. Friend, Mr. Daniel Thomas, has so ably dealt with the question and pointed out the necessity for introducing the hydro-electric scheme at Papanasam, that it is needless for me to say anything in detail. Sir, this question has been under the consideration of the Government for very many years and when the Hon. the Law Member visited Tinnevely and representations were made to him—of course he may not remember it now—at the time when he received an address from the Municipal Council of

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Tinnevely his attention was drawn to the desirability of the scheme being considered and pushed through, but it has been neglected. Though it is needless for me to say anything at present, yet I think it is my duty to say something about the scheme. So far as the people of Tinnevely are concerned, they have got a great grievance against the Government inasmuch as this question has not been tackled till now. It is said ‘out of sight, is out of mind’ and this is particularly applicable to the relation of Government with Tinnevely, for Tinnevely being far away from the headquarters, it has not been cared for. Probably if the people of Tinnevely are able to urge upon the Government the necessity of introducing this scheme in season and out of season, Government would be willing to introduce it. Sir, Papanasam has got great potentialities and, if the scheme is completed it is sure to be of great benefit. I find from the report that the power is supplied from Pykara even to places in Cochin, which is close to Malabar, not far away from the birth-place of the Hon. the Law Member. Though Tinnevely, Madura and other places are very near they have no chance of getting electricity. Even now schemes for the three municipal towns in Tinnevely are almost completed and the line will be opened very soon in these municipalities and if the Papanasam scheme is introduced, then not only the municipal towns of Palamcottah, Tinnevely and Tuticorin, but also several other villages might take advantage of the scheme; and the municipal towns might borrow power from the scheme as Trichinopoly-Srirangam Municipality Electric Supply Company are doing now.

“I will have to point out to the Government that Tinnevely has received a treatment which can be characterized as step-motherly treatment. Government have been careful enough to investigate so many schemes. Mr. Koti Reddi referred to the Pykara scheme, the Mettur Electric scheme and a number of other schemes that are under investigation of the Government. So far as Tinnevely is concerned, they have not cared to investigate the possibility of any scheme. In his statement made year before last the Hon. the Law Member said that the financial conditions did not permit the investigation of the hydro-electric scheme at Papanasam. Even now he might say that finances do not permit the Government to investigate it. Before the Hon. the Law Member lays down his office, I request him to call for a report and investigate it.”

“Before concluding I may say one word. Mr. Arasu said that the Hon. the Law Member did not deserve any congratulation on the hydro-electric scheme. He said further that it was Sir C. P. Ramaswami Ayyar that deserved the congratulation. I should say that if Sir C. P. Ramaswami Ayyar deserved the congratulation for initiation of the scheme then Sir M. Krishnan Nayar deserves congratulation for completion of the scheme. The representatives of other districts also complain that their districts have not been well attended to in this matter. I hope the scheme will be considered in full and the necessary attention will be paid to the neglected districts.”

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* Mr. G. LAKSHMANA REDDI:—"Mr. President, Sir, I would request the Hon. the Law Member to investigate the possibility of introducing electricity in the district of Anantapur from the neighbouring State of Mysore. There is a large quantity of electricity available in Mysore. The Hindupur Municipality is now having electricity out of plant purchased by it. But the municipality is now of opinion that if they get electricity from the Mysore State it will be cheap. Places like Doddballapur very near Hindupur are getting electricity from the Mysore State. I think Government should negotiate with the Mysore State and see whether they can get electricity cheaper not only for Hindupur but also to Anantapur and other big places in the district. It is quite possible to have electricity cheaper if it can be got from Sivasamudram in the Mysore State. I would suggest the Government would make an early move in the matter."

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, my friends from Coimbatore, Mr. Ramalinga Chettiyar who moved this cut motion and Mr. Ratnasabhapat Mudaliyar, referred to several aspects of the supply of electric energy. I may say, Sir, that my friends coming from Coimbatore know more about the use of the electric current than probably members coming from other districts. In the first place they are very near the source of supply, viz., Pykara, and so far as the use of the current is concerned, the people in the Coimbatore district use electric current generated at Pykara to a very much larger extent than the people in the other parts of the Presidency. And naturally they are well acquainted with the details relating to the rates and other matters about the current. My friends stated that the supply of electric energy is a source of profit to the Government. They are right. My friend, Mr. Ramalinga Chettiyar, referred to his statement of last year, that the rate charged by Government for agricultural purposes should be reduced and he stated that he did not know whether effect was given by the Government to his recommendation made last year. Mr. Ratnasabhapat Mudaliyar has answered my friend, Mr. Ramalinga Chettiyar, when he stated that the rates had been reduced; only my friend, Mr. Ratnasabhapat Mudaliyar, is not content with the reduction which Government have already made, and he wants Government to reduce the rates still further. I may tell my friend that since 1931 the Chief Engineer for Electricity has gone into the rates that may be charged three times. Government do not want exorbitant profits, but at the same time they want a reasonable rate of interest on the tax-payers' money which they have invested on these projects to the extent of a crore and twenty lakhs. The original estimate was for one crore and thirty and odd lakhs. Consistent with that desire, Government are willing to reduce the rates as far as possible and I shall remember my friend's suggestion that the rates should be still further reduced."

"Then I shall come, before I go to other facts, to what has taken place in Calicut. My friend, Mr. Pocker, my friend, Mr. Raman Menon, and some other friends have referred to it. Of all those

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gentlemen who spoke on this cut motion, Mr. Raman Menon alone comes from Calicut. My friend, Mr. Pocker, though he belongs to the district of Malabar, is a permanent resident of Madras. Mr. Raman Menon has stated that the municipality has mishandled the situation. 'Mishandled' is his word. My friend is perfectly right when he says that, and the municipality has more than mishandled it. The facts are these. Originally, licence for generating and distributing electric current to the town of Calicut was granted to Mr. K. C. Menon. That was in 1927. One of the provisions in that licence states that the municipality is at liberty to purchase the licensee's right after the expiry of fifty years after the grant of that licence, that is, after the expiry of 50 years from 1927. It may be noted that the municipality which knew about the grant of this licence did not raise any protest against or objection to this period of 50 years which was fixed in the original licence. Then, after this licence was granted on the usual conditions that find a place in the electric licences, Mr. K. C. Menon borrowed two lakhs from a bank known as the Chalapuram Bank. The Government was therefore satisfied that he was in a position to carry on the work and as a matter of fact, within the stipulated time, he completed the compulsory works, and before the expiry of the time fixed for it, he began to distribute energy to the people of Calicut. Subsequently, complaints reached Government repeatedly. It was stated that he was not in a position to discharge his financial obligations and it was also stated that the supply of energy within the Calicut Municipality was not efficient. When the Government received these complaints, Government naturally made enquiries. The Government were satisfied that everything was not in a satisfactory condition, and the Government sent repeated instructions and orders to the licensee to the effect that, if he did not attend to these things, the licence would be cancelled. Mr. Pocker referred lightheartedly to the revocation of the licence granted to Mr. Menon. In fact, revocation is not an easy matter. It is attended by all sorts of difficulties, and, so far as I can remember, there is not a single instance—I speak subject to correction—of this Government having revoked a licence once granted. Mr. Mears, a recognized authority on the question of electricity, says in his standard book that revocation should be resorted to only with extreme caution. What will be the consequence if this licence that was granted to Mr. K. C. Menon be revoked? There are the interests of the small consumers of electricity who use it for fans and lamps. There is the interest of the bigger consumers like factories and ultimately there is the interest of the people who have invested money on this concern. As I have already submitted, Mr. K. C. Menon originally borrowed a sum of 2 lakhs from the Chalapuram Bank which came subsequently into difficulties and there are many persons, orphans and widows, who have invested money in the Chalapuram Bank, whose money has been utilized for this purpose. The Government naturally took into consideration the anxiety of all these persons and ultimately sent a notice in December 1933 to Mr. Menon asking him to show cause before the 5th of January why the revocation of licence should not be

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made. With reference to the claim of the municipality, I may state this. Apart from the expiry of 50 years to which I referred at the commencement, the only way in which the municipality can acquire this concern is by means of private negotiations with and purchase from the licensee, Mr. Menon, and if by means of private negotiations the municipality and Mr. Menon come to an arrangement, the Government would sanction it. But Government have no right whatever to compel Mr. Menon to assign his right to any person, whether it is municipality or any other person. Once the licence is revoked by Government, the municipality has the first of refusal and not before. But as I submitted, revocation or cancellation of licence is not a thing that could be done lightheartedly. The interests of many persons have to be taken into consideration and in addition there are other important circumstances. What does the revocation of a licence mean? It means that as soon as the licence is revoked, supply of current comes to a standstill. The licensee is prohibited after revocation from supplying electricity, whether for the purpose of manufacture or lighting. The whole thing comes to a standstill. There must be persons who are competent financially, to carry on this undertaking and in addition to that, technically qualified to work it. It is only when there are persons who satisfy these two conditions and who are ready to take up the work the Government will be justified in cancelling a licence. And what is the position here? One of the Collectors in Malabar said that if the licence was revoked and the same was granted to the municipality, it would mismanage it. The Government went into all these circumstances and gave notice to the licensee to show cause why his licence should not be revoked before the 5th of January this year. The licensee, Mr. K. C. Menon, and the Calicut Supply Corporation then together applied to the Government, stating that they had come to an arrangement and that Mr. Menon would sell the concern to the Corporation and asking Government to give their consent to the transfer. On receipt of this application, the Government went into all the facts carefully and they found that the Calicut Supply Corporation consisted of persons who were financially capable of finding the necessary amount and who also possessed the required technical knowledge to carry on the work. (A voice: 'Why not give an opportunity to the municipality?') That is the mistake the municipality is making. The municipality has no right to dictate to the Government either to revoke a licence or not to grant it to a particular person. This municipality, after the assignment was made, passed resolutions which the Government call intemperately worded, but which the Collector called impertinently worded. As I was saying, before agreeing to this assignment, the Government made themselves sure of the financial and technical qualifications of the Corporation. The Government also found from a report that in addition to the purchase money a sum of Rs. 75,000 to Rs. 1,00,000 was necessary for carrying on this work. Immediately after the assignment, it was reported to Government that one of the engines ceased to work, with the result that my hon. Friend complained that the town was not getting energy. The present position is

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that, when the engine broke down, the Corporation sent a competent engineer to Calicut to make repairs, and made arrangements for distribution of energy to certain portions of the town. It is now understood that the repairs to the main plant have been completed and that the regular supply has commenced on the 17th instant. Probably my hon. Friends, Messrs. Raman Menon and Pocker, are not in possession of this information. The Government have asked the Corporation to make a complete and detailed report on the point."

Mr. W. K. M. LANGLEY:—"May I say that, when I was in my office in Calicut on the 17th morning, there was no current available?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Probably my hon. Friend left Calicut before noon and the supply was made available in the evening after he left Calicut. I must also mention here that, before the Government sanctioned the transfer to this Corporation, they consulted their Chief Engineer for Electricity, and they stipulated that the Corporation should carry out the necessary works before 15th April 1934 and that extensions and improvements to the generating plant and the distributing system should be made to the satisfaction of the Chief Engineer for Electricity and that this body should be prepared to invest such amount over and above the purchase price as the Chief Engineer might consider necessary. It was further laid down that before 15th April 1934 the company should liquidate all the debts incurred by the licensee in respect of the undertaking in a thoroughly satisfactory manner and that the authorized capital of the company should not exceed 5 lakhs without the approval of the Government."

"With regard to the rate charged per unit, it was suggested that it should be reduced. The company has undertaken to do so."

B. POCKER SAHIB Bahadur:—"What will be the rate?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The maximum has been fixed in the licence and, as the hon. Member himself stated, the present rate, I believe, is 8 annas per unit. The company is likely to reduce it."

"Then I was asked to say when the power from Pykara will reach Calicut. I may say for the information of the House that the idea of the Government is to take it to Calicut in 1936-37. Any person who is in possession of the plants generating electricity now, whether it be the Corporation which has purchased the licence or whether it be the municipality, will have to scrap them and take energy in bulk from the Government source after 1936-37. There is this aspect also to be taken into consideration. All that the Government had to do in this matter was to give their sanction to this assignment under section 9 (2) of the Electricity Act. These, in brief, are the circumstances under which the Government gave their sanction to the purchase of this right by this company from Mr. K. C. Menon, the original licensee."

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Mr. K. P. RAMAN MENON:—" May I ask one question? Did not the Government refuse to grant the licence to the assignee? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Here there is no question of issuing a new licence at all. (A voice: 'There is the law on the subject.') Yes, the law is there and cannot be altered by any one of us.

" Then, I think Mr. Pocker referred to public opinion in Calicut being in favour of the municipality. I do not know what he means by public opinion. As a matter of fact, if the reports in the newspapers are considered to reflect public opinion, I may say that the majority of the newspapers of the place, whether English or Malayalam, are generally against the municipality and against the attitude of non-co-operation adopted by it. That probably was what was meant by Mr. Raman Menon when he said that the municipality mishandled the question. (B. Pocker Sahib Bahadur: 'Is the public opinion, then, in favour of Mr. K. C. Menon?') It is not in favour of the municipality. They have condemned the action of the municipality. Nobody is in favour of Mr. K. C. Menon. The Government also are not in favour of Mr. K. C. Menon.

" One of my hon. Friends here stated that Government do not utilize the current in their own buildings. I may say that provision has been made in the next year's budget for lighting and fans in buildings owned by Government."

Mr. V. M. RAMASWAMI MUDALIYAR:—" All over the Presidency? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Only in Coimbatore.

" Then I think that my hon. Friends from Salem referred to the rates charged for electric supply in Salem town. It must be remembered that this licence was given at a time when the supply from Pykara was not available. But the rates were fixed with reference to the rates that would be levied for current from Pykara. Subsequently, after the completion of the Pykara scheme, the rates leviable for Pykara current were revised and it is now found that the Government rates are lower than the rates charged by the licensee for Erode and Salem. So far as Salem is concerned, as a result of the interpellations by Mr. Nachiyappa Gounder, the Government are considering whether legally they have the power of reducing the rates at Salem consistently with reasonable profits for the licensee company.

" My hon. Friend, Mr. Muniswami Pillai, referred to the possible breakdown in the Pykara system. I may tell my hon. Friend in particular, and the House in general, that the Government have taken all precautions against the possibility of a breakdown. In the first place, at the Pykara generating station there is an extra plant which is kept

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as a stand-by. The important transmission lines contain duplicate lines. So that, if one line fails, the other line can be worked. In addition to that, there are breakdown gang coolies who patrol the line always with lorries, so that their services will be available at any time and in any place when and where there is a breakdown. (Diwan Bahadur C. S. Ratnasabhapat Mudaliyar: 'The lines are on the same tower.') Of course, if the tower itself goes, there is no help for it. But I may tell my hon. Friend that Mysore which introduced electricity before we thought of it has no better arrangement. Then, in the Punjab which possesses a large electric system, they too have no better arrangement. As a matter of fact, the arrangement that we have is similar to that in other parts of the world. In any case, our Chief Engineer has given detailed instructions to his subordinates in regard to these matters. I must now say that he is one of the cleverest experts in electricity in the whole world.

" Mr. President, I shall try to be brief. Mr. Koti Reddi and some others referred to various possible hydro-electric schemes. I may tell Mr. Koti Reddi that in respect of rivers in many districts in the Presidency such as Ganjam, Vizagapatam, Tinnevely, Madura and so on, investigations have been made. All these are not suited for generating power. We have now completed the Pykara and are thinking of introducing the Mettur scheme. The details of this scheme are under preparation by the Chief Engineer, and the idea of the Government is, if finances permit, after the completion of the Mettur Project, to take up the Periyar scheme and complete that also. So far as the Papanasam scheme is concerned, I think that Messrs. Daniel Thomas, Devadasan and some others referred to it and said that the Government have been considering this matter so long that one is at a loss to know when this consideration would be over. As a matter of fact, the consideration of this scheme was over long ago; the scheme will cost about 1 crore and 30 lakhs and there is no possibility of generating electricity on a commercial scale unless there are some industrialists who will be prepared to take the bulk of the power generated there. In fact, four or five years ago a company called Walker & Co. had some idea of starting mills there for the manufacture of paper, and proposed to take the bulk of the power generated there. But while negotiations were going on between them and the Government, the company went into liquidation. So I may say to my friends that Government are not considering this scheme now.

" Sir, I think my time is up and I shall finish in a few minutes. (Mr. V. T. Arasu: 'We want some details about Mettur.') Government are awaiting the detailed report of the Chief Engineer, who is now actually engaged in that work. Mr. Manikkavelu Nayakar wanted the towns in the North Arcot district to be supplied with electric power. I may tell him that until the Mettur and Periyar schemes are completed, the Pykara power will not be available in the North Arcot district.

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“For want of time, I am sorry that I am unable to reply to the other criticisms. But I may say this: those suggestions will be borne in mind by Government, and as far as possible, effect will be given to them.”

The cut motion was, by leave, withdrawn.

The Demand was put and carried, and the Grant was made.

DEMAND XVII—EDUCATION—TRANSFERRED.

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“Mr. President, Sir, on the recommendation of His Excellency the Governor I beg to move—

‘that Government be granted a sum not exceeding Rupees 1,80,42,500 under Demand XVII—Education—Transferred.’”

Mr. P. V. KRISHNAYYA CHOUDARI:—“Mr. President, Sir, I move that cut motion 714 be taken up instead of cut motion 707, because both of them are to be moved by Mr. Sreshta. Further under the former the general policy of Government with regard to Education may be discussed, so that every hon. Member may get an opportunity to speak. Last year also we took for the subject of Connemara Library alone about one and a half hours or so. And so if we are to discuss it separately now also, I am afraid several Members may not get an opportunity to speak at all.”

Mr. K. P. RAMAN MENON:—“Sir, it is desirable that the general policy is discussed, and that time is not frittered away with reference to small subjects, which are really not very important.”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“I wish to bring to your notice, Sir, that even last year the cut motions were arranged in a similar order, and Mr. Sreshta was allowed to move his cut motion, and it was finished in a few minutes.”

* The Hon. the PRESIDENT:—“Even now he can be allowed to move his motion. But I wish to know whether Government have any objection to the motion of Mr. Krishnayya Choudari.”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“Not that I object, Sir, but I put it only as a suggestion.”

Mr. Krishnayya Choudari's proposal was agreed to and cut motion No. 714 was taken up.

* Mr. M. S. SRESHTA:—“Mr. President, Sir, I beg to move—

‘to reduce the allotment of Rs. 30,000 for Grants to Universities—Madras University—by Rs. 100’

to discuss the education policy of the Government. The Education Department, it must be admitted, has done excellent work. (Voices from both sides of the House: ‘Hear, hear.’) And if there are still any drawbacks I do not think it can be placed at the door of any official or Minister. I wish to say this straightaway, because I do not wish that any remarks that I am going to make should be misunderstood.

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So far as education expenditure is concerned, it has been increasing every year, and there is a feeling in the country that the advantages to the country have not increased proportionately to the expenditure spent under this head. I shall first deal with higher education. There is no doubt that the amount now spent on higher education, especially on Arts, is disproportionate to the needs of the country. It has been said that the percentage of persons who go from lower education to higher education is larger in India than elsewhere. This state of things gives rise to a large amount of educated unemployment. There are various remedies suggested to meet this evil, and I wish to address myself to one such remedy, and it is this. Higher education should no longer be considered a passport for employment in Government service. I suggest that competitive examination, specially designed for the purpose should be held for admission into various services, so that persons at an early date may decide as to what course they should choose. If that is done young men wanting to enter Government service will stop with a certain examination and the parents will be saved considerable expenditure, as then they can resist the desire for higher education. This matter requires serious consideration, and the Hon. Education Minister will place us in a deep debt of gratitude, if he tackles this question of higher education not being regarded as a passport for service, but as a preliminary step for research and culture.

“Then, Sir, I come to the question of elementary education. This question has been agitating the public very much recently. We want that elementary education should be made compulsory, and that it should be made as extensive as possible. With this object in view, Government have been taking various steps, and the report of Mr. Champion is a great step in this direction. It is certainly a great step forward, and the report is a valuable one which requires very careful consideration to be appreciated. At the same time that report has not received the fullest possible attention of the various sections of the public who are affected by that scheme. The report was made more or less an official document, and it was forwarded to the various local bodies for their scrutiny and remarks; but the public at large were, till quite recently, ignorant of what was taking place. I should like to know how many Members of this Council have read this report. I believe there was a run for the Champion Report quite recently, when the Government scheme was published in the papers. Until then, I believe, no Member of the Council took any interest in that report. At least that is the experience of myself and several others. When the taluk boards and the local bodies took no action on the report, Government were alarmed, and thought that that scheme would never materialize, and so they issued orders to District Educational Officers to take up that matter themselves and make reports in accordance with the Champion scheme, as modified by Government. These orders were published in the papers, and it was noticed that in certain respects the Government scheme was not so favourable as the Champion scheme to several sections. Immediately these sections took alarm, and there is any

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amount of discontent among the people, and I believe, the Government scheme is by no means welcomed in the country. The Muslims consider the scheme unfavourable to their interests. The Depressed Classes feel the same thing. Both these communities were treated, I believe, favourably by the Champion Report, for it recommended the setting up of separate sections for these people in the central schools; but Government are not for it. So far as the Catholic community is concerned, which I have the honour to represent in this House along with my friend, Mr. Pannirselvam (Rao Bahadur A. T. Pannirselvam: 'Then who represents the Protestant community here?')—I represent both the communities here—I want to point out that this community is very much opposed to the Government scheme, as it stands now. It may be that many modifications may take place before it becomes acceptable to the Catholic community. But at the present moment there is a feeling that the scheme is not favourable to the Catholic community. (Mr. K. P. Raman Menon: 'Please explain how.') My friend, Mr. Raman Menon, asks me to explain. That shows that he has not read the scheme. (Laughter.) For had he read it, he would not have put that question."

At this stage, the House adjourned for lunch.

After Lunch (2-30 p.m.)

* Mr. M. S. SRESHTA:—"Mr. President, as I have said, neither the Champion scheme nor the instructions based upon it which were issued about two or three years ago were read by all the members of the public carefully. But when instructions were published in the papers by the Director of Public Instruction in September or November for the first time the various interests affected studied the questions involved carefully. The documents are very lengthy and cover a large ground. I do not think that those who have read the documents are fully acquainted with the system which is proposed to be introduced. In any case the scheme proposed vests a lot of power in the hands of officials. It is for the officials to decide which aided schools should be included in the scheme and which not and whether or not a school is sufficiently well managed to be deserving of such inclusion. We are not sure whether this power will be properly exercised. There is a considerable amount of feeling that some of the subordinate educational officers may not be quite honest in their action and that many of the managers of the aided schools will fare badly under the new scheme. The scheme proposed is adverse in many ways. First of all I shall put forward the Catholic point of view. The new scheme proposed is opposed to the Catholic point of view in regard both to separate schools and co-education. The Catholic point of view not only in this country but all over the world is that there should be separate schools for Catholics and that Catholic boys should be educated only in a Catholic atmosphere. Whether this is right is not quite relevant, because it is almost part of our faith that we should send our children to Catholic schools, so that they may be educated in a Catholic religious atmosphere."

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It is, therefore, in consonance with the principles of administration that we should be allowed to practise our faith as we think right. Unless we do anything which is against law or morals, I think we should be allowed not only to believe in any faith we choose but to practise it. Therefore I think that if the Catholic community, just like the Muslim community, wants all their children to be educated in the atmosphere of their own religion, this claim ought to be conceded. It will be noticed that almost in every country in the world this principle has been adhered to by Catholics, despite persecution and despite even the fact that full grants are not given to their schools. In England the Catholic children do not go to provided schools but to non-provided schools although they get a smaller grant. This is what the Year Book of Education published in 1932 says:—

"The attitude of the Roman Church to the whole question of religious instruction is well known and need not be enlarged on here. In one word its policy is to provide its own schools for all its children and it can contemplate no "concordat" which would conflict with this policy."

Mr. K. P. RAMAN MENON:—"Does it refer to University education?"

Mr. M. S. SRESHTA:—"It is with regard to elementary education."

"Sir, therefore it will be seen that it is in accordance with the principles of our religion that we require education to be imparted in a religious atmosphere. As I said, it is not for others to question whether we are right or not, because it is an article of our faith. Further, that point has been examined by me in all the previous Budget speeches, and I cannot add to the arguments which I have already adduced and which the Hon. Minister is well aware of. The feeling was so strong that the hon. Member, Dr. Subbarayan, was convinced, when he was the Minister for Education, that some alteration of the rules was necessary and he was responsible for the Government Order of 1929 which provided that in the case of Catholics, whenever they wanted separate schools, they should be allowed to have them if there were a sufficient number of pupils and there was scope for the school, in addition to an existing one, in the locality. The new scheme implies that no new school should be established unless it is situated far off from an existing school. Under the new rule the principle of Dr. Subbarayan is abrogated. According to the new scheme central schools are to be at a distance of two miles from each other and the junior schools at a distance of three-quarter or one mile from each other. The result will be that what we secured as a result of agitation, viz., the Government Order of 1929, will now be cancelled. We shall moreover be entirely in the hands of officials who will have to decide whether any school should come into existence or not. It is this that makes us fear that we will fare worse under the new scheme. No doubt the new scheme is intended to achieve economy and efficiency. To a great extent the Government may achieve economy because I believe there are a large number of schools which do not deserve to be maintained and they will not be given any aid hereafter. But, on the whole, aided schools

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maintained by the Catholics are efficient and they are described as such in the report of the Director of Public Instruction. In South Kanara it has been found that Catholic schools are in good condition. Many of the schools which are recommended for being converted into central schools are mission schools. That is a situation which may not occur in other districts. This circumstance may be due to various causes. It may be due to the fact that the District Educational Officer and his subordinates in this district are more sympathetic; but we cannot expect the same thing in all districts. Many Christians of other districts are not for the new scheme as many of their schools will have to be given up. The Christian communities are scattered in small villages and their number will be very small. So it will not be possible to have a school in each village because there will be not 30 in each standard. According to the new scheme there ought to be 30 at least in each standard. What is to happen if there are not 30? These schools will have to be discontinued. What is to happen if there are only say about 15 in each of the fourth and fifth standards and a large number in the lower standards? Various changes may be made in the new scheme. For instance, if a rule is made that it does not matter if the number in each standard is less than 30, then it will go a great way to help the Christians. There are various other amendments which will help them and make them feel that they will not suffer under the new scheme.

"I was so far speaking with reference to the Catholic point of view. But I believe the Protestant point of view is very much the same. I am sure Mr. Appadurai Pillai when he speaks on this question will be able to give some indication with regard to his attitude towards it. But all the same I think they look upon this question from the same standpoint as we do. I hope there are several hon. Members who will probably express similar views. In a matter like this, we, Christians, cannot adopt an attitude which is quite against our faith. But I look at the question from a different standpoint also and ask this House to consider whether the whole of the Province may not suffer on account of this scheme as it stands. There is a very strong agitation against the implications of this scheme by the several sections of the Christian community and I think the Hon. Minister has received several representations. One of the representations has urged him to see how far he can meet the wishes of the sections which are not quite satisfied with the present situation. I quite agree that the Champion scheme endeavours to consider the claims of aided schools: It says:—

'Consolidation, so far as well-conducted aided schools are concerned must be with the full and free agreement of the management: and where that agreement is not forthcoming the aided school must be allowed to preserve its identity and to continue as a separate institution.'

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P.M.

"But who is to decide that the schools are well managed? Who is to say that there is agreement? All these are questions which seem to be very simple but in the actual working there is much difficulty. We know that the working of rules is an extremely difficult matter. Much abuse creeps in when a system is being worked. It is for this reason

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that we should make sure of everything before we consent to accept a new scheme.

"Another point, with regard to freedom of action. Suppose we do not go into the scheme, what is to happen? Are we to be penalised? Somewhere in the report there is a statement to the effect that new schools which are to be established should be established in such a way as not to interfere with the existing schools. For instance, supposing Christians of any village have obtained necessary funds for putting up a building and they want to start a school, their request may be met by the objection that already there is a central school in the neighbourhood. This is one of the difficulties which we want to clear up. Therefore I think the case is strong for the appointment of a committee to go into the whole question and to see how far the various sections of the people are affected. I believe the Muslim community also has got difficulties in accepting the scheme; the Depressed Classes members also have got difficulties. Personally I know of a particular taluk board president who considers that the scheme is not acceptable. What I find is if one community has the best school in any area, other communities are dissatisfied, because all their children will have to go to the school maintained by that community.

◆ Another point I wish to mention relates to the central schools. If a central school is to be established, how is religious education to be imparted? Suppose our school is made the central school, are we to be allowed to impart religious education, are we to have our prayers and are we to have religious classes? Hindu schools and Muslim schools would want to have similar religious teaching classes and prayers in their central schools. If Christian boys have to go to these schools, their parents would object. Similarly non-Christians may object to go to Christian central schools. Then there will be deadlock. All these matters must be carefully considered having regard to the conditions in this Presidency. I do not know whether it is not desirable to have separate schools without taking away any of the existing vested rights. But in all these matters further examination is necessary; I therefore request that a committee might be appointed in which every vested interest will be represented, to go into the whole question, to examine all the schemes which have been put forward, to see whether the schemes work any hardship and whether any modifications in the schemes may be accepted.

"I would also suggest that all schemes which have come to the office of the Director of Public Instruction may be printed. Now I find a few copies are made and sent to a few bodies. That is not sufficient. With regard to South Kanara, with great difficulty I was able to find what the scheme was. Therefore there is the necessity to print a scheme as soon as it comes to the Director's office, so that everybody who wants to study the question may be able to do so. I think it is desirable that a committee including representatives of all the interests affected should be appointed to go into the whole question carefully. It may be a

[Swami A. S. Sahajanandam] [21st March 1934]

முதலாளிகளின் மக்களும் தொழிலாளிகளின் மக்களும் கலந்து படிப்பதற்குப் பலவிதமான யலமான இடையூறுகளும். அதனால் தாழ்த்தப்பட்டவர்களின் கல்வியறிவுக்குத் தீக்கொடுக்கும். ஆதலால் சாம்பியன் திட்டம் அமுலுக்கு வரக்கூடாது; வந்தால் அது தாழ்த்தப்பட்டவர்களைப் பொறுத்தமட்டில் விலக்கித் தாழ்த்தப்பட்டவர்களுக்கு ஏற்கனவே இருந்தது போலிருக்கவேண்டும்.

“கல்வி இலாகாவின் தலைவர் ஆபீஸ் கல்வியை அபிவிருத்திக்காகப் பாடுபடவில்லை. ஆனால் எந்தெந்த வகையில் கல்வியை அபிவிருத்திக்காகச் செய்யுமா? சர்க்காருக்குப் பணம் திருப்பக்கூடுமோ அந்த வேலையைத்தான் அது செய்து வருகிறது. ஆகவே அது சிக்கனம் செய்யும் ஆபீஸ் என்றே கூறிவண்டும். மேலும் டைரெக்டர் ஆபீஸுக்கு ஒரு பேர் போனால் அது விளைவில் முடிவடைவதில்லை. ஒரு வருஷம் கழிந்தாலும் அது அப்படியேதானிருக்கும். உதாரணமாக சென்ற வருஷம் சிதம்பரம் நத்தூர் போர்டுக்கு ஒரு பையனுக்கு மாதம் ஒரு ரூபாய் வீதம் கிரான்ட் கொடுத்தார்கள். அதுவிஷயமாக இக்கனத்தங்கிய சபையில் கேள்விகேட்டும் கடிதங்களெழுதியும் இன்றைய வரைக்கும் பூர்த்தியாகவில்லை.

“தாழ்த்தப்பட்டவர்களுக்கு மற்றைய இலாகாவில் போதுமான கல்வி அளிக்கப்படவில்லை யென்பதுரைந்தே சர்க்கார் தொழிற்கமிஷனர் இலாகாவை ஏற்படுத்தி அதன் மூலம் பல பாடசாலைகள் வைத்து நடத்தினார்கள். ஆனால் சென்ற இரண்டு ஆண்டுகளாக சுமார் ஐந்தாறு பாடசாலைகளை மூடிவிட்டார்கள். தொழிற்கமிஷனர் இலாகா மூலமும் கல்வியை அபிவிருத்தி செய்ய சர்க்கார் இன்னும் முயலவில்லை. தொழிற்கமிஷனரிடமிருந்து திறமாக நடந்துவந்த பாடசாலைகளில் சில ஜில்லாக்களில் தாலுக்கா போர்டாரிடம் ஒப்பிவிட்டுவிட்டார்கள். தற்போது அவைகள் சரியாக கவனிப்பாரின்மையின் அழியுந்துவாயி லுள்ளன.

“தாழ்த்தப்பட்டவர்கள் சொந்த முயற்சியால் ஆங்காங்கு சில பாடசாலைகள் வைத்து நடத்தி வந்தால் அவர்களுக்கு எந்தெந்த வகையில் முட்டுக்கட்டை போடவேண்டுமோ அவ்வளவும் செய்துவருகிறார்கள். சிதம்பரம் நத்தூர் ஸ்கூல் மிகவும் கஷ்டப்பட்டுத் தலை யெடுத்துவருகிறது. அதற்குப்போது மானபடி கல்வி இலாகாவில் உதவி கிடைக்கவில்லை. ஸ்கூல் கிரான்டும் போதுமானதாயில்லை. போர்டுக் கிரான்டும் போதுமானதாயில்லை. இதுவிஷயமாக இங்குள்ள எல்லா கனம்சங்கிய பிரதிநிதிகள் 10 பேர்களும் கையெழுத்திட்டு சர்க்காருக்கு மீட்டொரான்டம் அனுப்பினோம். அதுவிஷயமாக யாதொரு முடிவும் இதுவரைக்கும் சர்க்கார் செய்யவில்லை. ஏதேனும் பணம் கேட்டால் அதாவது சொற்ப பணம் கேட்டாலும் கொடுக்க மனம் வருவதில்லை. ஆனால் சர்க்கார் சம்மந்தமான ஒட்டுக்கள் வரும்போது கனம் பொக்கிஷமெம்பர் கனம் ஹோம் மெம்பர் முதலானவர்கள், கனம் இமையும் கொட்டாமல் எங்கனியை பார்க்கிறார்கள். நாங்கள் அவர்களுக்கு தாட்சனயத்துக்காகவே ஒட்டுச்செய்கிறோம். ஆனால் நாங்கள் ஏதேனும் கேட்டால் சர்க்கார் ஒன்றும் செய்யமாட்டேன் என்கிறார்கள். இதனால் தாழ்த்தப்பட்ட அங்கத்தினர்கள் அனைவரையும் மனத்திலும் புழுக்கம் உண்டாகியிருக்கிறது. இனியேனும் சர்க்கார் தரமான சிந்தையை உடையவர்களானால் நல்லாயிருக்கும். ஆங்காங்குள்ள செஷனல் ஸ்கூல்களை எடுத்துவிட்டார்கள். அதனால் தாழ்த்தப்பட்டவர்களுக்கு பெருந்த நஷ்டமே உண்டாகியிருக்கிறது. ப்ரெயினிங் படிப்பவர்களுக்குப் போதுமான ஸ்டைபென்டும் கொடுப்பதில்லை. சர்க்கார் கல்வி இலாகாவிற்கு திட்டம் போடுவது குடியால் வரும் பணத்தாலேயே. தாழ்த்தப்பட்டவர்கள் கடி மூலம் சர்க்காருக்கு வருஷத்தில் ஐந்து கோடி ரூபாய்கள் கொடுக்கிறார்கள். இவ்வளவு பணம் கொடுக்கும் வகுப்பிற்கு கல்விக்காக அடில் ஐந்திலொருபங்கு அல்லது பத்தில் ஒருபங்குமே செலவழிக்கவேண்டாமா? சித்தித்துப்பார்க்க வேண்டுகிறேன்.

“மற்றைய சட்டங்களுக்கு, சிறுபான்மை வகுப்பிற்கு உயர்தரக்கல்விகளை, நடுத்தர கல்விகளை ஏற்படுத்தியுள்ளார்கள். தாழ்த்தப்பட்டவர்களுக்கு ஒரு நடுத்தர பாடசாலையும் சர்க்கார் ஏற்படுத்தவில்லை. என்கன சொந்த

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முயற்சியால் நடை பெறும் சிதம்பரம் நத்தூர் உயர்தர மூலாநா பாடசாலை நடுத்தர பாடசாலையாவதற்குத்தத்தவித்துக்கொண்டிருக்கிறது. சர்க்கார் ஒரு குஞ்சு நடுத்தர பாடசாலையாக்கவேண்டிய உதவிகள் செய்யவேண்டுகிறேன்.

“தற்போது சர்க்கார் செலவில் ஒரு அகாதி எழுதப்பட்டுவருகிறது. அடில் தாழ்த்தப்பட்டவர்களை அதாவது பறையர் முதலானவர்களை சண்டாளர் என்று எழுதியுள்ளார்கள். பறையர், சண்டாளர் என்று இதற்கு முந்திய நிகண்டி, திவாகரம், காவியம், புராணங்கள், ஸ்மிருதிகள் முதலியவற்றில் கூறப்படவில்லை. ஆனால் அகராதியில் கூறப்பட்டிருக்கிறதென சொல்லத்தொடங்கி விட்டனர். அகராதி தற்போதேற்பட்டவை, ஏற்படுபவை. சர்க்காரால் ஏற்படும் அகராதியில் மக்களை மக்கள் தாழ்த்தும் பதங்கள் வராமல் தடுக்கவும் கனம் மந்திரியவர்களை முயற்சியெடுக்கும்படி வேண்டுகிறேன்.”

* Rao Bahadur R. SRINIVASAN:—“Mr. President, Sir, experience for the past fifty years has shown that, except through special agency and separate schools, it is impossible to impart education to the Depressed Classes. Since the Government began to impart education to the Depressed Classes, there have been two opposing elements—the caste Hindus and the Christian Missionaries. In the year 1890 the Government issued an order on very favourable terms, that seven children at least should be admitted into each school, that is, in all Government schools and Government recognized schools. But the caste Hindus declined to teach the Depressed Classes children and the Christian Missionaries also refused admission to the Depressed Class children on the conditions of the Government Order. The Christian Missionaries wanted to take the whole community into their fold. At that time, Sir, batches after batches of children came to me and complained that in the Mission schools, they were refused admission. I took up the matter and brought it to the notice of the Government. On enquiry it was found that even in the City of Madras there was not one Government school anywhere which admitted these children. They were all mostly private schools, i.e., Mission schools. Then the Government asked the municipalities to open schools. Since then, municipalities and local boards have opened many schools. Beyond that, the Government were not able to do anything against these two opposing elements. For over a period of thirty years, the Government have not been able to impart education to the Depressed Classes. Directors of Public Instruction came and Directors of Public Instruction went; but they were all more or less under the influence of the Missionaries. The Depressed Classes were not sitting quiet. During this period they agitated. They opposed the appointment of caste Hindus to higher appointments and to self-government institutions. That agitation went as far as the British Parliament, as a result of which a protector was appointed who is now known as the Labour Commissioner. There has been constant opposition to this by caste Hindus directly and by Christian Missionaries indirectly. (At this stage the Deputy President occupied the Chair.) The Labour Department has done considerable good work during the last ten years; but of late, for want of funds, it has cut short its activities. As Mr. Slater, the last Commissioner of Labour, expressed an opinion somewhere, unless a very large sum of

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money is allotted for the amelioration of the condition of the Depressed Classes, it is not possible to work for their betterment. A small sum of Rs. 9 lakhs cannot be of much use. There is no hope of educating the Depressed Classes through the local boards and panchayats and the aided missionary schools. The allotment to the Labour Department has been reduced year by year from Rs. 15 lakhs to Rs. 9 lakhs at present. As I pointed out the other day, an allotment of Rs. 100 lakhs at least should be made out of the Excise revenue for the betterment of these classes; for they are said to be the drinking classes in the whole of this Province. I hope at least Rs. 10 lakhs will be brought forward as a supplementary demand by the Hon. the Finance Member or by our Education Minister who will certainly try to influence him in this matter.

“ Before I sit down, Sir, I should like to say what we Depressed Classes have got from the caste Hindus as a result of the Poona Pact in the matter of education. It cannot be anything more than an alleviation of opposition by the caste Hindus. In a few sentences, I shall state what the Poona Pact is and how far it affects the education and betterment of the Depressed Classes. Yet that remains to be seen. The Poona Pact is a settlement by agreement between the parties, while the Communal Award is a settlement by the decision of Government. His Majesty's Government have all along desired that the communal question should be settled only by mutual agreement, and not by the decision of Government, because any such decision is bound to give rise to charges of partisanship. The Poona Pact has this great merit inasmuch as it relieves the Government of any charge of partnership. Sir, being a settlement by mutual agreement, whatever its defects may be, the responsibility can be legitimately thrown upon those who were responsible for it and cannot be made to rest upon the Government. If the Poona Pact had not been made and as a result of this vow Mahatma Gandhi had died, the caste Hindus would have suffered no greater loss than the loss of a leader. The Depressed Classes would have been held responsible for his death and subjected to persecution and tyranny at the hands of the caste Hindus all over India in the same way as the Jews were persecuted and tyrannised by the Christians all over Europe for the alleged responsibility for the death of Jesus Christ. Well, Sir, thus the Pact may alleviate the waves of opposition of the caste Hindus and accelerate the education that the Government are endeavouring to impart to the Depressed Classes. I hope, Sir, the Hon. the Home Member, who has been a friend and protector of the Depressed Classes, will take into consideration all these factors and have some sympathy for them.

“ As far as Christian schools are concerned, I have to say one word. As the last but one speaker, Mr. Sreshta, said, the Catholics want their children to be sent to Catholic schools; so also, the Muhammadans want their children to be sent to Muhammadan schools. Similarly, the Depressed Classes desire their children to be sent to Hindu

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schools of their own. The caste Hindus will not admit them in their schools, but the Depressed Classes will observe the Hindu religion in their own schools and teach that religion to their children. Will the Christians like to come to our schools? Will the Christians, if we send our children to their schools, allow us to have our morning pujas, to observe our religion, instruct us in our own religion, etc.? They won't like it. The same consideration should apply to us. Our children should not be forced to learn a foreign religion, or get any other instructions. We should not be treated differently because we are poor, because there is no one to take up our cause and so on.

“ With these remarks, Sir, as there are other Members who have got a lot to say on these matters and deal with the many defects that exist in the education of the Depressed Classes, I close my speech.”

* Rao Bahadur C. NATESA MUDALIYAR:—“ Mr. President, Sir, the Madras Services Commission have mentioned in their report that the examiners reported that in the answers given by the candidates to the questions, there were grammatical mistakes, there were many spelling mistakes and that sometimes only a jumble of words was put on paper. One who knows the system of education that is given in the secondary and lower classes will not be surprised at these remarks; because, Sir, grammar is not taught in the schools at all. Dictation is not given in the schools; the boys do not know where to put the subject or the predicate or the object. In such a case, it is no wonder if they simply put in a jumble of words and gave an answer which perhaps the examiners were not able to understand.

“ The next thing, Sir, is that they are specializing themselves from the fourth form upwards so much so that a young man may become a B.A., an M.A., or an M.L., without knowing where the brain is situated and without having knowledge of physiology. It may even be like this. If you ask him what is fourteen into four, it is possible that he will go on adding one by one on the fingers. That is the sort of education that is given nowadays in our schools. What I would suggest is going back to the system that existed when we were studying. In the Matriculation class in our days, we were taught something of Euclid, something of Geometry, something of Arithmetic, something of Physics, something of Chemistry, something of Geography and something of History and so on. But, under the present system of education, I dare say there are students who do not know what the relationship is between Delhi and India. I only want the Hon. the Minister for Education to go back to the original system of education and in addition have Physiology and Hygiene. If this were done up to the Matriculation class and afterwards specialization is allowed, that will be something. Otherwise, the students will have no general knowledge. We have come across the case of a student who when asked about ‘ kist ’ took it for cyst and said it was a kind of disease. It is a great thing that the young man was able to know that there was a word denoting a disease called cyst in the medical dictionary.

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"Coming to the Champion Scheme, I would counsel caution to the Hon. Minister in introducing it. It is attractive indeed; but it may end in very disastrous consequences. (Hear, hear.) It is said it is not expensive; but I think it will be very expensive. It seeks to abolish elementary schools and have consolidated central schools with junior schools as feeder schools. Pupils from the feeder schools will have to go to the central school. In the feeder schools there will be only the first and second classes. In the consolidated schools there will be third, fourth and fifth classes. After passing the second class, the pupils will have to go to a central school. Let us now imagine whether any of our boys—children of six or seven—will be able to walk a mile to attend a central school. What will be the consequence? The consequence will be that pupils in villages who will have to walk long distances for attending the central school will stop going to school and thus stop education with the second class. And then, Sir, what about our girls? You want our girls of six, seven and eight to walk from one place to another which may be a mile or so away. A mile to and fro twice a day! Apart from this, there are some among the Hindus who observe purdha. How can they go out? What I say is that female education will end with the second standard. Moreover, I would appeal to the Hon. Minister to examine whether the establishment of central schools will not be more expensive than the schools we are having to-day. I would like him to establish the old system of pial school. The thing as it stands to-day is that education will not reach the masses. I would request the Hon. Minister not to rush with the scheme; but to introduce it in some quarters and if it is found successful it may be introduced in other places. But my opinion is that it will never succeed.

"The Madras City Elementary Education Amendment Act works hardship to our aided elementary schools. Aided school education is much cheaper than education under the auspices of either Corporation or Government. On account of this amended Act about 20,000 children are going without education in our City.

"Sir, let me come to the question of admission to colleges. Last time, when we were sitting, we felt that it was not working well and that it will not do justice to the various communities. I would request the Hon. Minister to follow what the Hon. the Chief Minister has done. If that is done, I think all the communities will be satisfied. There should also be a Selection Committee for the Queen Mary's College so that all communities and districts will be represented. There was a cry last time that Telugus were not admitted. I do not know how far it is true. If four people, one from the north, one from the south, one from the east and one from the west are appointed all the districts will be satisfied and the communities will also be satisfied. There was a resolution tabled last time, that there should be committees even for Government High Schools. It is high time the Hon. Minister looks into this question. I know injustice is being done to pupils of various communities in the

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matter of admission to various Government schools. I wish the Hon. Minister will take note of it.

"Sir, in the Connemara Library all the newspapers, all the dailies of the City were preserved so that if we wanted to know something that happened 10 or 15 years ago, we can know it by a reference to the papers. We can even write a history from a perusal of these dailies. Now—I do not know how it happened—somebody sold away or destroyed all the old newspapers there. One gentleman came to me and wanted to have a perusal of the "Standard" wherefrom to gather something about the life of Mr. Parameswaran Pillai, that most independent editor. I went there. Not a single old copy of any daily was found. All were destroyed. Instead of preserving the history of the country recorded in the dailies, they have destroyed it.

"I do not want to take up the time of the House further, Sir. The Hon. Minister is understood to have said at a meeting in the Presidency College that very soon the beach will be converted into playgrounds for them. (The Hon. Diwan Bahadur S. Kumaraswami Reddiyar: 'No, no.') If he has not said so, I am extremely thankful to him. The feeling in the City is very strong. Fortunately, we have got a long beach. Unfortunately the northernmost portion of it is being eroded by the sea and roads and gardens are being submerged. The Government do not seem to take any action in the matter. Coming from Rayapuram to very near the Fort, all the places are occupied by the Port Trust and from there to the Iron Bridge, the land belongs to the Military Department. The only place available for the 600,000 people of the City is that lying between the south of the Iron Bridge and San Thomé. I shall only ask the Hon. Minister to see how many thousands of people assemble at the radio to hear songs broadcast. There are so many cars parked in a row from one end to the other up to San Thomé every evening. If this is to be converted into playgrounds, there will be a lot of difficulty. European ladies and gentlemen come for bathing almost every morning; my Muslim mothers and sisters come in hundreds to the beach on moonlit nights. Where will these people go? In the evenings Hindu ladies go to the beach. Where will all these people go if you are going to give away the beach as playgrounds for young men of 19 and 20 years of age? This is the only breathing space for the whole City. Why are the Government persisting in this? I appeal that the resolution of the Council requesting this to be dropped will have effect. Further, I do not think it is a fit place for young men to take violent exercise. They will perspire and if they expose themselves, they will contract lung diseases. As to the games themselves when there is current of winds even the heavy cricket ball will not go straight much more therefore with a tennis ball. In consideration of this, I hope the Hon. Minister will drop the proposal.

"Sir, in Germany 8.5 acres of land are kept open for every thousand residents to enable them to roam about and 1 acre for every thousand is allotted for playgrounds, recreation grounds or garden.

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That is what obtains in the European Continent and in Britain it is a little less. In some places 12 per cent of the area is left open simply to enable the inhabitants to roam about. Around Berlin, they have an ambitious plan for acquiring 25,000 acres of forest land for purposes of providing open spaces to the people. Man is after all an animal, an intelligent animal and he wants all the facilities which Nature provides. If the Hon. Minister really wants them to be provided with playgrounds, I would like them to be taken to some open space outside the City as they do in Germany. This is called there holiday games movement. In Germany they are taken to holiday colony movement. Instead of the Hon. Minister taking 120 acres of land from the citizens while they really want much more it will be better to provide vast tracts of land for students to play about outside the City. I shall read from a book regarding the health colonies:—

“The holiday colony movement as it is called has succeeded so well that in some towns, the boon has been extended to children of the middle class families from whom, as a rule, so much will be expected by the local authorities and for whom so little is done.”

“I would request the Hon. Minister to improve upon what we are having by taking the pupils outside and giving them all the facilities that are enjoyed by the children of Europe and not take away the little beach we, Madrasis, have for refreshing ourselves in the evenings after so much of work daily, political, professional and social.”

* Mr. P. V. KRISHNAYYA CHODARI:—“Mr. Deputy President, Sir, I differ from my hon. Friend, Mr. Sreshta, on the question of consolidation. As a matter of fact, the scheme of consolidation was started by Mr. Champion some four years back and it has not been given effect to all these years on account of agitation. My Friend, Mr. Sreshta, has pointed out certain practical grievances resulting from consolidation. I know the Hon. Minister will reply to him. But still, I shall just analyse some practical points. Mr. D. S. Reddi has toured throughout the Presidency and given instructions to all the Deputy Inspectors of Schools and District Educational Officers relating to the principle of relaxation.

“As a matter of fact, there should be only one Depressed Class school in every village, but in a particular village in my district, there are three such schools run by the Roman Catholics, U.L.C.M. and A.B.M. authorities with a school-going population of about 40 or 50 boys. From this, we see, Sir, we are sustaining a loss on account of these three schools which can easily be avoided if there is only one school and the savings thus effected may well be utilized for other purposes, for instance, for building and furniture grants. We are unnecessarily spending Government money on account of the multiplication of these schools, instead of spending money on the improvement of elementary education. Sir, consolidation of schools is very essential and as a matter of fact the scheme can be worked out successfully if we only carry out the instructions given by Mr. Reddi himself. I will leave that subject at that.

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“According to the Government Order the District Educational Council is given two months, and another two months for departmental officers for discussing matters and a report will then be sent to the Director of Public Instruction and from them it will be sent to the Government, who will pass final orders. As my hon. Friend, Mr. Sreshta, suggested, we can have a committee appointed, if necessary—personally I do not think a committee is necessary.

“Now, as regards grants for playgrounds, we find there is a provision of Rs. 11,800 only in the Budget. It is quite insufficient for meeting the needs of several high schools both under public management as well as private management, scattered throughout the Presidency. Not only that, according to one of the Government Orders, they have restricted the value of an acre of playground to the maximum of Rs. 500. Whatever the cost per acre may be in other parts of the Presidency, so far as the deltaic areas are concerned, it is very difficult to get an acre for Rs. 500. At least, from Rs. 2,000 to Rs. 3,000 will be required for an acre. Besides, some of the high schools are located in central places and in their case, even more than this amount will be required. So, I request Government to increase the maximum prescribed by them, in view of the circumstances of the particular localities. In such cases, there is no use laying down any hard-and-fast rule and fixing the rate at a maximum average rate of Rs. 500 an acre.

“Then, as regards building grants, the Government have provided about Rs. 55,000 for distribution to the schools in the whole Presidency and I consider this amount is quite insufficient. They have also stated that this sum is intended to carry out the promises previously made, but no such promise has been made in regard to the future. I cannot therefore understand why they have not made even a conditional promise that Government would promise to give building grants to the various managements for the construction of buildings at least when funds are available.

“Now, as regards elementary education, about a sum of Rs. 16,000 is provided for building grants. This amount is absolutely insufficient. For instance, in my district itself, there are several aided elementary schools which have applied for very large amounts of grants and as a matter of fact they are in a position to spend even Rs. 50,000 by way of building grants. Therefore, the provision of Rs. 16,000 for the whole Presidency is quite inadequate and it is unjustifiable on the part of the Government to provide such a paltry sum on account of elementary education. At this rate, I do not think Government can expect to improve the condition of the building of elementary schools and unless the Government are prepared to come forward with a definite and substantial sum, I am afraid, they cannot improve the condition of elementary schools in any appreciable degree.

“As regards district educational councils, Government have given only two clerks on a uniform basis. As a matter of fact, there are some district educational councils which have got under them about 700 schools

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and there are others which have even 2,000 schools. So, no discrimination has been made in the number of clerks given to district educational councils. It is really unjustifiable. I would therefore request the Government to consider the nature of the work, the number of cheques to be issued by each district educational council, and sanction the necessary establishment. But, there is no use making it uniform for all councils without considering the amount of work. When we are thinking of appointing executive officers for every municipal council and district boards now, I cannot understand why Government should not give a permanent secretary to the district educational council of each place. As a matter of fact, I myself made two or three representations to the Government to the effect that they should give the services of one deputy inspector to the district educational council, so that our work may run on satisfactory lines and that the district educational councils may prove more efficient from the administrative point of view. The salary of a deputy inspector will not after all be more than Rs. 2,000 a year which is a very paltry sum when compared with the several lakhs of rupees we are spending every year. If Government would only permit us to save this amount from the grants which are given to the district educational councils, every council can have one deputy inspector. I am not anxious that we should have a separate officer being appointed in every district educational council. What I mean is, Government may lend the services of one of their deputy inspectors to work as secretary to the council. Already, we have one secretary at the headquarters of the deputy inspector's office, who is not at all helpful, though there is a Government Order stating that he should function under the president of the council for all district educational work, but on account of the dual control it is not possible for him to do so and no deputy inspector will ever care for the president of the district educational council, because he is a mere subordinate to the district educational officer. When the Hon. the Minister for Education visited our district, we have also presented to him an address, and in that address these grievances also were pointed out to him for his consideration; and though it is nearly two and a half years since that happened, I am sorry to note no effect has so far been given to those representations.

"In regard to the travelling allowance granted to the deputy inspectors, they were given fixed travelling allowances before. They have now changed the system and are giving them only daily allowances. The Hon. the Minister in reply to a question this morning on the subject, stated that he wanted notice. I would request the Hon. Minister to revert to the old system of giving fixed travelling allowance. Not only that, when they have to inspect more than thirty or forty schools in a municipality, they must be permitted to count the inspection of five schools as one tour day, at least, for I know the difficulties to which they are put to. In a municipality like Guntur which has got about sixty schools, if he is to inspect all of them at the same time and to show the number of tours on this account, it is really very difficult on the part of the deputy inspector, unless he is prepared to cook up a false

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diary. I would therefore suggest the system of fixed travelling allowance may be revived, and they may also be exempted from showing the number of tour days where in any municipality there are more than forty or fifty schools within a radius of five miles.

"There is yet another thing I want to mention, Sir. The days on which the deputy inspectors attend to their duty in the district educational council, are treated as tour days. But, in view of certain objections raised by the Accountant-General, Government have passed orders directing the recovery of travelling allowances already drawn by about ten or fifteen deputy inspectors. So that, they have to pay large sums of money on account of this recovery for no fault of theirs but for the fault of the instructions issued by the Director of Public Instruction. As these people are subordinate to Government, they are not in a position to revolt against such an action, but they are compelled to obey the orders issued by Government. As a matter of fact, the secretary of the district educational council in my district has got to pay about Rs. 1,000 on account of the recovery ordered by Government. I would therefore request the Government to reconsider their order and give a favourable decision in regard to this man.

"Coming then to night schools, though about 75 per cent of them have to be closed according to the orders issued, they have not been given effect to in various districts. I would therefore request Government to insist on the closure of as many night schools as possible. In my district, we have closed almost all the night schools, although we had the largest number of such schools.

"Sir, Government have allotted a certain amount to each district educational council for distribution as teaching grants. What I would request Government is, if there should be any balance that may be found after distributing teaching grants, may be permitted to be used for furniture grants or for building grants by these councils. Instead of allotting separate funds or incurring additional expenditure on account of building grants or furniture grants, they may permit the district educational councils to utilize any surplus or balance which they may find after distributing teaching grants.

"In my district, Sir, we have got a Roman Catholic high school for girls at the headquarters of the district but unfortunately, though it is one of the best girls' schools, Government have not given any adequate grant to that school; and this is a school conducted very efficiently by the Roman Catholic Mission. Unfortunately, Sir, there is no Roman Catholic member representing my district in this Council—and the two members that are representing my district are both Protestants—and so I thought I might bring this fact to the notice of the Hon. the Minister for Education.

"One word more and I am done. The district educational councils have been restricted to 50 per cent in the matter of giving grants. Hitherto, we were having the power of using our discretion to grant even

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cent per cent of the grant. Gradually this power was reduced to 75 per cent and now it has come down to 50 per cent. I therefore request the Government to reconsider the matter and give us power to grant up to 75 per cent at least.

"As there are several other speakers anxious to speak on the subject, I now resume my seat."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. Deputy President, Sir, some of the previous speakers remarked that there was no policy guiding the Government with regard to the promotion of elementary education. On the other hand, we have got a policy very well and clearly laid down in pursuance of a circular of the Government of India and also the proclamation issued at the time of His Majesty's Coronation. So, I do not think any policy is wanting with regard to the promotion of elementary education. Only, we have to consider how far that policy is being developed or pursued by the Government. Ever since the introduction of Compulsory Elementary Education Act and after the passing of that Act, for two or three years, we had free compulsory education introduced in some of the municipalities and also in one or two taluk boards, but afterwards there has been a lull and the lull still continues. Now, as regards compensation, the private schools stood in the way of introducing free and compulsory education on a larger scale and that Act was also amended last year and I see no reason why the system of compulsory education could not be pushed through more rapidly than it has been hitherto. Of course finance has been the difficulty which stood in the way during the last few years. I think in course of time the Hon. Minister for Education will find it easier to put through the scheme of compulsory education on a more satisfactory basis than it has been done hitherto. Since the amending of the Act only two municipalities have introduced compulsion and not more than that, perhaps only one. For this I cannot but blame the Government. I must say that the initiative must be taken by the local bodies. I must say for the information of the Government that after the passing of the Act when compulsion was introduced if the Government had asked the Inspector of Local Bodies to visit the local boards and give them a scheme of education by which they could work the scheme financially without any extra taxation things would have been better. If this is not done, primary education cannot take more rapid strides. I am one of those, Sir, who have been supporting the Champion scheme from the beginning. Some seem to think that the Champion scheme retards promotion of compulsory education. I am of the view that it promoted compulsory education better and more efficiently than before. All of us know that there is much of overlapping of elementary schools in every place. Doing away with that does not mean retarding of elementary education. Overlapping clearly showed inefficiency and that was why the Champion scheme was suggested. In regard to that scheme I have a suggestion to make with regard to overlapping. Overlapping arises because of the different management. In the same place we have different schools under different management. If we have in a place three

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or four different schools they are under different management. In a village where there are three schools one is managed by the taluk board, another by a mission and yet a third is managed by the teacher-manager. Their interests are at stake and everyone connected with the respective institution wants that his school should not be closed. If the Government will pass an order that there cannot be schools managed by different authorities in the same locality, there will not be much difficulty. If they think that missionaries must be given an opportunity, let them give village A or village B instead of having it in a place where they have local board schools. If this is done there would be much wastage and often misunderstanding. It is only when there is a conflict of interests that the schools must be closed. Then there will be efficiency and economy. This suggestion I throw out to the Hon. Minister for what it is worth. As I told before with regard to the municipalities, compulsion should be introduced more speedily than in any other place. Champion scheme is sure to help such a course. With regard to the overlapping of schools I must also blame the deputy inspectors of schools. They seem to encourage the overlapping of schools because they feel with regard to the local board schools because their interest suffer to some extent. They encourage teacher-manager schools and the private managers also care for the interests of the deputy inspectors in a way. More than that I do not want to pursue. It is this that is responsible for the Champion scheme being criticized in the way in which it is being done. I wish to refer to a Government Order recently issued by Government where they suggest different scales of pay for elementary school teachers. They specify rates for Government schools and local boards and municipalities whose financial position is fairly good and they have also suggested a scale for the teachers in schools whose local bodies are not in a financially good condition. But they have not said how many teachers they must appoint and under what grades. They have not stated how many secondary trained teachers should be appointed and how many elementary trained teachers should be appointed. They have not stated how many with higher training and how many with lower training. Without saying all that they say the local boards can adopt any scale. They simply say if they are secondary grade a certain scale and if they are another grade another scale. When this is so in a place where there are half a dozen teachers three are appointed with secondary training and the rest from others. Taking advantage of the Government Order they say they can appoint any number of teachers without caring for the funds of the local boards. So I would request Government to send an amending Government Order that with regard to a school with a fixed number of teachers there can be so many on such and such a scale instead of leaving it vague as at present.

"I wish to say a few words with regard to the admission to Saidapet Training College and the training school for masters. As Dr. Natesa Mudaliyar pointed out we should have committees of admission to these schools. We have got a committee for the Saidapet College and not for the training schools for masters. I understand that for the Saidapet

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College they admitted about 180 students and they allotted 75 or 80 seats to members of one community and 80 to all other communities. Even yesterday I heard this. I will leave that community unsaid. It is a great hardship to all the communities put together. For the Brahman community they have allotted 75. Last year they have done it and this year also they have done it. It is not now even too late for the Hon. Minister to interfere. It cannot be said that members of other communities do not apply. I believe there are more than 150 applications from other communities and still they allotted a greater percentage in proportion to the number of applications received. If out of 500 applications 250 are from one community, that community will get 50 per cent of the seats. That is not the criterion by which selection should be made to a college. As regards the training schools for masters in the mufassal, there is no advisory committee. It is highly necessary that such a committee is appointed. Several backward communities and Depressed Classes have complained that their applications have been rejected and that applications from other communities have been admitted. When Government have laid down a policy with regard to the education of the Depressed Classes, there is this feeling that they are not at all admitted in the training schools. I request the Hon. Minister to see that such committees are appointed for the every one of the training schools for masters.

"I should like to say a few words about the conversion of the fore-shore into a playing ground. I entirely agree with Dr. Natesa Mudaliyar. This question came before the Finance Committee two years ago and some two of the students of the Presidency College were there and it was carried. Even there there was the difference of opinion and if this is done the contagion will be spreading and afterwards it may be very difficult to go back."

MR. ABDUL HAMEED KHAN:—"Mr. Deputy President, Sir, if there is any department which is more popular than any other department of this Government, it is the Education department. Sir, as it is well known that, if, any nation shows advance politically and socially, it is so when literacy widely spreads among its population. The Government of the country has done so little during the past 150 years that it becomes necessary for members to get up and ask Government to revise its policy and see that literacy is spread as widely as possible. It is now five or six years since we know that the percentage of literate men in this Province is not more than 18 or 19 per cent and with regard to women it is much less. When the Government have been spending three crores on Education, the people have not become literally advanced. Sir, the Government are spending more money on higher education than they ought to do. They have been spending much more on higher education and also in maintaining secondary schools throughout the Province. Instead of that, if the Government had confined their attention almost entirely to mass education, they would have discharged their duty to a considerable extent. It is by concentrating on mass education that it can be said that the Government have discharged their

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responsibility. No doubt without university education it will not be possible for us to secure the services of really efficient teachers for the education of the children of all classes throughout the Province. But, Sir, that argument, I do not think, will carry much weight, in view of the fact that we have been producing such a large number of graduates that we should stop the spread of higher education in the Province which has so far been found very useful; on the other hand we must direct our attention to the spread of literacy among the people.

"I emphasize this point more particularly in view of the fact that 4 p.m. with the inauguration of the new Reforms the electorate will be considerably enlarged. In order that our Legislative Councils should consist of representatives chosen by literate and intelligent electorates, we should see that they get proper education. The policy of the Government for a long time has been to filter down education from the top. That has been found to be a failure. The educated people, having had no sort of connexion with the masses, find themselves absolutely useless for this work of filtering down education to the masses. In the result that theory has now been revised and the educational authorities are now thinking of educating the people from the bottom and, even there, they have not succeeded to any appreciable extent. The Government have, in addition to imparting education to the children of the various communities, also to spend a certain sum of money on the education of adults. Sir, it is a deplorable fact that the Government has not been devoting adequate attention to this part of their responsibility. Adult education has, to a very large extent, been ignored by the Government for a long number of years. It is true that they are spending a paltry sum here and a paltry sum there for this purpose, but I am sure the amount so spent is very inadequate.

"Sir, for some time now, the Government have given up the practice of granting stipends and scholarships to students of the backward communities. Scholarships and stipends may not be necessary for the advanced communities and for well-to-do boys, but certainly the other communities, communities which are backward in the matter of education, do require these facilities to enable them to come up to the level of the advanced communities. It is the duty of the Government to afford these facilities to children of the backward communities to enable them to advance educationally. The need for these facilities is greater for the Muslims and Depressed Classes in Medical colleges, Veterinary colleges and Training colleges. Therefore additional facilities ought to be given to them in these directions. The House will remember what my hon. Friend, Mr. Ratnasabhapat Mudaliyar, said about the selection for admission to the Teachers' College and how the backward communities did not get their adequate share. In cases where there are ten candidates of a backward community only five of them are selected, whereas a very large number of the advanced communities which can certainly wait till their sister communities come up to their level are selected. These are some of the disabilities from which the backward

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communities suffer. I wonder how, in these circumstances, the Government and the Hon. Minister for Education withdrew the stipends and scholarships of the backward communities who are in need of facilities for their educational advancement.

"Sir, the absence of provision for medical inspection of schools in the Budget makes me feel that the Government have given up the question of medical inspection of schools. I find no provision made for the purpose either for secondary schools or for elementary schools. A provision for this purpose is very necessary. I understand from the Hon. Minister for Education that it was the Finance Committee that was responsible for it. If that is the case, I would charge the Finance Committee with ignorance and neglect of this very responsible duty. Sir, children of the poorer classes especially, do require medical attention and, if you are going to refuse this, there is no use giving them education. Education is of no use to a man who is not healthy. In my opinion it is very necessary that the Government should provide for medical inspection in this Budget itself.

"Well, coming now to the Champion scheme, a great deal has already been said about it. I certainly agree with my hon. Friends who have spoken in favour of it that it is an ideal scheme; but if you are going to put it into practice in a Province where we have a number of communities speaking a number of languages and where there are also varying grades of educational progress, I must demur. Here there are communities which are well advanced educationally and there are communities which are not so well advanced and there are also communities which are not at all counted in the matter of education. How then are you going to adopt one scheme in a Province of this kind? If you put that scheme into practice in the present conditions you will be driving to the wall those communities that are backward in education. Of course if my hon. Friends belonging to the other communities want this scheme to be adopted for their communities, I have absolutely no objection; but, for God's sake, leave off those communities which do not want it. (Mr. A. T. Pannirselvam: 'Hear, hear.') I have no objection to these people enjoying the benefits of this scheme; but I would ask them not to interfere with the educational advancement of the backward communities. Hon. Members know the effect of the introduction of this scheme on the minority communities. There is no doubt that the schools will be there and the existing disabilities will also be there and the result will be that the Adi-Dravidas and Muslims will not get the benefit of education. Therefore it is necessary that, so far as the Muslims and the depressed classes, and I believe, also the Roman Catholics are concerned, the Champion scheme should be given the go-by.

"So far as the Muslim education is concerned, I must in this connexion express our debt of gratitude to the Hon. Minister for doing his best to accede to the request of my community in certain matters. I must particularly mention his action in making it possible for us to get

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religious instruction imparted in all schools where Muslim children are studying. I hope, Sir, it will not be long before this order is given a practical shape whereby the Muslims will be enabled to derive full advantage.

"As regards the report of the Muslim Education Committee is concerned, I am not sure why the Government have not yet published it. If the Government publish that report, it will be possible for the Members of our community throughout the Province to give expression to their opinion on it and it will facilitate the Government in passing its orders.

"Sir, on the question of female education among Muslims, as it has not advanced among them, I would request the Hon. Minister to afford special facilities by means of stipends and scholarships. As the Hon. Minister is aware, on account of the purda system and on account of other difficulties, they require some more facilities than other communities. In the other communities also, women are not much advanced in the matter of education and they too require encouragement. But, the case of the Muslims is peculiar and so they require special facilities. I am sure the House and the Government will not grudge us the facilities that we ask for, because, after all, they will agree with me when I say that they would like to take the sisters of the other communities along with them so that it will not be said of our nation that our people are illiterate and uneducated.

"Sir, I conclude with a request regarding the Hobart school. The Hobart school is located in the southern part of the city and is affording opportunities for the education of women living in the southern parts of the city. The northern part of the city has not been provided with a high school for girls though I have been asking for it for the last eight or nine years year after year. The Deputy Inspectress, Mrs. Howe, was responsible for denying this school to us for some time. Now, Sir, since the times are propitious and helpful financially and otherwise, I hope the Government will agree to incur the necessary expenditure for providing a girls' high school for Muslims in the northern part of the City of Madras."

Mr. DANIEL THOMAS:—"Mr. Deputy President, Sir, at the outset of my observations, I would request the attention of the Hon. the Minister for Education to the inadequacy of the provision for elementary education in this Province. It is acknowledged on all hands that elementary education is the foundation for all educational and civic progress. And yet we find that year after year grants for elementary education are becoming more and more inadequate.

"It may be said that as a matter of fact that the figures of the present year exceed the figures of the previous years to a certain extent. But that increased figure is, I submit, only illusory. Because year after year the lot of elementary education is bound to go downward instead of upward. Every year there are more and more elementary schools brought into existence, and every year we are turning out untrained teachers. Government insist, and insist rightly that all

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untrained teachers in the higher grade should be substituted by trained teachers, and similarly that all untrained lower grade teachers should be substituted by trained lower grade teachers. Now how can this be achieved unless greater and greater amounts are allotted? For does not this imply greater cost? If we analyse the figures of grant supplied to the District Educational Councils, we find that as a matter of fact these allotments are far below the assessed grant. Mr. Choudari complained that whereas District Educational Councils are given at present the option of 50 per cent increase in former years in certain areas even 100 per cent increase was allowed. Now, Sir, what is the use of having 50 per cent increase as our allotments when the actual sums disbursed are much below the assessed grant? Last year the District Educational Councils adopted a cut of 4 per cent in the assessed grant and this year, I think, it would come to still more, probably nearly 6 per cent. All this results from the discretion allowed to the officers. And the result is that it is impossible to carry on the institutions when the allotment fall far below the assessed grants. It is only by a manipulation of figures that in certain places something more is given and in certain other places something less is given. So I submit the Government is not doing its duty in the sphere of elementary education in gradually cutting down our grants from year to year, when as a matter of fact, as was pointed out by several hon. Members, it is lavishing money, so to speak, on secondary grade and collegiate education. What is the use of spending money on such things when you are only increasing the number of the educated unemployed every year? So it is unwise economy to spend sums on higher education.

“Then, again, Sir, in the matter of affording building grants to elementary schools, I have to submit that they are following the same unwise policy of parsimony. Mr. Choudari pointed out that only a sum of Rs. 60,000 has been granted. This sum does not really denote the sum allotted for the next year. Probably this figure includes sums which have been granted some years back and have been left unspent for some reason or other. As a matter of fact, not a single pie has been allotted this year for any building for any primary school anywhere in the whole Presidency. In fact I had occasion to point out to the Government that in my own place there was an Adi-Dravida school, and it was burnt down, and no sum has been granted to rebuild it. Now what are those Adi-Dravidas to do? I can understand if Government give away grants for this purpose very rarely and for extreme urgent cases only. But I cannot understand them putting down a stern and stiff rule that no building grant will be given this year. I ask the Hon. Minister, is this a statesmanlike policy?

“Then, Sir, in the matter of equipment policy also the same rule is being followed. I understand from an answer, which the Hon. Minister, in his reply during the general discussion of the Budget, gave that the ban has been lifted, and that we are allowed to put in applications. But I find on subsequent inquiry that that ban has been lifted only with reference to secondary schools; and that the embargo continues with reference to elementary schools.

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“Here again I wish to point out that Government are following an unwise policy. In fact the equipment required for elementary schools is very very small, and even sums of Rs. 50 and Rs. 100 would be quite enough, and so I don't think Government have any reason for discrimination in the matter of building grants. If at all there is any case for discrimination it is the other way round; i.e., building grants should be given to elementary schools rather than to secondary schools. Here again I would respectfully draw the attention of the Hon. the Education Minister to this aspect of the matter and see that it is set aright.

“Again, Mr. Choudari referred to the entertainment of applications for grants. Now I cannot understand why these applications should be sent back. Why not these applications be retained in the office itself, and their claims considered when Government are in a position to allot funds? We are not asking for money, if Government are not able to pay it at once. The mere retention of these applications does not commit Government one way or the other. It only means, if, when and as funds become available Government may make grants. I ask why not retain these applications on these narrow and vague conditions? And as I said, Sir, Government can very easily meet with the request of these applications; and so here again I wish to say that Government are pursuing an unwise policy.

“Then there is another thing of recent occurrence, to which I wish to advert, and that is as regards granting supplementary grants. In this matter many of the managements were all on a sudden met with a different interpretation from that put upon by the general public. The Government gave a narrow interpretation and on that account many managements had to suffer and go without grants, much to their keen disappointment and pecuniary loss. They said that, if within the whole of the previous year or a particular period, all the teachers in a particular institution were trained hands, then and then alone can that institution get that grant. It so happened that in an institution in my place there happened to be a single untrained teacher for one month during the whole of one year, and on that ground the additional grant was refused, though the management never thought for a single moment that they would be refused the grant on that petty ground. The fact that there were seven or eight trained teachers on the roll did not appeal to Government at all. The application for grant was received from this school in the District Educational Office in the month of September; and this Government Order was issued only in November. So, I ask, is it fair to refuse grant even though the application was received prior to the issue of this order? The management anticipating grant had made some arrangements and now they have to suffer a loss. I can understand if the grant is refused to those applications received after the issue of this Government order, or rather after all the managements had been made to understand the real interpretation of the Government order. So, I would appeal to Government not to enforce this Government order till the end of March 1935, and allow the old practice to continue for the current year.

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" Sir, I have one other thing to speak on, and that is with reference to the night schools. Mr. Hameed Khan referred to adult literacy, and said that the only means of securing that is by means of night schools only. I know as a matter of fact that throughout the whole Province many of these night schools are merely bogus affairs. They are only nominal things run for the sake of securing grants. They merely exist on paper, and the grants are merely a profit and loss affair. But the fact that there are a few such cases does not entitle Government to make a sweeping remark that all these night schools should be wiped out. What is wanted in such cases is greater control and greater inspection. That is the right course that Government should take. So in the interest of literacy I request Government to continue grants for these night schools. In my own district I applied for a sum of Rs. 2,000 for night schools but I was given only Rs. 1,200, and for the whole district a sum of Rs. 3,000 has been given. And I don't know what induced the Government to do this, when other districts have been liberally served.

" Then, Sir, with your indulgence I wish to devote myself to the question of the Champion scheme. I would say at the outset that so far as the principles are involved in that scheme I have no objection. The idea and the ideals which underlie that scheme deserve the very careful consideration of those who are responsible for elementary education. The only thing I would submit is that we are not beginning that matter fresh for the first time, as it were, with a clean slate. If the scheme is to be put into operation it should be introduced gradually step by step and it should be spread over a period of ten years. As Mr. Hameed Khan pointed out the question will be met with the conflicting class interests. There is the question of Depressed Classes, there is the question of Muslims, and there is the question of so many other things. So I would appeal to the Hon. Education Minister to see the scheme spread out over a period of ten years. If that is not to be, let them start it in a few select districts first, see how it works, and with the greater efficiency and progress achieved introduce it in the other districts gradually year after year within a course of ten years. I would suggest that to begin with let them choose two places in each district, an urban area and a rural area. I warn Government against experimenting with this scheme. We have already had enough of experiments. We have made experiments in Local Self-Government, we have made experiments in connexion with the Motor Vehicles Taxation Act; and I therefore warn Government against such a thing in the field of education. I submit there are several new provisions in the Champion scheme introduced to safeguard the interests of the management. For instance, the report provides that no management should close down its school unless it agrees to be prepared to come into the central scheme. I submit that provisions of this character should be given a liberal interpretation and that the district and subordinate officers ought not to be allowed to rush through the scheme and interpret the rules very severely.

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" Then, Sir, with reference to what was said by Mr. Sreshta, I do not know whether one central committee would be sufficient for each district, all the more so since this scheme is particularly of a local character. I believe in the district education councils all interests ought to be represented, Catholics and Protestants, Hindus and Muslims and the Depressed Classes. Then only will that council be competent to tender proper advice and judge of the rate of pace and progress with which the scheme should be worked out.

" Only one other observation with regard to junior schools. One 4-30 p.m.
of the great acknowledged evils is the wastage which arises from the expenditure in maintaining lower classes, when compared with the expenditure incurred in maintaining higher classes. It has been admitted that 50 per cent of the students do not go to higher standards. Something like a crore of rupees is being wasted in the case of students who do not go beyond the first standard. The object of consolidation is to prevent as much wastage as possible. If the school has only junior standard or second standard, the boy or girl who is reading in that class would naturally like to go to a school which is near by them and which has also higher classes. So I would suggest that these junior schools may be allowed to have classes up to the third standard. It has been suggested by the letter of the Director of Public Instruction that in a central school separate classes, wherever necessary, may be held for girls from fourth standard onwards. Even a junior school up to third standard would meet the requirements of the situation. So, I appeal to the Hon. Minister in charge to look into this matter and see that these things are not worked in a cut and dried fashion but that laxity and allowance are made according to the needs of the local areas so that in certain areas junior schools may be allowed to come up to third standard. I would submit that subject to the needs of consolidation and paying due attention to the recommendations of the district educational council and subject also to proper consent being obtained from the management of those aided and other institutions which are not prepared to come in the central scheme, subject to these restrictions and considerations, the scheme is very desirable which may be carefully worked up in the course of a number of years. It should not be hurried with any indecent haste.

" Only one word more with regard to the remarks of Mr. Srinivasan against Christian missionaries. The only thing I would submit in reply to his remarks is that his remarks appear to me as a mark of unkindness, to put it at the least. I would not say 'ingratitude.' I would call it merely unkindness on the part of my hon. Friend to have attacked the Christian missionaries as having stood in the way of educating the Depressed Classes. On the other hand, if there is one body in this Province who has been responsible for the education and uplift of the Depressed Classes more than anybody else and more than the so-called Depressed Class Members themselves, I would say it is the body of Christian missionaries. For the last fifty years this body has been working for the uplift of the down-trodden classes. I would

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only read from the speech of the hon. Mr. M. C. Raja in the Legislative Assembly when speaking on the Anti-Untouchability Bill. He says:—

'In this connexion I should deal with two aspects of the question, the genesis of this movement and the genesis of this Bill. The first attempt at the reclamation of the down-trodden classes was made by the European Christian missionaries. The Christian Mission schools are democratic institutions, where the low and the meek, the depressed and the oppressed, the poor and the struggling, are treated with equal attention with the high and the rich, the progressive and the flourishing, the socially high and the politically strong. The Christian Mission schools open their door wide to all, but especially to the outcaste and the down-trodden fulfilling Christ's sayings: "He that is least among you the same shall be great".'

Nothing further is needed to disprove the statement of my hon. Friend and in the light of that I hope he would revise his opinion."

Rao Bahadur A. T. PANNIRSELVAM:—"The other day in replying to the general discussion on the Budget, the Hon. the Minister for Education was surprised that the hon. Members of this House, particularly those representing the minority communities, should have entertained any alarm regarding the Champion scheme and its working. I wonder, Sir, whether—astute politician that he is—he would be still surprised if, in spite of what he said the other day, we return to the attack. His remarks were so vague, elusive and evasive. He has made no statement which could to any extent remove the fears which we have entertained regarding the working of this scheme. I would just invite the attention of hon. Members to two pertinent portions of his speech by which he presumably intended to reassure hon. Members. He began by saying:—

'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.'

Then, he goes on to give us the history and the various stages through which this report has gone and concludes by saying:—

'It was definitely mentioned, Sir, that the schemes need not conform to the prescribed type or design, but must have relation to the circumstances of the locality in which it was to be brought into effect.'

He was not pleased to, probably he could not, go into further details as to what the circumstances were which he desired to be taken into account. I would submit that something more definite and concrete than a reply of this type would be required to reassure the minority communities. I would ask him to make it clear to this House by a categorical statement as to how the aided institutions, particularly the mission-aided institutions, are going to be dealt with under this scheme. I advisedly make a distinction between the ordinary aided institutions and the mission-aided institutions; because, there is no denying the fact that amongst mission institutions you would hardly find any of those teacher-manager schools, which ordinarily are said to be inefficient. You will find that every one of these institutions, whether Protestant or Catholic, has been started not with a view to giving sustenance or maintenance to a private individual, but on high motives of philanthropy, and of religion. They are under the managements

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of persons whose sole object is not the securing of financial aid from Government. They are under the management of people who do not themselves take up the work of teaching and therefore are in a position to extract good work from the teachers. Two hon. Members representing the Depressed Classes were pleased to refer to the mission institutions in rather derisive terms, and my hon. Friend, the Christian Member from Tinnevely, has partly dealt with them. May I only point out that these mission institutions are all institutions which have been started and worked by a band of selfless men and women from distant Europe who leaving behind for ever all that is nearest and dearest to them come over here for devoting themselves to the service of humanity and make this country their own? No less disinterested are the Indian Christian missionaries of the Catholics among whom I could speak with personal knowledge.

"Sir, if to-day the Catholic community is not able to boast of a larger number of Swamikannus and Rathnaswamis, it is due to the fact that year after year the best products of our Catholic colleges withdraw themselves into religious societies with a view to devote themselves to the service of God by giving up their best and giving up all for the sake of their fellow-citizens. And it seems to me rather uncharitable that these persons, whether European or Indian, who have devoted themselves so disinterestedly to this work should be subjected to any adverse criticism particularly from Depressed Class Members who, as my hon. Friend, Mr. Daniel Thomas, has said, must feel themselves under an eternal debt of gratitude to these missionaries. If I lay so much emphasis on this aspect of missionary institutions, I am prompted to do so by reason of certain statements which, I understand on reliable authority, have been made by responsible officials of the department. I have been told that a certain gentleman occupying a very high position in the Educational Service has remarked about these 'Wretched Catholics' obstructing every scheme that is put forward by the Government with special reference to the Champion scheme. I have also heard it said that another officer of almost equal rank has stated thus:—'Oh, the objection to the Champion scheme comes from this despicable minority of Catholics and the Government are certainly not going to take note of a protest from a negligible minority of that type and the Champion scheme will go on.' Sir, hearing the reports of this sort, is it any wonder, I ask, that we, Catholics, minority though we be, do not feel any reassurance, the assurances of the Hon. Minister notwithstanding? I may state that a despicable minority though we may be, we have shown in other countries that mere numbers were never of any moment in achieving the objects we had in view. It may be that in matters purely political or social we may not assert ourselves and we may take things lying down, but on matters which are of a religious or a quasi-religious character, I would remind the Government and the hon. Members of this House that the Catholic population of England, which is not proportionately much more than the Catholic population of this Province, has forced the mighty,

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British Government to come to terms with them and that the same spirit actuates every Catholic, whether he be in England or in India or in any other country.

"Sir, regarding education my hon. Friend, the Christian Member from South Kanara, explained the position of the Catholics. To us it is a question of religion and almost a matter of faith. It may be that cynics may laugh at the Catholic community as being obscurantists and that it takes its orders from Rome. Well, Sir, we are not ashamed of it. Sir, to us it is a matter of religion, a matter of conscience. If this is a free country and if in the near future we are going to have the sort of Government which is going to make us freer still, I ask 'Are we not entitled to freedom of conscience in matters religious?' and that is the view I take of this matter.

4-45
p.m

"I shall explain my point for the edification of my hon. Friend. What is the duty which a parent has towards his child? Is it to stop with the animal art of producing the child and building up its physique and has he not got any other duty towards his child, in the matter of building it up mentally and morally? I ask 'Is it not my duty to see that my son is brought up in my faith, the one which I believe to be the only true faith?' Are you going to ask me to expose my child to the danger of being given religious education in a school maintained by a community other than mine, where other religions may be taught and where other religious ideas may be put into his head? (Mr. V. T. Arasu: 'Hear, hear.') My hon. Friend for the Province, as Mr. Abdul Hameed Khan called him, may shout out 'hear, hear.' Free mental development and thinking is not meant for children of seven to ten years of age. That is the most receptive stage when you should take care to see that no dangerous ideas are put into the child's head. Apart from the question of the Catholic principle, I put it also on the simpler ground of a parent's right to impart to his child the sort of education which he thinks to be best fitted to develop him into a helpful and useful citizen of the future. It is on these grounds that we base our claim, for our schools being allowed to develop in the manner in which we think best.

"The Hon. the Minister may tell us—as he told us the other day—that there is nothing in the Champion scheme which would stand in the way of our developing our own schools and that the Catholic institutions will not be affected.

"But I would just invite attention to a few lines from the Champion report. Turning to paragraph 17, you find it stated that the amalgamation of schools under public management offers no real difficulty; but amalgamation of schools under private management is not so simple. This is exactly what the report says:

'A school under denominational management, of long standing, with its own building, cannot reasonably be required to merge itself in a school under public management, or to combine with another aided school under different management; that consolidation so far as aided schools are concerned must be with the full and free agreement of the management.'

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That makes very good reading; apparently a very sensible and a very reasonable statement. But I only ask who is it that is going to decide whether a particular aided school satisfies all these conditions. What I would particularly like to know is, 'Who is to decide that a school is a well-conducted aided school?' Are we not going to be thrown after all, on the mercies of the lower subordinate services of the Educational department?—that is if you accept the scheme of Mr. Champion as it is. But what is the progress which this scheme has made since the report was first presented in the year 1930? We find that on 23rd April 1930 by order of the Government, this report was referred to local bodies for the submission of proposals towards consolidating and concentrating elementary school education in their areas. This is what it says:

'All local bodies which maintain elementary schools are advised to prepare in the light of the suggestions made in the report as modified in paragraph 1 above, schemes for the consolidation and concentration of elementary schools in their areas and submit them to the Director of Public Instruction.'

A report has therefore to be made, if this Government Order is to be given effect to, presumably by a subordinate official; that would be sent up to the local body; and that local body would submit a scheme not merely for schools under its management and under its control but for all schools, whether aided or not, within its area; on that report the Director of Public Instruction will carefully examine the schemes before they are put into operation. In the whole process from beginning to end, aided institutions come in nowhere at all. Is their voice to be heard at all? Are you going to give them a chance of representing their own case?

The Hon. Diwan Bahadur S. KUMARASWAMI REDDYIAR:—"May I correct my hon. Friend? The Government Order of 1930 did not contemplate aided schools; it related to schools under public management. If the hon. Member reads the Champion scheme and the Government Order together, it will be absolutely plain. It is not the idea to bring in aided schools."

Rao Bahadur A. T. PANNIRSELVAM:—"I am glad of that assurance. But paragraph 2 of that Government Order would make it appear that it will include all schools within the area of a local body. The Government Order says 'schools within their area'; if it says 'Schools under their management or control,' one can understand it. However we have now the assurance of the Hon. Minister, but the Government Order of April 1930 is ancient history. If I refer to it, it is only for the purpose of showing that the subsequent stages have not taken us anywhere.

"We have the Government Order of 1933; that is the latest Government Order which according to the Hon. the Minister should satisfy us; that Government Order says:—'While the Government agree that schemes of consolidation should comprise schools under all agencies, they consider that, in view of possible opposition from certain quarters,

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the scheme proposed for each area should be such as to secure the maximum amount of amalgamation possible under the circumstances prevailing in the area to which it relates.' How is this order to be translated or interpreted? It says, 'in view of possible opposition'—i.e., you expect opposition—but still the subordinates of the Education department are thereby enjoined to see that they secure the 'maximum amount of amalgamation'. Is it to be in spite of the opposition? It may perhaps be stated by the Hon. Minister that the safety lies in the fact that whereas according to the Government Order of 1930 the final authority was the Director of Public Instruction, the final authority under the present order is the Government. I see that each scheme as it is submitted to the Director of Public Instruction, is to be scrutinized by him and passed on to the Government. Then the Government Order says:

'The Government also consider that, as the financial effect of each scheme should be considered before an announcement is made as to the utilization of the savings that are likely to result from its adoption, the final orders on each scheme should be passed by Government. The scheme should contain the following particulars: the present total cost of maintenance of the schools, the cost according to the scheme and the savings anticipated.'

Your order shows that you give a direction to your subordinates that the maximum amount of amalgamation should be achieved by them, even though to that amalgamation opposition from certain interests is anticipated. Then you say it should be submitted to the Government, not for any other purpose, but to consider the financial aspect of it. Otherwise the Government are not going to have a say in the matter. That is the latest Government Order. How does the Hon. Minister expect us to be satisfied that our interests will be properly safeguarded with a Government Order of that sort? I would respectfully submit that, as far as this scheme is concerned, if it is going to be given effect to in spite of the opposition you find from all quarters—I would only endorse the suggestion that these proposals be scrutinized not merely by the Government but by Committees—territorial committees constituted for portions of the Province if need be, so that the interests affected might also have a say in the matter.

"The next question—an equally important one—is the question of co-education of girls and boys being put into the same school and brought up and taught in the same classes. Throughout, the Government seem to assume that this is the better course for the advancement of the Indian Nation; but that in view of possible objections from certain 'backward' quarters, separate schools may be tolerated for some time. In the Champion scheme itself it is stated that there is likely to be objection to this sort of co-education. I may state that, from our point of view, I do not object to co-education provided it is restricted to children below ten years of age. Whatever might be the practice in Western countries with a different civilization, I feel convinced that in our own country, with our social traditions, with our domestic habits, it is unsafe from every point of view to have grown-up children being put together and taught in the same schools. Personally, as I said, I have no objection to boys and girls below ten years of age being put

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in the same schools, but that would be subject to this condition; that if it is to be a case of having mixed schools, I would invariably insist upon teachers being mistresses rather than masters. I would much rather wish young boys being educated in schools managed by mistresses, rather than young girls being taught by young men-teachers, half-educated, with not much culture, their only qualification being the training course.

"There is one other proposal of the Government, viz., that girls, if there be a sufficient number of them, will be put in a separate section in the same central school under probably a male teacher. What is to become then of the innumerable number of schools which are being maintained by Catholic sisters whether European or Indian? Do the Government reasonably expect that these sisters will reconcile themselves to being mistresses in a school which is probably superintended and managed by a layman-headmaster? Would it be fair on your part to pull out these Catholic sisters who from high motives of service to God and humanity have chosen a cloistered life? Do you expect them to work in these central schools under the management and in the company of men-teachers? If that be not your idea, is it your aim then, to drive out these sisters from the educational field altogether? It seems to me that there is no middle course between these two positions. Either these sisters will be compelled to do what I know they will not do—that is, to work in mixed schools—or they will be sent out of the educational field altogether. These are some of the objections, Sir, which I have on the question of co-education."

The Hon. DEPUTY PRESIDENT:—"The hon. Member will continue his speech to-morrow.

"The House will now adjourn and meet again to-morrow at 11 a.m."

III.—PAPER LAID ON THE TABLE OF THE HOUSE.

* Communication with reference to the Legislative Council Question No. 504 answered on 29th January 1934.

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

[21st March 1934]

APPENDIX.

[Vide item III—Papers laid on the table of the House, at page 595 supra.]

REVENUE DEPARTMENT.

Communication to the Council.

With reference to the Legislative Council Question No. 504 answered on 29th January 1934, the following information on the subject of transfer of the control and management of cattle-pounds to local bodies is laid on the table:—

Cattle-pounds are regulated by the provisions of the Cattle Trespass Act, 1871, an All-India Act. Under section 6 (proviso) of that Act, the heads of villages in this Presidency are ex officio keepers of village pounds, and though under section 31 (a) the Local Government may transfer to any local authority all or any of the functions of itself or of the District Magistrate, the Government have found it not possible to exercise that power for the following reasons:—

- (1) Unless section 6 of the Cattle Trespass Act is amended the transfer would place the village headmen under the orders of local bodies in this respect; and even if the Act were amended few local bodies would be in a position to employ other paid agency for work connected with cattle-pounds.
- (2) Of about 8,800 pounds in the Presidency only a small number are run at a profit, and the Government cannot hand over the profitable pounds to panchayats while retaining the burden of the unprofitable pounds themselves. It is doubtful whether local bodies would be willing, or could afford to take over the management of all cattle-pounds in the Presidency.
- (3) Under the Madras Local Boards Act as it stands, only a panchayat can be given control of cattle-pounds (the powers of a panchayat where there are no panchayats being exercised by taluk boards). There are no panchayats in many places where there are pounds and it would be inconvenient to hand over some pounds to panchayat boards and to retain the rest under the District Magistrate.

2. The question was again examined recently in connexion with retrenchment of land revenue establishment. It was found that the proposal to transfer cattle-pounds to local bodies is not likely to prove an economy. Having regard to this and the difficulties set forth in paragraph 1 above, the Government have dropped the question of transferring control of cattle-pounds to local bodies.

J. A. THORNE—12-3-34.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF
MADRAS.

Thursday, the 22nd 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.
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.
Alamelumangathayaramma, Mrs. K.
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.
Beyahani Sahib Bahadur, S. M. K.
Bhanoji Rao, Mr. A. V.
Birley, Mr. F.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. R.
Gopalaswami Mudaliyar, Diwan Baha-
dur M.
Gopalaswami Ayyangar, Diwan Baha-
dur N.
Indrayya, Mr. C.
Jagannatha Raju, Rao Bahadur G.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Kesavaramamurti Nayudu, Mr. K.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Krishnan, Mr. C.
Kumararaja of Venkatagiri, The.
Ladden, Mr. W. W.
Lakshmana Reddi, Mr. G.
Langley, Mr. W. K. M.
Madanagopal Nayudu, Mr. R.
Maharaja of Venkatagiri, The.
Manikkavelu Nayakar, Mr. M. A.
Metherell, Mr. J. K.
Moses, Mr. P. C.
Muniswami Nayudu, Diwan Bahadur B.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Nachiyappa Gounder, Mr. K. A.
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.
Patnaik Mahasayo, Sriman M. G.
Patro, Kt., Rao Bahadur Sir A. P.
Pattabhiramayya, Mr. K.
Pattagar of Palayakottai, The.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Rao Bahadur
T. A.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, Mr. M. D. T.
Rangaswami Reddi, Mr. M. B.
Ratnasabhapati 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.
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.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Mr. M.
Venkatarama Ayyar, Mr. K. R.
Zamindar of Kirlampudi, The.
Zamindar of Mirzapuram, The.

[22nd March 1934]

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Fisheries

Experiments with sodium hypo-chlorite carried on at the Tanur Research Station.

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

(a) whether experiments with sodium hypo-chlorite were conducted by Sir F. Nicholson;

(b) whether the experiments are being continued by the present Director of Fisheries;

(c) whether the defects noticed by Sir F. Nicholson have been remedied; and

(d) whether the results are satisfactory?

A.—(a) & (b) Yes.

(c) & (d) The results of the experiments that have been conducted are recorded in the administration report, e.g., paragraphs 64 and 65 of the Report for 1932–33.

Experiments, if any, carried on at Tanur Research Station for the preservation of boats and nets.

* 810 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Excise be pleased to state whether experiments for the preservation of boats and nets are being pursued at Tanur and, if so, with what results?

A.—The attention of the hon. Member is invited to paragraphs 69–72 of the Administration Report of the Department of Fisheries for 1932–33.

Utility of the experiments conducted at the West Hill and Krusadi stations.

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

(a) the nature of the experiments conducted at the West Hill and Krusadi stations and with what results; and

(b) whether the results obtained are considered of value to fishermen?

A.—(a) The hon. Member's attention is drawn to paragraphs 6–7 and 15–51 of the Fisheries Administration Report for 1932–33.

(b) The results of the researches carried on at Calicut should be of great value to fishermen, but it can only be after some years that definite conclusions are reached. The main line of investigations at Krusadi Island relates to pearl and chank fisheries which are crown monopolies.

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Local Self-Government

Repairs to the Yercaud Ghat Road.

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

(a) whether the Yercaud Ghat road was much damaged by the recent rains;

(b) how long traffic was held up in that road;

(c) whether traffic has been resumed in that road;

(d) if so, from what date; and

(e) what the expenditure incurred is in bringing the road to proper order?

A.—(a) Yes.

(b) to (e) The Government have no information.

Religious and Charitable Endowments

Working hours of the Hindu Religious Endowments Board and the attendance of the Commissioners for conducting enquiries.

* 813 Q.—Mr. M. A. MANIKKAVELU NAYAKAR: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) the office hours of the Hindu Religious Endowments Board and the hour at which the holding of enquiries begins;

(b) whether the Commissioners of the Board do not attend office at the prescribed hours, thereby causing much delay in the disposal of cases, causing inconvenience to the parties; and

(c) whether there is a diary or record of work done by each Commissioner in the Board and, if so, whether a copy of such record is sent to the Government?

A.—(a) The office of the Hindu Religious Endowments Board is open from 10–30 a.m. to 4–30 p.m. The Government have no information about the time fixed for enquiries.

(b) The Government have no information.

(c) The Government have no information regarding the maintenance of a diary or record of work done by each Commissioner. They do not receive copies of such records.

Division of functions among the President and the Commissioners of the Hindu Religious Endowments Board.

* 814 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) the manner in which the jurisdiction over the Presidency is divided among the President and Commissioners of the Board administratively and judicially; and

(b) the manner in which the administrative and judicial side of the Board's work is being carried on in the absence of the District Commissioner when he is on tour or on short leave?

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- A.—(a) The information is not available. It has been called for.
 (b) If a Commissioner is, for any reason, unable to attend to his duties his division will be administered by the President or such other Commissioner as the President may nominate.

Tour of the President of the Hindu Religious Endowments Board in Malabar and South Kanara in June 1933.

* 815 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state whether the President of the Hindu Religious Endowments Board toured last June in the districts of Malabar and South Kanara for about two weeks after the Divisional Commissioner toured in the same districts for about three weeks in March?

A.—According to their tour programmes the Divisional Commissioner toured in the districts for about a fortnight in March 1933 and the President for about ten days in June 1933.

Application of coercive processes by the Hindu Religious Endowments Board for recovery of contributions.

* 816 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

- (a) the amounts of contribution collected by the Board itself and through the Revenue authorities till January 1934;
 (b) whether it is a fact that properties worth Rs. 5,000 belonging to a temple in Mannargudi taluk, Tanjore district, were attached and sold for recovery of contribution of Rs. 2,500 and were sold for Rs. 500; and
 (c) the number of cases in which the properties of the temples and maths were sold for realization of contribution and the total amount realized thereby till 28th February 1934?

A.—(a) to (c) The information is not available; it has been called for.

Progress of audit by the Hindu Religious Endowments Board of the accounts of excepted temples and maths.

* 817 Q.—Mr. M. A. MANIKKAVELU NAYAKAR: Will the Hon. the Minister for Local Self-Government be pleased to state—

- (a) the number of excepted temples and maths whose accounts were audited by the Board as provided for in section 48 of the Madras Hindu Religious Endowments Act; and
 (b) whether the Government will be pleased to lay on the table the number and names of auditors appointed by them for the years 1930, 1931, 1932 and 1933 for the districts of Tanjore, Tinnevely and Trichinopoly and the number of audits given by the Board to each auditor in those districts?

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- A.—(a) The attention of the hon. Member is invited to the administration reports of the Hindu Religious Endowments Board published each year. Information regarding the number of temples and maths whose accounts were audited is available in these reports.
 (b) The official year for the Hindu Religious Endowments Board is the fasli year. A statement^a is appended showing the number and names of the persons who were appointed to audit the accounts of the temples and maths for the several years. The Government have no information regarding the number of audits given by the Board to each of these auditors.

Provincial Finance

Posts carrying a higher maximum under the revised scale of pay.

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

- (a) the nature and number of posts for which in the revised scales of pay a higher maximum than what was obtaining in the old scales of pay has been fixed;
 (b) the reason for fixing such a higher maximum; and
 (c) whether it was the intention of the Government in fixing such a higher maximum that the present incumbents should be given the benefit thereof?

A.—(a) The hon. Member is referred to the Government Orders No. 311, Public (Services), dated 13th April 1933, No. 511, Public (Services), dated 16th June 1933, No. 814, Public (Services), dated 4th October 1933 and No. 957, Public (Services), dated 17th November 1933, which have been placed at the disposal of the press or published in the *Port St. George Gazette*.

- (b) A higher maximum has been fixed in individual cases to secure one or the other of the following objects with reference to future entrants to services:—
 (1) To recruit better qualified candidates;
 (2) to avoid a block in promotion which may arise on occasions due to the smallness of the cadre;
 (3) to secure uniformity in the pay scales of identical posts in different departments;
 (4) to adopt the standard time-scale pays in lieu of the fixed rates of pay previously in force;
 (5) to replace a number of time-scales or fixed rates of pay by a common time-scale for the whole service, providing for a complete career for the average future incumbent;

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(6) to serve as a partial compensation for the abolition of selection grade posts and to ensure adequate prospects of promotion.

(c) The point is under consideration of Government.

Land Revenue Administration

Recommendation of the Indian Taxation Enquiry Committee for standardization of the assessment on ryotwari land.

* 819 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state the action, if any, taken by the Government on the recommendation of the Indian Taxation Enquiry Committee to standardize the assessment on ryotwari land at a comparatively low figure not exceeding 25 per cent of the annual value and if no action has yet been taken, why not?

A.—The attention of the hon. Member is invited to the answer given to question No. 792.

Proposal of the Collector of Anantapur for the suspension of land revenue in Hindupur and Madakasira.

* 820 Q.—Mr. G. LAKSHMANA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Collector of Anantapur recommended for the current fasli the suspension of land revenue to the extent of 50 per cent owing to poor outturn of crop in Hindupur taluk and in Madakasira firka of Madakasira taluk in the district of Anantapur; and

(b) if so, whether the Government have passed any, and what orders?

A.—(a) Yes, in respect of dry assessment.

(b) The Board of Revenue has negatived the Collector's proposals.

Mr. G. LAKSHMANA REDDI:—" May I know, Sir, on what basis the Board of Revenue negatived the Collector's proposals? "

The Hon. Sir ARCHIBALD CAMPBELL:—" The Board were not satisfied that there was a case for suspension of land revenue, as the extent under cultivation was 97 per cent of the average area cultivated during the last five faslis, as the rainfall this year has been above the normal and as the outturns as reported by the Collector were wrongly calculated. He had made the average outturn lower by counting in all land left fallow, though it is the district practice to leave land fallow in some years. In view of these facts, the Board could not accept the recommendations of the Collector as they were based on incorrect facts and deductions."

Mr. G. LAKSHMANA REDDI:—" May I know when the Board received the Collector's proposals? "

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

22nd March 1934]

S. M. K. BEYABANI SAHIB Bahadur:—" May I ask whether it is not a fact that the Anantapur district received rainfall late this year? "

The Hon. Sir ARCHIBALD CAMPBELL:—" It had ample rainfall; but I cannot exactly say when it received it."

S. M. K. BEYABANI SAHIB Bahadur:—" Is the hon. Member aware of the fact that rainfall, when it is received late, means failure of crops? "

The Hon. Sir ARCHIBALD CAMPBELL:—" I am thankful to the hon. Member for the information; but in this case, the outturn which was in fact obtained has been taken into consideration."

Collection of kists in certain villages in Udayarpalaiyam taluk during January 1934.

* 821 Q.—Mr. V. T. ARASU: Will the Hon. the Member for Revenue be pleased to state—

(a) the percentage of the kist demands falling due in the month of January that has been collected in the following villages of the Udayarpalaiyam taluk, Trichinopoly district—

- (i) Pillaipalaiyam;
- (ii) Ellayaperumanallur;
- (iii) Kuruvallaparkoil;
- (iv) Vangudi;
- (v) Bethiarvettu;
- (vi) Padanilai;
- (vii) Eravangudi;

(b) whether the Revenue Divisional Officer of Ariyalur has imposed any fine on the village munsifs of the abovementioned villages within the last three months; and

(c) if so, the extent of the fines imposed and the reasons for the same?

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

Mr. V. T. ARASU:—" May I know, Sir, if the Government have since received the information? "

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

Mr. V. T. ARASU:—" Will the Government be pleased to call for the information, Sir? "

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

Balance at credit of the irrigation cess fund in Salem.

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

(a) what the amount is at credit in the irrigation cess fund in Salem district now; and

(b) what the nature is of expenditure incurred from this fund?

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A.—(a) The balance of the fund on 31st March 1933 in Salem was Rs. 10,279-9-7. The balance with which the fund is estimated to close on 1st April 1934 is Rs. 10,461-9-7.

(b) The attention of the hon. Member is invited to the article headed "Application of funds" under the Chapter "Irrigation Cess Fund" in the Special Funds Code.

Control of Books and Newspapers.

Proscription of Swami Rama Thirtha's works.

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

(a) whether books of Swami Rama Thirtha are treated as proscribed books and seized by the Police;

(b) whether on 10th November 1933 such books which were with Mr. Budhiraju Surappa Raju were seized by the Police at Vizianagram on the ground that he was selling unauthorized news sheets and Mr. Surappa Raju sentenced to six months' imprisonment; and

(c) the names of the books referred to in clause (b) with the respective dates of their publication and when objection was taken for the first time to any of them?

A.—(a) No books of Swami Rama Thirtha appear to have been proscribed by this Government.

(b) & (c) Certain books were seized from Mr. Budhiraju Surappa Raju on 10th November 1933 by the Vizianagram Police and he has since been convicted under section 18 of the Indian Press (Emergency Powers) Act, 1931, in respect of them, but none of them were books of Swami Rama Thirtha.

UNSTARRED QUESTION

Medical Administration.

Employment of sisters not qualified as nurses to attend to maternity cases.

824 Q.—Rai Sahib C. KOLANDA RAO: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) in how many Government hospitals where sisters are working as nurses there are maternity wards;

(b) how many of the sisters in each hospital are qualified midwives in Government hospitals with maternity wards where sisters are employed as nurses;

(c) in how many such hospitals where the sisters are not qualified midwives are allowed to conduct labour cases, and why; and

(d) when such sisters not qualified as midwives are given charge of maternity wards, whether the qualified Indian midwives are made to work under such unqualified sisters; if so, why?

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A.—(a) & (b).

Name of the institution with maternity ward where sisters are employed.	Number of sisters employed.	
	Qualified as midwives.	Not qualified as midwives.
Headquarters Hospital, Cuddalore ..	4	..
Do. Masulipatam.	..	* 6
Do. Trichinopoly.	1	..
Do. Guntur ..	† 2	† 2
Do. Vizagapatam.	1	6
Do. Tuticorin ..	..	2
Do. Kodaikanal.	..	1
Do. Madura ..	..	3

* Undergone training in midwifery in Switzerland. But they do not possess separate diplomas as qualified midwives.

† The sisters have since resigned.

(c) Sisters who are not qualified as midwives are not ordinarily permitted to conduct labour cases. Owing, however, to the unavoidable absence of the qualified midwives 5 out of 134 cases were conducted by sisters in the Headquarter Hospital at Masulipatam.

(d) Qualified Indian midwives are not made to work under unqualified sisters.

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

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

The Hon. the PRESIDENT:—"I have to announce that the Madras Town-Planning (Amendment) Act, 1934, received the assent of His Excellency the Governor on the 13th March 1934."

III.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND XVII—EDUCATION—TRANSFERRED.

* The Hon. the PRESIDENT:—"The discussion on Demand No. XVII will be resumed. Mr. Pannirselvam will continue his speech on the cut motion of Mr. Sreshta."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I was trying to point out last evening how co-education of boys and girls had in itself nothing to recommend it, how it was an importation from the West, an unwanted and unwelcome importation, and how such co-education was unsuited to the genius, the tradition and the sentiment of the Indian people. I also pointed out how personally I had no objection to co-education being tolerated, only tolerated, in the case of younger children provided that such co-education is confined to schools under exclusively women management. I also wished to make it clear how

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the position of the numerous convent schools would be seriously affected if this co-education policy was to be given full scope, and how if that policy was to be adopted, special provision should be made to see that convent schools run by nuns are not brought within the scheme.

“Another point which it seems to me has been completely ignored by the Champion Scheme is about the schools of a denominational character which might be brought into existence in the future. How are they to be fitted in into this scheme? On that point, the report itself is completely silent and nothing so far has been done. Talking of schools which might be brought into existence in the future, I may make mention of a very well-conducted and very efficient higher elementary school for girls in Tanjore town, conducted by European sisters, which has for the last two years been trying to get itself converted into a secondary school, to meet the needs of the girls passing out of the higher elementary standard who have either to give up their education altogether or to go to a distant place like Trichinopoly. Quite recently, the Secondary Education Board, backed up by the recommendations of the various educational authorities, sent up a proposal for the conversion of that higher elementary school into a secondary school; but unfortunately the Director's office turned it down on the score that in the same town there was another girls' secondary school under the Evangelic Lutheran Mission management, though that school is in a different part of the town altogether, the school proposed to be converted into a secondary school being situated in almost the outskirts of the town, in a place where the Catholic population is most concentrated, a school which caters not merely to the Catholics but to several well-to-do Hindu families located in that part of the town.

“I should also like to say a few words, Sir, before I conclude, about the representation of the Indian Christians and the treatment which they have received, in the matter of the services, at the hands of the Education Minister. Sir, the Hon. the Minister for Education has been known to have been one of the more prominent members of the Justice Party from its very inception. He was considered one of the staunchest followers of that party till he was elevated to the Treasury Bench. In fact, Sir, there was an occasion when he was thought to be such an eminent member of the party that we all unhesitatingly elected him to the Presidentship of that memorable Confederation held at Coimbatore. It does seem to me to be really tragical that I have to complain because of the treatment which the Indian Christian community has come for at his hands. I wonder, Sir, if, in the atmosphere in which he finds himself to-day, he is either not able to do justice to the community, or he is blind to their existence itself. The other day, in reply to a question of mine as to whether any Indian Christian had been recommended by the Law College council for appointment as lecturer in that College, the Hon. the Minister stated that the report was confidential and that public interests would suffer by the names of the candidates recommended

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being given out. But we all know, and he knows that we all do know, that an Indian Christian had been recommended, and that out of the 12 names recommended, there was only one Indian Christian. But that Indian Christian had the highest legal distinction which one could desire; he was a doctor in law of the London University. Sir, the other day during the course of the debate on the Madras Services Commission report, the Hon. the Minister for Education laid great store by academic qualifications. He claimed to have done nothing but justice, when he disregarded the recommendation of the Services Commission, because the candidate chosen by him had a higher technical and academical qualification. Why then did he disregard the name of the only Indian Christian who was recommended by the Law College Council, who had the highest distinction available in the legal line, the LL.D. of the London University? The two cases are parallel only in this respect that the recommendations have in both cases been disregarded.

“Again, Sir, to a series of interpellations regarding the representation of the Christians on the College Selection Committees, he told us that for not a single institution under his management for which selection committees had been constituted, has he thought fit to appoint or nominate a Christian. That is a point which I do not want to say very much about, because he gave us an assurance that in the future constitution of these bodies, he would consider the claims of Indian Christians. I only hope that when the day comes, he will remember the promise he has made. I would also request him to make the promise applicable not merely to nominations to selection committees, but as a promise to give due recognition to the existence of the Indian Christian community.

“Let me conclude, Sir, with the hope that at least the Hon. the Minister for Education will not consider the Indian Christian community or the Catholic community to be a ‘wretched’ community consisting of a negligible and contemptible minority in this province.”

* Dr. P. SUBBARAYAN:—“Mr. President, Sir, I had no intention of taking part in the Education Debate to begin with; but the Champion Scheme has come in for such criticism from members representing the minority communities, that I think it is due on my part, considering that Mr. Champion was appointed in my time to report on the consolidation of schools and the best way in which money could be spent for encouraging elementary education in this province, to say a few words.

“The Government laid it down as a policy at the time and I believe it is being followed also that a vast amount of money was being spent both on secondary and university education and the elementary education part of it was being neglected for want of funds. The Government felt at the time that it was necessary to find some method by which, with the amount available with the Government, the best use could be made of it to make elementary education, if not

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compulsory, at least practicable in as large an area as possible. Mr. Statham first investigated this matter; but the Government of India took him away and Mr. Champion took his place. Mr. Champion worked at this and eventually submitted his report by which he thought that, if these small schools were got rid of and central schools were established in certain places, it might be possible for funds to be utilized in such a manner as to make elementary education not only a proposition but a fact by which a large number of children could be educated at least up to the fourth standard. I know my friends, especially of the Catholic community, complain that they have to give a religious basis to their education and that, if their children are sent to schools which are not Catholic, the very fundamentals of their religion would be attacked. To that, my answer is this; and I gave it also when I had the honour of holding the portfolio of Education. The State funds are limited. The State funds come from the general taxpayer and the convenience of the general taxpayer must take precedence over others (Hear, hear). I do not mean to say by this that we are going to neglect the education of the Catholic community. But at the same time, if the Catholic community want a particular type of education, then they must be prepared to pay for it (Hear, hear), for the simple reason that they cannot expect the general taxpayer to pay for the convenience that they desire. And that is the fundamental of the Champion report. I am sure that my friends of the Catholic community realize it. In spite of the best will in the world, it will not be possible for any Government, be it even a Catholic Government, to neglect the wishes of a large majority of the population who stand for compulsory elementary education, so that the future electorate may be able to decide the question of their representation in any legislative body that may come into being in this country with their eyes open. I entirely sympathise with my Catholic friends when they ask that separate denominational schools should be established. But I should make this reservation with regard to that. The State will be willing to help such Catholic schools to be established and will make as much grant as is possible. The fundamental proposition is that the convenience of the majority of the population who pay the taxes should be catered to first. This does not mean that the Government should not step in and help Catholic schools. I do feel that in the interests of minorities such help should be given; but such help is bound to be limited to the funds that is available with the Government. At the same time, if India is to become a Nation to-morrow, it is but right that all children, belonging to whatever community, should be educated in common schools. (Hear, hear.) Common schools will lead to common understanding, common ideals and common causes; and if you are going to bring up your children in water-tight compartments even from the very inception stage of education, I am afraid that all this tall talk of an Indian Nation may come to an end. I would plead with my friends of the minority communities, that taking care of their interests, they should have this ideal before them and that is a united Nation for India in

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the future. This will not be possible if every community is going to demand that it should be educated in separate schools of its own. I do not intend to say this to my Catholic friends alone; I say it also to my Muslim friends sitting behind me. (Hear, hear.) Day after day, I hear them saying that there are not enough Muslims in the Police department, that there are not enough Muslims in the Education department, there are not enough Muslims in the Revenue Department. Why not? They are not there because they do not come up to the standard of qualifications laid down for Government service. If two candidates, one belonging to the Muslim community and the other to the Hindu community, came for appointment and if I had anything to do with the appointment and if all things were equal, I should certainly prefer the Muslim to the Hindu candidate for the simple reason that we want to help the minority community. We must keep this fundamental principle before us that these minority representations could only be made if all things are equal. I do not think that the service of the State should suffer for a moment simply because a minority community is to be represented. (Hear, hear.) We must take into consideration the question of qualifications, whether the person selected would be such as would fittingly fill the job which is to be undertaken by him. My hon. Friend, Mr. Pannirselvam, talked of Christians not being properly represented in the Educational Service. I should tell him that in my own time Christians were appointed whenever they were found fit."

Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, I did not say anything about the representation in the Services as such. I was speaking of the treatment of the Indian Christians were having at the hands of the Hon. the Minister."

Dr. P. SUBBARAYAN:—"I think the Hon. Minister will take care of himself and I do not want to press this point any further. But I only want to say this, that, if Christians with proper education were available, they did get their chance in the Education department. The present Professor of Economics in the Presidency College, Dr. Kallukaran, was appointed over the heads of many Hindus, because I felt that he was the best qualified man for the job and I am sure the Hon. Minister for Education has got the same policy before him. If a particular Christian gentleman was not appointed to the Law College, I am sure he would have very good reasons for not doing so."

"Mr. President, so much for the Champion Scheme. I would like to address a word to the Hon. Minister on the question of medical inspection. Medical inspection of schools has been given up for want of funds; but at the same time the Government are carrying on medical inspection in their colleges because the Syndicate of the University of Madras insist that there should be medical inspection if affiliation is to be granted. It is important that in schools there should be medical inspection rather in colleges because it would be easier to cure an ailment in a very early stage rather than when the person afflicted becomes an adult. The Hon. Minister will bear this in mind and see in what way medical inspection of schools could be provided for."

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"My friends of the depressed classes, I believe, feel that the abolition of Labour schools has led to the stagnation of education in their case. I know it is a point in which they have a certain amount of grievance. I am sure that the Hon. Minister is as keen as they are that the community should have the best chance they can have in the matter of education. But at the same time I would like to point out to the Hon. Minister that it is time that the Government Order, by which local bodies or private aided institutions were refused grant if they refused to allow a particular community into their schools, should be strictly enforced. I think it is a fundamental principle that if we are to really advance in the matter of education, such class consciousness as exist in the matter of local schools or in aided schools should be put down with a strong hand. Only when that is done will the minorities feel that their interests are safe in the hands of the majority community. I am sure the Hon. Minister will take note of the warning that has been given by my hon. Friends belonging to the depressed classes which I reiterate with equal emphasis now.

"Mr. President, the time is getting short; and I am afraid I have got another engagement. I hope that the Hon. Minister will not give in to the clamour of those minorities with regard to the Champion Scheme (Hear, hear) for the simple reason that it is a scheme which will redound to the benefit of a vast majority of this Province and after all the benefit of the majority ought to be the main principle of a State. I am a Benthamite enough to believe that the greatest good of the greatest number ought to be the ideal of the State."

* Rao Bahadur Sir A. P. PATRO:—"Mr. President, Sir, I feel diffident to raise my voice after the vigorous defence of the scheme by the hon. Member, Dr. Subbarayan. The time at my disposal is very short and I do not propose to enter into a critical review of the various stages of educational policy of this Government. I only want to raise a few questions so that the Hon. Minister may enlighten us as to the progress that has been made in various directions. It is with a view to elicit information that I raise the following points and I hope that he will answer each one of them definitely and unequivocally so that it may allay suspicion and apprehension in the minds not only of the Members of this House but also of the people outside.

"Before I enter into this question, I would say that I entirely agree with the speech of the Leader of the Opposition in regard to communal representation. The principle of communal representation in order to protect the interests of minorities and other unrepresented communities has been acknowledged by this House and by the public. Where there are two candidates of equal qualifications, the one belonging to an already represented community and the other to an unrepresented community, the one belonging to the unrepresented community will be preferred. That is the principle guiding appointments to services by the Government. When that has been accepted by the party and the Government, I do not find the need for the unnecessary waste of energy on the part of the previous speaker (Dr. Subbarayan)

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when he reiterated and re-emphasized an already acknowledged principle. I must strongly condemn preference to persons with less qualifications and efficiency; but temporary support should be given to the unrepresented community so that the community may come up, gradually. I do not think that my hon. Friend, Mr. Pannirselvam, demurs to this proposition at all. Sir, Mr. Pannirselvam has been making a 11-30 special representation in regard to particular individual cases and not a.m. to a general principle. Whether the individual case is justifiable or not on this principle, is a matter that is left to the Government and I am sure the Hon. the Minister will reply to him whatever he has got to say on the question. But this House, within the last few days during the discussions on the Budget, has been worried and tired and may I say, that it is most disappointing that Member after Member, community after community, asking for representation that his community is not represented, that the minority community has not been represented, that any particular individual has not been taken into service and all that. If that is the kind of spirit that has been controlling and guiding hon. Members of this House, when shall we have that nationalism, that unity of spirit which should prevail, so that the coming Reforms can be successfully worked. May I with all respect submit that the scheme of the new Reforms can never be successfully worked, unless and until you bury the spirit of antagonism, bury the spirit of communalism, bury the compartmental system; and unless the spirit of nationalism, the spirit of oneness and the spirit of patriotism prevails and national problems are placed before communalism, we will never realize the successful working of the coming Provincial Autonomy.

"With these preliminary remarks, I would like to ask the Hon. Minister to let us have information whether any steps have been taken to prepare an Elementary Education Act. The Act that we have been working has become quite out-of-date. Several attempts have been made in previous years and in fact draft Bills were prepared; special officers were appointed in order to investigate and report to the Government. I would ask the Hon. Minister, even after a period of 3½ years or four years which will end very soon, whether the time is ripe and whether he has bestirred himself or taken any interest in order to prepare a consolidated Elementary Education Act, to place all those reports in one consolidated form and to allay the fears of the minorities or particular sections. Such a Bill would have settled all these disputes on this question and questions like Catholic, non-Catholic and denominational schools, would not have arisen if a proper Bill had been framed and put on the Legislative Council anvil for discussion. But that has not been done and it is matter for regret to me, because at the time when I was in charge of the portfolio, attempts were made to formulate these specific principles and in fact two draft Bills were prepared. The hon. Dr. Subbarayan was very vehement in championing the scheme of Mr. Champion, which I shall shortly expose how hollow it is. Even in spite of draft Bills, no serious attempt has been

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made to prepare a proper Bill and I want to know whether a Bill is now ready and available for purposes of public discussion prepared by the Hon. the Minister. It is true that a special officer was appointed. Before that, Mr. Moir, the late lamented Sir Thomas Moir, prepared a scheme; that report was very instructive in all respects and it adhered to the present principle. It is all ancient history. The Hon. Minister says ancient history is more instructive than modern history with its shallowness and inactivity. Ancient history is more educative and more educative to the Hon. Minister himself who is an ignorant person than mere flourishes; the Hon. Minister has much to learn from what the ancient history has to teach him. Sir, it is ancient history, but then there is no new history. The only new history that we have got is this report prepared by a special officer. (The Hon. Diwan Bahadur S. Kumaraswami Reddiyar: It is his production.) His production or your production, both are the same and there is not much to choose between the two. What have you done? What is it that this report contains? This report is mostly theoretical doctrinaire and cannot be applied to practical conditions of India and to practical conditions of rural life in India. Now, I want to know whether any particular area has been selected for making this experiment and how far it was successful during the last three years. Time after time, Government issue orders amending it or adding to it or subtracting from it, but no serious attempt has been made in any particular area to try that experiment and see whether it is practicable or not. Sir, in certain municipalities, of course, such as Coimbatore and Vizagapatam Municipalities, where owing to the personal influence, and personal interest of the Chairmen, it was possible to carry the scheme with some success. The case of municipalities is different from rural areas, it is possible to work the scheme successfully in municipalities owing to the compactness of the area. Whereas, in rural areas where schools are located, children from villages scattered at distances of 3, 4 or 5 miles apart, it will not be possible for children to attend central schools. They have therefore nothing to gain by such schools and therefore these central schools are useless unless it be they are intended to benefit the urban areas. If central schools are situated at distances of 3 or 4 miles, how are you going to bring children from the different villages to these schools? Is it not therefore a waste of energy. It is a waste of money. The present scheme has been spoken of as a wastage by the present Minister and his predecessor and by certain newspapers, because some British officer or British Educationist and I.E.S. officer who do not know anything about the social, and economic life of our rural areas, start a stunt as it is difficult for them to work the present system. Without knowing rural conditions, they come into this country—it is something like putting new wine into an old bottle without knowing that the bottle would burst—and start new ideas. They know nothing about the rural conditions of our people. But, the Minister who comes from the people ought to know better than those that it would not suit present conditions and that some better means should be adopted. It is therefore a surprise to

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me that the Minister should support this new scheme of not ancient history but modern history and that he should be enamoured of it in its application to rural areas. Take his own district of Tinnevely. Let him place his hand upon his heart and say whether in the rural areas in his district where villages are scattered over distances of 3, 4 and 5 miles this wonderful central school will work successfully. In my district of Ganjam and in Vizagapatam, this system cannot be worked in rural areas, though owing to the laudable efforts of the chairman of the municipal council, it has been efficiently worked, but even there considerable improvements are required in many directions. We have seen its working. Therefore, how is it that the new scheme can be worked in practice in the conditions of the rural areas in our Presidency. It is nearly three years since the scheme has been put into the hands of the Government and a Bill should have been prepared by this time and discussions opened, public opinion must have been collected about the wastage that has been complained of against the present system. Sir, it is said that all the money that has been spent so far is a waste. That has become the real slogan political stunt and it is not at all an educational or social problem, it is not started by an Indian educational expert, but started by certain newspapers and taken up by a few interested persons saying that the present system is a wastage. I am sorry that the Minister himself has repeated it in several places that it is wastage and wastage without any understanding and examination. Let him examine the whole case and see whether it is an improvement upon the old system or not. By this new system you are not going to help the people, their poverty, their social and economic conditions. It was therefore the Japanese method was adopted. Let every village have a school and then after consultation with the village panchayats, give charge of the whole scheme to their control and allow the panchayats to consolidate the schools. This will be a better system of education and will avoid wastage which is complained of. Avoiding that method altogether, you go and cut at the root of the expansion of elementary education and say, by concentration we can succeed and save money. For getting money, I am sure the Minister must have had several discussion with the Finance Department and I am sure he must have been able to convince the Finance Department as to the necessity of this expansion and surely he could have got through the whole scheme of expansion in five years and I do not know how far he has been successful in the matter and I should be very glad to know it from him. Let him say frankly and unequivocally.

“Then, Sir, as to compulsory education. Compulsory education was introduced in several municipalities and also in some taluk board areas. Now, I want to know from the Hon. the Minister, how far this system of compulsory education has been successful, whether it was left where it was in 1927—and what efforts have been made at expanding compulsory system of education. Or, is there any question of finance standing in the way—I cannot think that finance would be in

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the way of elementary education—for they were never in the way of expansion of elementary education. From 1920 till now the Finance Department have not stood in its way but have been giving money for the expansion of the compulsory system. But, much depends upon the energy, and personal work of the Minister himself. The Minister will have to go and talk to the Educational Council, talk to the municipal authorities, persuade them not once but even twice and more, sit there in a corner and get members to pass resolutions to carry on the scheme. It is not such an easy thing as sitting under the fan in the Secretariat and issuing mandates to the District Educational Councils and Municipal Councils asking them to introduce the compulsory system of education; but the Minister must visit several places, have discussions with the persons concerned, persuade them to adopt a proper system of education. Probably vested interests and aided institutions will be against such a proposal. Such ought to be the procedure to be followed with a view to see that people are persuaded to adopt the compulsory system. It is, of course, not an easy method. It is to be done by personal effort and not by sitting in the Secretariat and issuing orders. I do not want to go further into the details, but all that I want to say in regard to the new scheme and its application to rural areas is that it is a dismal failure.

“As regards the position of aided elementary schools, I am sorry to say that my friends of the depressed classes have ignored the great and noble work done by the Christian missions in this country, especially in Southern India. They have contributed whatever they could for the service of the people and they started first by educating the people and ameliorating their condition, and in this the missionaries have done most magnificent work. If to-day the Madras Presidency is educationally ahead of other provinces, it is because of the foundation laid by the missionary societies and the personal sacrifice of individual missionaries rendered in every district and taluk. Wherever they worked, they have worked disinterestedly and devotedly for the benefit of the people. I am sorry that my friends of the depressed classes have forgotten and ignored the work done by those missionaries.”

Rao Sahib N. SIVA RAJ:—“On a point of order, Mr. President. Not all the members but it may be a few of the members of the depressed classes, who have expressed their opinion like that.”

Rao Bahadur Sir A. P. PATRO:—“I only speak with regard to those gentlemen that have spoken and not with reference to my hon. Friend, Mr. Siva Raj.”

* The Hon. the PRESIDENT:—“He has spoken with regard to those that have already spoken.”

* Rao Bahadur Sir A. P. PATRO:—“Then, Sir, these aided institutions have contributed largely to the educational advancement of this Province. They should therefore be given every facility for expansion, because at present neither the local boards nor the Government are in a position to take up such work, and further elementary education

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has been completely handed over to local bodies—we also know the present financial condition of the local bodies and they are unable to spend anything—and the district educational councils also feel that it is impossible through the agency of local bodies that any expansion could be made.

“Therefore, we have to wait and see how far the panchayats will take up this problem of education. Therefore aided agency is necessary for the extension of education in this province and they cannot be lightly treated. Then, Sir, with regard to secondary education there was a proposal that there should be reorganization of secondary schools. At present in our Presidency we have got secondary schools crowded together in one place. There are too many schools in one area and the result is a great struggle. Financially, they are not able to meet both ends. They are not able to equip themselves with necessary laboratories, playgrounds and with essentials for physical education. So a policy was introduced to have a medical inspection of the students of the institutions. I ask the Hon. the Minister to state how far the question of the organization of secondary schools has been taken up and what progress has been made in this direction.”

“The other point is pre-vocational education. At present nothing is so more needed than vocational education. When the pupils come to the fourth form it has to be decided whether they are capable of going in for an academic or professional course. This decision has to be done in consultation with the headmasters and parents and then pre-vocational training has to be given in order to give a bias of vocation. They must be asked to work in the workshops and not feel it undignified to work. Look at the case of other countries, how the people go to the workshops to work for a small pittance for their maintenance and how in course of time they become helpful to the people and to the country. Therefore, we would like to know from the Hon. the Minister what steps have been taken in the direction of pre-vocational education which is so very necessary not only from the point of view of secondary education but for the purpose of benefiting the pupils themselves.

“Then, as regards physical education what has been done with regard to the medical inspection that was introduced in the high schools and secondary schools? A scheme of physical educational and medical inspection was formulated as far back as 1921 and no notice is taken of this scheme of physical education or medical inspection. I regret very much that it should have been so. I wait to hear the Minister to know if he has any good explanation in regard to this matter. Dr. Subbarayan has stated that it is for the benefit of the largest number of people that education should be aimed at and that it should not be confined to particular community. Here, Sir, I again ask the Hon. Minister to consider whether it is not the elementary education which would benefit the largest number of people. The Hon. Minister is doing ‘Sathavathanam’ and I hope he will follow my remarks. I ask, if the modern scheme of education of the Hon.

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Minister, which is said to be modern history whether this is for the benefit of the largest number of people. Are you spending the taxpayers' money for the benefit of the largest number of people? Even in municipal areas how far have you been successful in expanding and introducing the system of compulsory education and elementary education?

"These are questions which affect the welfare of the largest number of people not only politically but socially and morally. How far Government have succeeded in all these matters, the House will wait to hear from the Hon. the Minister."

* The Hon. the PRESIDENT:—"The Demand has to be put to vote at 12-20."

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, I have heard with great profit the interesting debate that has taken place on this Demand and many valuable contributions have been made on the questions that are engaging the attention of Government or will soon engage their attention. I shall first take up the point which has perhaps been dealt with by more hon. Members in this House than any other topic. That is the Champion scheme. I mentioned very briefly at the time of my reply to the general budget discussion the position of the Government with regard to this matter. Of course, under the limitations of time that I then was placed under, I could not make any more elaborate reply than I was able to do. I am glad that I have got an opportunity of now going into somewhat greater detail than at that time. As hon. Members are aware a report which related to the consolidation and concentration of elementary schools was made in 1929 by Mr. Champion. As the hon. Member, Dr. Subbarayan, has said that report was produced at the time he was the Minister in charge of Education. The Government passed orders on that report early in 1930. They generally approved of the scheme outlined in the report and issued instructions to the various local bodies, i.e., municipal councils and taluk boards who had elementary schools under their management to prepare schemes on those lines. The Government waited for a long time in the hope that the local authorities will take an interest in this matter which is of such vital importance for the healthy development of elementary education. But they were very sadly disappointed. Very few schemes ever reached the Government at all and even such schemes as came were incomplete and were not capable of being worked out with any degree of satisfaction. The Retrenchment Committee, which considered among other matters this very large question of the Government's policy with regard to the consolidation and concentration of elementary schools, urged that the Government should take very urgent action on the report of Mr. Champion. It was when considering this particular recommendation of the Retrenchment Committee that the Government went into the whole question again and as a result of the consultations and deliberations they had in that connexion the Government Order of September 1933 was passed. I may at once assure the hon. Members who represent

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the minorities that nothing new or startling was contemplated or undertaken at the time this Government Order was passed. The main point that was sought to be emphasized by this Government Order was that local bodies who were called upon to formulate schemes in accordance with the report of Mr. Champion had failed to do so and that it was necessary to find some other agency who would be amenable more to the control of the Government than the local bodies. If district educational officers were directed to prepare the schemes it would be possible for the Government to get schemes prepared within a reasonable length of time. It was also reported to the Government by their Educational Expert, the Director of Public Instruction, that it was not wise to exclude schools of any category from a comprehensive scheme that might be prepared, that the exclusion of aided schools altogether that was contemplated when the order of 1930 was passed was wrong from the educational point of view and it may therefore be made possible for efficient aided schools to come into the scheme if they liked. The Government Order of September 1933 deals with these two points and makes them clear. My hon. Friend, Mr. Sreshta, who started this debate and who, if he will permit me to observe, has made a careful study of the literature on the subject referred not only to the Champion Report and to the Government Orders that have been issued on that report from 1930 to 1933 but also to the instructions that have been issued. Both he and my hon. Friend, Mr. Thomas, who spoke on this subject have found in these documents enough evidence to show that it was not the intention of the Government to force any scheme on unwilling managers. I understood them to say that the safeguards provided in them were adequate but that the subordinate officials might not carry out the same policy.

"I could at once assure my hon. Friends that this fear has absolutely no foundation. Having been a Government official, and a distinguished Government official too, all his life, I was somewhat surprised that my hon. Friend, Mr. Sreshta, should have shared with others this distrust of Government servants. He will certainly realize that in no system of administration would it be possible to remove Government servants altogether out of the picture, and to allow him no part whatsoever in the administration. But if, as I said, he has studied these various documents carefully, he need not have any fear that the mischief, if any was done by a subordinate official, would filter through all the various stages through which a scheme has to go and pollute the very top. My hon. Friend, Mr. Thomas, who as I said, admitted the existence of adequate safeguards, only wanted the assurance that the interpretation of them will be liberal. I can assure him that, both in letter and in spirit, what is contained in these various documents will certainly be followed by Government in implementing any scheme of consolidation and concentration that might come up to them. My hon. Friend, Mr. Sreshta, doubted whether the Government Order of 1929 which was passed with special reference to Roman Catholic schools in his district would in any manner be affected by the present Government Order. I can tell him, Sir, that it was never the intention of the

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Government in any manner to modify, much less to cancel, the Government Order of 1929. That order only commended to the District Educational Council of South Kanara a certain principle with regard to the grant of recognition and aid to Roman Catholic schools in that district. The reasons which prompted the Government to issue that order apply, it seems to me, with as much force now as they did in the year 1929. I cannot, therefore, find any reason why my hon. Friend, Mr. Sreshta, should entertain the fear that the Government Order of 1929 would in any manner be interfered with.

“ My hon. Friend, Mr. Sreshta, also mentioned that both in the Champion Report and also in the instructions to which he referred, it has been mentioned that the participation of any aided, and particularly any denominational, agency in a scheme of amalgamation and concentration depends on its own willingness to join such a scheme. I am in entire agreement with him in his reading of these documents in that manner. In fact, it is perfectly clear from the instructions that have been issued that, when any scheme is under preparation in any particular area, it is open to an educational agency like the Roman Catholic Mission of whom my hon. Friend was speaking, to do one of three things with regard to their well established schools. It is open to them to say that they decide to keep out of the scheme altogether. It is also equally open to them to say that they unconditionally join the scheme that is under preparation and thirdly it is open to them to say that they shall join the scheme under certain conditions that they prescribe. If I am right in my recollection, my hon. Friend particularly referred to this third contingency, that conditions which may be necessary to safeguard the interests of Roman Catholic institutions, when they are amalgamated in any scheme, ought to be laid down and ought to be respected. That, as I said, is one of the three possibilities under which an agency like the one for which my hon. Friend has been speaking can join a scheme. So, what I want now to make perfectly clear is that so far as such agencies are concerned, the Government have no intention at present, or so far as I can speak for the future, even in the future, of enforcing any scheme of amalgamation at the point of the bayonet. In fact, the fear of the Government was that if any such course was attempted, the result will be a complete breakdown of the whole scheme. It was therefore their intention to move very cautiously in the matter. Those hon. Members of the House who have read the Champion Report would have seen that Mr. Champion himself has realized the enormity of the difficulties that will have to be overcome before introducing his scheme. He has stated that the existing state of things may be deplored; but that it is impossible to ignore them or to deny them and to refuse to take account of them. So, his recommendation itself is that schemes must take into account the existing state of things with regard to the need for separate schools for the depressed and other similar communities until, in course of time, the need for them has ceased to exist. Under these circumstances, all that Mr. Champion wants is that we must make a move. He does not want schemes of amalgamation to be introduced immediately or simultaneously

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everywhere. All that he claims and all that the Government are asking for is that a fair trial ought to be given to this scheme—a trial which it has not been given at all though it is now nearly more than three years since the scheme itself was adumbrated. That being the state of mind in which the Government have launched upon this somewhat intensive plan of having schemes formulated, I do not think any representatives of the minority communities, be they Roman Catholics or Protestants, Muslims or Depressed Classes, need entertain any fear that their educational interests anywhere will be sacrificed for the sake of experimenting on a scheme of doubtful efficiency or doubtful prospects of success.

“ My hon. Friend, Mr. Pannirselvam, speaking from our side of the House, and as one of the most prominent members of our party, has subjected the scheme to a very severe criticism from the point of view of the constituency that he represents. If I may be permitted to make that observation, his criticism is all the more valuable on that account, because it could not be said, as it might sometimes be said of the criticism of the Opposition, that he was opposing for the sake of opposition. He must have spoken, I am sure, from a feeling of conviction that there is something about this scheme which required to be cleared up by me. I am sorry, Sir, at the time I spoke in reply to the general discussion, I did not make my position more definite. In fact, I did not realize, until my hon. Friend, Mr. Pannirselvam, pointed out to me yesterday evening, that there was any vagueness about the statement that I made. I expected my hon. Friend to read my statement along with the report and the other relevant documents. Perhaps, if read with them, my statement could not be considered as vague as my hon. Friend considers it to be. But, I think, I have made my position more definite, at any rate, now.

“ One matter to which he made special reference might perhaps be replied to by me now. He said that the Government Order of 1933 did not mention that the scheme will be examined by the Government in all its aspects. Though, no doubt, the passage which he read from the Government Order, when interpreted with the same strictness as the words of a Statutory enactment, might bear that narrow interpretation, I can assure him, Sir—and I hope he will take my assurance—that it was never the intention of the Government that their examination of the schemes submitted to them must be confined only to the financial aspect of it. If there is any lacuna in the Government Order I hope what I have said now will satisfy my hon. Friend.

“ My hon. Friend, Dr. Subbarayan, the Leader of the Opposition, was perhaps a little bit unjust to those members of the minority communities (A voice: ‘Hear, hear’) who criticized the scheme and spoke from their respective points of view. If I understood Mr. Pannirselvam right and also Mr. Sreshta, they did not claim, as Dr. Subbarayan seems to think, that State funds should be used for the purpose of establishing schools catering specially for Roman Catholic pupils.

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Their request, as I have understood it, was a more moderate one; they only say wherever we have schools which are the most suitable ones for our pupils, wherever we have a system of education which alone will be acceptable to us, don't disturb them; leave them alone. That, I understood, was the request made by the hon. Members who represent the Roman Catholic community and the other minority communities. Viewed in that light, I do not think the request of those hon. Members is open to any such serious objection as Dr. Subbarayan has raised against it. I might in this connexion mention that I am in entire agreement with the Christian representatives in this House who have said that the public of this country are under a deep debt of gratitude to missionaries and mission institutions for the excellent work they have done in this country; we could justly be accused of being ungrateful if we do not give them the credit which they so richly deserve. And I do not also think that my hon. Friend, Mr. Srinivasan, meant to say anything to the contrary. I am afraid more has been imputed to him than he really intended. I understood my friend only to say that in the matter of distribution of Government subsidies between the various classes of schools partiality was often shown to the missionary schools, and that they got the lion's share of the money available to the disadvantage of other schools. That is quite a different proposition.

“What I have said with regard to the Roman Catholic institutions applies more or less equally to institutions which cater specially for other minority communities as well. I have already quoted from the Champion's Report, and I shall mention it once again for the purpose of showing that until conditions improve and the need for such separate schools ceases to exist, until caste intolerance and similar other causes which are now working against the amalgamation of the various communities together—so long as these conditions remain, so long will the need for these separate schools continue to exist. At the same time, I wish to remind my hon. Friends representing the Depressed Classes, that this is not an ideal state of things but must only be temporary and that the efforts of the community itself and of the Government and of all those who are interested in their uplift must be directed mainly towards the removal of those disabilities, which are making such amalgamation difficult and almost impossible. And I can assure those classes that in such efforts I shall be second to none in helping them to reach the ideal.

“Action has already been taken with regard to the enforcement of the Government Orders compelling the admission of Depressed Class pupils into all schools. My hon. Friend, Dr. Subbarayan, referred to it. I know that he, in his day, was very anxious to proceed quickly with regard to this piece of reform, and he also said, it must be said in fairness to him, that I am pursuing the same policy. Well, I can assure him that I am pursuing the same policy with as much enthusiasm as himself, if not more. I hope it will be possible to devise even more effective measures than we have at present to enforce the admission of

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Depressed Class pupils into schools under public and other managements. While I say that our efforts must be mainly directed towards achieving this end, at the same time, I realize the difficulties that at present exist in some areas with regard to their admission into schools other than separate schools.

“My friend, Mr. Swami Sahajanandam, made a very eloquent, though a brief, appeal that the interests of their educational institutions should receive every protection at the hands of the Government. As he himself was pleased to mention, Government have been doing their best in this matter; and I can assure him that Government will continue to do whatever is possible within the limited financial resources available to them to promote the education of the Depressed Classes in this Presidency. He has himself been doing a great deal of disinterested educational work (Mr. V. T. Arasu: ‘Hear, hear’) on behalf of his community, and I am sure no Government can fail to recognize that such valuable work as he does entitles him to further support to continue his endeavours.

“Before I finish this subject, I wish to refer to the suggestion that the hon. Mr. Sreshta made that a committee may be appointed to examine the schemes. Two other hon. Members also referred to that subject. Hon. Mr. Pannirselvam, as I understood him, was not in favour of a Provincial committee. He was inclined to suggest regional committees for every district or group of districts. While another Christian representative who spoke on this matter, hon. Member, Mr. Thomas, was definitely opposed to the formation of any such committee. He said local conditions in the district vary so largely that a central committee at the headquarters of the Presidency is not likely to be of any help to the Government. So what he recommended was that the district educational councils, who are expected to advise on the schemes put up before them, should be asked to examine the schemes very carefully, and their views on the matter ought to be respected by the Government. Even without any special plea in that behalf by my hon. friend, Mr. Daniel Thomas, when the district educational councils consider schemes placed before them seriously, and put forward their views, it is certainly the duty of the Government to give to such views the best possible consideration. I may also mention here that my friend, Mr. Krishnayya Choudari, when he said that two months' time were allowed for district educational councils and local boards to consider the schemes, was not quite right.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“I said that there should be four months' time for each of those bodies and not two months' time for each of them as at present.”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“I do not think my hon. friend is right. If within the period of four months allowed they are not able to come to any deliberate conclusion, then I must only say that these bodies do not deserve to continue. So there will be a fairly long period of time within which they could elicit public opinion and within which time all the interests affected would

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have an opportunity of making their representations. I am sure such an opinion, which is the result of this process of consultation and deliberation will be of great value; and even after these processes there will be a further scrutiny of them by the Director of Public Instruction and then only come the final orders of the Government.

"My friend, Mr. Sreshta, referred to certain points in connexion with the Connemara Public Library. The cut motion, of which he has given notice, refers only to the extension of the hours, during which the library is kept open at present. This question was examined once before, and though generally speaking there is no objection to keep it open for a longer time than at present, yet the additional cost thereby involved stands in the way. The estimate given by the Principal Librarian is that three more clerks and three more peons would be required; and the cost on account of additional lighting is another extra item of expenditure. It is not possible to incur all this additional recurring expenditure now. I can assure my hon. friend, that while on grounds of merit there may be enough to support his proposal, on grounds of finance I cannot hold out any hope of its immediate acceptance. He referred to two other points about which he did not give me previous notice, and which, therefore, I had no opportunity of examining. However, I shall have them examined and do whatever is possible.

"The Hon. the President warns me that my time is up, and so though I would have gladly replied to the several points mentioned by other hon. Members of this House, it is a matter of deep regret to me that I am not able to do so. So, my hon. friend, Sir Patro, will forgive me if I am not in a position to answer in any detail the series of questions that he has put to me. Schemes of compulsion do necessarily involve as my hon. friend knows the imposition of additional taxation. So municipal councils and local bodies have been very reluctant to introduce schemes of compulsory elementary education. I must, however, join with him in the tribute he has paid to two hon. Members of this House, who are chairmen of municipal councils, Mr. Bhanoji Rao and Mr. Ratnasabhapatni Mudaliyar, who have had the courage to introduce in their municipal areas schemes of compulsion. I only hope that other municipal council chairmen would emulate the example of these worthy gentlemen and introduce schemes of compulsion within their respective areas. As hon. Sir Patro himself observed the proposal to amend the Elementary Education Act has been under consideration from his time no doubt; (Laughter) but nothing was done during his time nor during the time of my friend Dr. Subbarayan (Laughter) and so I have taken up the question and I hope I shall not be able to have the same sad tale to tell as my hon. predecessors. One of the provisions in that Bill would be for the Government to take power to introduce compulsory education in areas which they consider would be suitable for that purpose, and the district educational councils also will be empowered to introduce such schemes; and I think that would facilitate the introduction of compulsory elementary education in a larger measure than at present. I hope that what I have said will

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satisfy the hon. Members who represent the Christian community and other communities that the scheme will not be rushed through, or forced down the throats of unwilling people, and that their fears are unfounded."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, we the Members of the minority communities and others affected by this scheme are very thankful to the Hon. Minister for the sympathetic assurances he has given. From the remarks made by several hon. Members it is plain that this question of concentration should be examined from various angles, as otherwise it may present difficulties in its actual working. We are only anxious that all interests should be considered in the scheme. That is why I suggested the appointment of a committee, whether regional or central or both."

* The Hon. the PRESIDENT:—"I may tell the hon. Member that there is no time now to make a long speech."

* Mr. M. S. SRESHTA:—"I cannot but refer to the outburst of Dr. Subbarayan. I am surprised that after the several Round Table Conferences and the publication of the White Paper and the assurances given to minorities, Dr. Subbarayan should endeavour now to sweep them away. Sir, if his views are to prevail, there will be the tyranny of the majority. (Mr. V. T. Arasu: 'No, no, if safeguards are given there will be the tyranny of the minorities.') I cannot understand how there can be tyranny of the minorities in any case. *Noblesse oblige* I wish to lodge my emphatic protest against the remarks of my hon. friend Dr. Subbarayan.

"I beg to withdraw my cut motion."

The cut motion was, by leave, withdrawn.

* The Hon. the PRESIDENT:—"The question is that Government be granted a sum not exceeding Rs. 1,80,42,500 under Demand XVII—Education—Transferred."

The Demand was carried and the Grant was made.

DEMAND XVIII—EDUCATION—RESERVED (EUROPEAN).

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

'that Government be granted a sum not exceeding Rs. 6,49,200 under Demand XVIII—Education—Reserved (European)'."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"I beg to move—
'that the allotment of Rs. 6,49,200 for Education—Reserved (European), be reduced by Rs. 100.'

"The object of my moving this cut motion is to discuss policy. Mr. President, Sir, I do not wish to take much of the time of the House. I request the Hon. Member in charge to consider whether he should not give more liberal grants for aided convent schools that are started on convent lines by private management other than European management.

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"Another point is that the several Indian students who are studying in European schools are not getting scholarships, but only the European students. So I urge that Government may be pleased to give scholarships to Indian students studying in European schools.

"With these few words, I move the cut motion standing in my name."

* The Hon. Sir MAHOMED USMAN:—"My hon. friend, Mr. Krishnayya Choudari, wanted that we should give more liberal grants to other than European institutions. That is a matter for the Hon. the Minister for Education to deal with.

"As for the other suggestion, that more scholarships should be given to Indian pupils studying in European schools, I think it is a matter for philanthropic Indians to institute more scholarships. I do not think the Government can do anything in this direction.

"I have nothing more to reply."

The cut motion was, by leave, withdrawn.

The Demand was put and carried and the Grant made.

DEMAND XIX—MEDICAL—RESERVED AND TRANSFERRED.

* The Hon. the RAJA OF BORRILL:—"On the recommendation of His Excellency the Governor I beg to move—

'that Government be granted a sum not exceeding Rs. 85,07,500 under Demand XIX—Medical—Reserved and Transferred.'

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I move—

'to reduce the allotment of Rs. 11,200 for Medical Establishments—Superintendence—Pay of officers by Rs. 100.'

"Sir, with regard to medical administration we have been putting forward several suggestions for improvement. But I fear the policy of the Government remains the same and it has not advanced very much.

"Sir, one point that we have been urging is that a very large expenditure is being incurred on buildings. While we want comfortable buildings, we do not want that so much amount should be spent on buildings. For instance, for a district hospital they spend something like 20 lakhs of rupees. In a country like India such a heavy cost on buildings is too high and out of all proportion to the capacity of the people. Another result of this huge expenditure on buildings is that money provided for in the Budget to particular heads being limited expenditure on construction of buildings at a particular place, restricts the extension of medical relief to places which are not having such relief now. Instead of spending 20 lakhs in one particular place, we can have a larger number of better equipped hospitals in a larger number of places. The Department of Public Works system which incurs a heavy expenditure on buildings should be looked into. It is not only with reference to hospitals but also with reference to every sort of building that the expenditure incurred by the Public Works

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Department seems to be very high. At one time I came across a Public Works Department estimate with regard to a school building in a small village. I believe it came to about Rs. 9,000 for a building in a small village where the number of students could not be expected to be more than 80 or 85. It is not possible for a poor country like India to provide for buildings on such a costly scale. So, I would ask the Hon. Minister to examine this aspect of the matter, and see whether the cost of our buildings cannot be reduced.

"With reference to the cost of administration, I made another suggestion here some time back and that was the training of Indian girls as nurses and utilizing them in larger numbers so that the cost under this head might be reduced and also a larger number of nurses might be employed in the hospitals. At the present moment the hospitals are very ill-equipped with reference to nursing. There are only very few nurses but the cost under this head is very high, because most of these nurses are Europeans and probably trained in Europe and we have to pay them very heavily for their service.

"The question of co-ordinating Indian medicine and allopathic medicine is another matter which the Government may consider. In recent years a large number of Ayurvedic and Siddha institutions have come into existence and they merely serve to give medicine as contrasted with doing surgical operations. It is for the Government to consider whether it is not possible to have at a particular place one Allopathic hospital and two or three Ayurvedic dispensaries side by side, so that in matters of surgery the people may go to the Allopathic hospital and in matters of taking medicine only they may choose whichever they like. A system of co-ordination may probably be helpful to the institutions we have already got. So it is necessary that a proper survey ought to be made with regard to the requirements by way of medicine both in rural dispensaries and also in Ayurvedic and other institutions which have come into existence recently with the help given both by the Government and the local bodies. If a proper survey is made and some sort of arrangement is come to so that practically every village is served by one or other of these institutions, we would have gained a great deal. Probably to give effect to such a scheme at once may not be possible because it would involve a lot of expenditure. Even if small resources are available, if it is used in the way in which they can do the work most satisfactorily and if the system of rendering medical help is such as to make it available to as many people as possible, we would have gained by that arrangement. I would like the Hon. Minister to look into this matter and see that proper arrangements are made.

"I would only add that the several child-welfare schemes that are working in the Province also require some sort of supervision and help. They have grown in a haphazard manner because they owe their existence to voluntary efforts and voluntary contributions, and so they differ from place to place. At the same time it cannot be said that

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they are doing the best they can. So if some arrangement can be made for the purpose of seeing what is really being done by these agencies in villages or in towns wherever they exist and if some sort of help and supervision is provided for the working of these institutions, probably we would be helping to a large extent the cause of maternity and child welfare and counteracting child mortality. These are matters which I hope the Hon. Minister will look into."

* Mr. V. T. ARASU:—"Mr. President, a perusal of the Budget Estimates for 1934-35 goes to show that there is an increased allotment under this head, viz., Medical—Reserved and Transferred. The increase amounts to as much as 4.5 lakhs. This ought not to lead us into the belief that there is going to be a commensurate increase in the measure of relief that is going to be given to the people at large. Out of 4.5 lakhs increased allotment for medical relief we find in the Budget Estimates, I find that only about 2 lakhs are proposed to be spent for medical relief as such by way of increasing the equipment in the X-ray institute of the General Hospital, and for the purpose of buying radium for the same institute. Barring that, I find that about 2.5 lakhs are proposed to be spent for additional emoluments to the staff employed by this department and for increase in the number of staff employed in this hospital and dispensaries. We do not at all find any provision made for increase in the number of hospitals and dispensaries or increase in the number of rural dispensaries. The number of hospitals and dispensaries in this Presidency remains what it was some four or five years ago. In the year 1930-31 the number of dispensaries and hospitals throughout the Presidency stood at the figure of 1,337 and even at the end of 1933 we do not find any considerable increase in that number.

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"The number of beds in these hospitals and dispensaries has not increased either. It is disappointing to find that the provision in the Budget under this head has not been increased in order to give an increased measure of relief to the people at large. It is a curious phenomenon that in spite of the fact that we have been employing larger numbers year after year of what are known as honorary officers, the expenditure under the head of establishment has not gone down, but has on the other hand been increasing. In 1930-31 it was about Rs. 9 lakhs and now it has gone up to Rs. 10.3 lakhs. It is strange that although there has been no increase either in the number of medical institutions or in the number of beds in those institutions, and though we have been manning our hospitals with a large number of honorary medical officers, the cost of establishment has not gone down. If as a result of the employment of honorary officers we are not going to cut down the cost of establishment, I can find no use for the employment of these honorary officers. In these hard times, one would have expected that the number of new appointments would be as few as possible. But in the Part II schemes, provision has been made for the employment of additional staff for the surgical block of the General Hospital, for the Rayapuram Hospital and for other hospitals in the

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mufassal. With regard to the General Hospital, I ask, Sir, what is the exact need for this additional staff? About six or seven months ago, when it was suggested to the Government and the Surgeon-General that a certain number of honorary officers might be appointed to man the new surgical block of the General Hospital, it was pointed out that there were already too many officers without work and that there was no need to recruit more honorary officers to man the surgical block. But now, the Government have come forward and asked the Council for a certain sum for appointing additional staff for the new surgical block and the out-patient department of the General Hospital and for other medical institutions. I ask, Sir, whether it is not possible for the Government to requisition the services of independent medical practitioners as honorary officers for these medical institutions? I can assure the Government that there are only too many members of the independent medical profession who are willing to serve in these hospitals as honorary officers and I have no doubt that they will prove to be efficient officers both as physicians and surgeons. By utilizing their services, this additional expenditure may be avoided.

"There is also another provision for the appointment of additional staff for the professor of Medical Jurisprudence in the Medical College. Two or three years ago, when the Government came before this Council and asked for a special grant for the appointment of a professor of Medical Jurisprudence, they said that the appointment of a single professor would effect economy in the department as he would consolidate the work of several other departments. Now the Government are asking for additional establishment to help this professor. Thus, Mr. President, the Government seem to be meandering without any definite policy. At one stage they seem to be bent on effecting retrenchment and cutting down expenditure, and at another stage they come forward and ask for more money for the appointment of additional staff under the same head.

"In the Budget Estimates, we find a large number of Civil Assistant Surgeons shown as reserve. No doubt there should be a certain number of reserve officers whose services can be requisitioned at extraordinary times such as when a large number of officers go on leave. But I suggest that the number shown as reserve is excessive and the services of at least 50 per cent of these can be dispensed with.

"I should like to make a few remarks regarding hospitals and dispensaries in this Presidency. As has been rightly pointed out by the hon. Member from Coimbatore, Mr. Ramalingam Chettiyar, we are spending unduly large sums of money on these hospital buildings. I have pointed out on more than one occasion that these hospitals do not require marble floorings and glazed tiled walls. But I am very sorry to note that whenever new hospitals are put up, the floors are covered with marble, with Italian marble, in some cases, and the walls decorated with coloured tiles. I ask, Sir, whether it is necessary to build these hospitals at such great cost. I submit that it is a sheer waste to decorate the hospitals in that manner. I join with the

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hon. Member, Mr. Ramalingam Chettiyar, in seriously suggesting to Government that they should cut down their expenditure on these buildings. What is wanted for these hospitals and dispensaries is a plain simple building with good ventilation and a lot of open space all round.

“As regards the number of beds in these hospitals, the time has come when the Government should take up this question seriously. In these days of financial stringency, it will not be possible to increase the number of beds, but I ask whether it is not possible at least to make all these beds that are there available to the people who really need medical relief. What I mean by saying so is this. When one goes into some of these hospitals, one finds a large number of chronic patients; and what these want is not medical relief but food. At least 25 to 30 per cent of the patients in the General Hospital are chronic patients whom no amount of medicine will cure. All that they want is some shelter and some food. I ask whether it is not advisable to transfer these chronic patients to a choultry and release the beds occupied by such persons and make them available to patients who really need medical attention. If this is done, the cost of running the hospital also will come down considerably. At present the people who are really in need of medical attention are sometimes denied admission into the hospital, because the beds there are full all the time.

“In this connexion, I should like to make one minor suggestion regarding the number of beds in the hospital attached to the School of Indian Medicine. There are about 200 students undergoing training there, but there are only 60 beds in the hospital. I am only speaking from memory. I cannot understand how these 200 students can get clinical training out of these 60 beds. With the existing accommodation and at a small additional cost, the number of beds can be increased and I suggest to the Government that they should do so immediately.

“As regards the staffing of these medical colleges and schools in the Presidency, I have on more than one occasion pointed out the need for staffing the Vizagapatam Medical College with first rate men. The so-called first rate men are all concentrated in Madras; they have become permanent fixtures here for one reason or other, and they are not at all transferred, with the result that the Vizagapatam Medical College is entirely neglected. On account of the fact that first rate men are not posted there, that College does not attract Andhra students whom it is intended to serve. The Andhra students are flocking to the Madras Medical College and therefore there must be something wrong with the Vizagapatam Medical College; and I suggest to the Government that they should take up this matter and transfer at least some of these first rate officers in Madras to the Vizagapatam Medical College. From another point of view also it is desirable that these officers should be subject to periodical transfer. I find that certain favoured officers have been in Madras from time immemorial. They

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have made the Presidency Headquarters Hospitals their patrimony as it were, and they have been there ever since they entered the medical service. This has got a demoralizing effect. Therefore from that point of view also, it is essential that they should be transferred and I suggest that they may be transferred to Vizagapatam. There is also another reason. As is well known, Madras being the headquarters of the Presidency, there are immense opportunities for medical officers to gain firsthand knowledge of the latest developments in their science. Therefore this opportunity should be given to officers serving in the districts also. They should be transferred to Madras at least for a short time so that they may increase their knowledge and be more useful to the patients in the mufassal when they go back there.

“Sir, I was speaking about schools and colleges and in this connexion I should like to make one remark about the Lady Willingdon Medical School for Women. I hear the Government are considering a proposal to put up a permanent building for this school. I seriously ask, Sir, whether the Government are still of the opinion that it is not desirable to educate boys and girls together in one and the same medical school. The Hon. Minister said last year in reply to a debate on an identical motion that the time had not come when boys and girls could be allowed to read together in the same school. I should like respectfully to point out that the feeling now is the other way round. Whatever may have been the feeling in the matter years ago, the feeling at present is that opportunity should be given, at any rate in the case of medical education, for boys and girls to come together and undergo specialized training, as they do in the Medical College. It is proposed, I understand, to put up a costly building to house this Lady Willingdon Medical School. Even if it is found that these girls are not prepared to go to the Rayapuram Medical School and undergo training there along with boys, is it not possible for the Government to devise some other step? The estimate for the building comes to over Rs. 15 lakhs and the annual expenditure over this institution amounts to about Rs. 50,000. I suggest, Sir, that this Rs. 15 lakhs may be invested in some Government security or Government bond.

“If that sum of Rs. 15 lakhs is invested, even at the present low 1 p.m. rate of interest, the Government would get a return of about Rs. 80,000 per annum. I ask whether this Rs. 80,000 cannot be utilized by the Government for educating the girls in the Medical School for Women at Vellore which is an institution recognized by the Government by offering them scholarships. If girls are not prepared to read along with boys in the Rayapuram Medical School, is it not possible for the Government to ask these girls to go and undergo training in the Medical School at Vellore, which is an institution set apart exclusively for women. In that way medical education can be imparted to girls in this Presidency. If you offer a scholarship of Rs. 75 or Rs. 100, for girls, you will find that hundreds of girls will come forward to get medical education. In this way Government can get over

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the initial cost of putting up a building, and the additional recurring expenditure on that institution. I ask whether the medical education that is now imparted to girls in the Willingdon Medical Schools is of the right type. There is no hospital attached to that medical school. The education they receive there is absolutely nothing. When girls are sent out of that school, they are found to be good for nothing; that is the experience of many people. The staff employed in that school are also not up to the mark. Therefore I would suggest that Government need no longer waste their money for running that institution. They would do well to close that institution and send some of the girls to the Rayapuram Medical School, and the others to the Vellore Medical School for Women.

"Lastly I would like to repeat what I have been always saying. It is high time that the Government should put an end to the privilege now given to medical officers in the service of the Government, of having private practice. Whatever justification there may have been in the past for the medical officers employed in this department enjoying the privilege of private practice—this was given them in the years gone by, because there was then a dearth for Allopathic medical practitioners—every hon. Member of the House would agree with me that we have reached a stage when we have a sufficiently large number of Allopathic practitioners, in this Presidency now, who are not in the service of the Government. In certain parts, we can even say that the supply is greater than the demand. Therefore, is it not time, I ask, that the Government should revise their views and put an end to this privilege which the medical officers under Government are now enjoying. I have on more than one occasion spoken about the ways in which this privilege is being abused. Several hon. Members have pointed out to the Government on more than one occasion how this privilege is being abused by practically every Government medical officer, from the highest to the lowest. I need not repeat it here and now. In view of the fact that there is a large number of private medical practitioners, I submit that the Government should put a ban on this privilege and thereby purge the department of the abuses.

"Just one word about the office of the Registrar of the Medical Council. The Government are well aware how this office has been working and how they have been swindled of large sums of money. I believe as a result of that, there has been a change in the Registrar of the Medical Council. Even then I do not know if the office is turning out useful work. There is still considerable delay in the publication of the list of the registered medical practitioners. The Government are enjoined by statute to publish the list of registered medical practitioners every year; that list is not at all published in time, by the end of the year.

"Let me close by once again appealing to the Government to put an end to the privilege of private practice which Government medical officers are now enjoying."

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* Mr. K. KOTI REDDI:—"Mr. President, Sir, I would like to address myself first to the question which I think is a very important one, namely, medical education in this Presidency. I am not really in a position to understand why it is that the Government have two Allopathic systems of medical education, I mean the medical colleges and the medical schools. If the education given in the medical schools is not so good as that given in the medical colleges, I think that the medical schools should not exist. If the education given in the medical school is as good as that given in the medical college, even then I think that the medical schools ought to go; in either case, there is no necessity for the medical schools. There was a time years ago when probably people with high preliminary educational qualifications were not forthcoming in larger numbers to join the medical colleges. Therefore there was probably necessity for the Government having these medical schools. Those days are gone. Now graduates and others who have passed the Intermediate Examination in Arts, and who are eligible to get entrance into the medical college are plenty in number, though the limitation seems to be in regard to the accommodation in the medical colleges. Secondly the course in the medical colleges and in the medical schools is five years in either case. Therefore I see absolutely no reason why these two separate systems should exist. Lives of people are in the hands of doctors and it is the interest of the country to see that the best medical education is given to them. If one institution is inferior to the other, the inferior institution must go. There is another reason also why the medical schools should be abolished. The very existence of two systems of schools gives an impression to the public that the people trained in the medical college are better than those trained in the medical school. But in actual practice, people trained in the medical schools are found in good many cases to be equal, if not superior, to those trained in the medical colleges. The idea of the Government seems to be that those who are trained in the medical schools could be satisfied with less salaries than those who are trained in the medical colleges. This is a great stumbling block in the way of getting efficient and satisfactory service from people trained in the medical schools. There is always the feeling of resentment—it is a legitimate resentment—that people trained in the medical schools are considered by the Government to be an inferior lot, though in several instances they are found to be an inferior lot, though in several instances they are found to be equally good. I think that the Government should seriously examine the necessity for maintaining two sorts of institutions; I hope the Government would decide in favour of abolishing the medical schools altogether and imparting education only in one sort of institutions.

"My friend, Mr. Arasu, did not say that he was in favour of the total abolition of the medical schools; though he was for abolition of medical school for girls. To come to the question of having a separate medical school for girls, I think it is unnecessary to do so at present. When ladies are taught in the medical college along with men, I

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personally cannot understand why the Government consider it necessary to have a separate medical school for women. As my friend suggested, if there are any ladies who are not willing to go to the medical school intended both for men and women, there is the Mission Institution in Vellore and they can be sent there. What is possible for the medical college must be possible with regard to the medical schools also.

“ One other point is probably on account of some evil advice tendered to the Government by the Committee on medical education, the number of people that can get entrance into the medical schools and colleges is very limited. I am one of those who believe that the number of doctors is absolutely inadequate for this country. Unhappily that Committee came to that conclusion of putting a restriction on the number of doctors having regard to the state of affairs in the city. I think almost all the people who examined this question had come from the city. They had absolutely no idea, I think, of the utter inadequacy of medical relief in the villages. Having had experience of the state of affairs in Madras City itself, having seen that there were more medical officers in the city than the required number, they perhaps thought that a large number of doctors turned out from the medical colleges and schools did not find employment. That is the reason why they said that more accommodation was not necessary in the medical colleges and schools. But really it is a case for more accommodation being provided for in the medical colleges. For, compared with Western countries, the number of doctors in this Presidency to serve its population, is very small. It may be true that doctors in Madras City may not be able to find employment in the city itself. But if a large number of doctors are turned out and if they do not get employment in towns, they will naturally go to the villages. In view of the necessity to turn out a large number of students from the medical schools and colleges, I have been pleading that medical education ought to be made free. I feel that if there are a large number of doctors, they will be helpful and useful to the people. At any rate I feel there is no justification at all for increasing the fee for medical students.

“ When I pleaded for the abolition of the medical schools, I had another object in view. The medical education given in Allopathic medical institutions is very costly, and you can encourage the Indian system of medicine. Then I would say you had better turn out more medical men from the Schools of Indian Medicine. It is my experience and it is the experience of many people that the Indian system of medicine is equally effective if not more effective. To give surgical aid, you can train students in the Western system of medicine. It is desirable that more physicians are trained in the Indian system of medicine. The Indian system of medicine is less costly than the other system. I do not think that the Government have given sufficient encouragement to the Indian School of Medicine. Comparatively

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larger sums of money are spent on the Allopathic system of medicine. This shows that they are showing step-motherly treatment to the Indian system of medicine. I think that more financial aid should be given not only to the Indian School of Medicine but to all the institutions which are teaching this system. If a large number of students are trained in the schools of Indian Medicine it would be better for the country, as most of them would settle down in villages.

“ There is one important point which I should like to impress on the Minister in charge of medical education. The one subject which is more and more studied in the western countries but which happens to be neglected in our medical education, is dietetics. No doubt a few lessons may be given in the ordinary course to the students on this subject, but there is no such separate subject included in the medical education. In the western countries, a number of doctors are making experiments in this matter of dietetics. In these days, when people are feeling that the world is being over populated, that the resources of the world are not enough and that therefore methods like birth-control ought to be resorted to in order to keep the people beyond want, when researches into this question have shown that by proper adjustment of the foodstuffs that we take in less than half of what we eat will be sufficient for affording comfortable existence. I think it is necessary that we should include this subject in the education now imparted to the students of the medical colleges and schools.

“ Again, Sir, on the question of private practice, I agree with my friend, Mr. Arasu. I am one of those who think that we must gradually give up all individualistic ideas. I think that in course of time the Government should take the place of the private doctors in order to give medical relief to one and all, the poor and the rich. On that ground, I feel that more and more dispensaries should be run by the Government. This sort of allowing the doctors in Government service to have private practice, whatever the theoretical considerations may be, is really having an adverse effect. I believe that the Government doctors are paid amply and therefore there is no hardship if they are prevented altogether from resorting to any private practice; but it may be, that sometimes some people may find it a bit inconvenient if Government doctors who may be experts are not allowed to practice privately, because all people may not be willing to go to the Government hospitals. The best solution will be, I think, to provide some special accommodation in hospitals for the rich people who can afford to pay when they go to the Government hospitals, such as is being done even now in some headquarter hospitals. If that is done, I think there can be no inconvenience from the point of view of the public. The idea prevailing in the minds of some people like my friend, Mr. Arasu, is that if the Government doctors are altogether prohibited from having private practice, we would be giving greater employment to the private doctors, and we would be encouraging more people to take to the medical profession. I am not impressed with that argument. I think, Sir, the time has come when Government ought

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to take up this question of affording medical relief to one and all. In this connexion, Sir, I find there has not been much improvement in the way of affording medical relief in a greater measure in the rural parts. No doubt there has been some improvement, during the past few years; but probably owing to financial stringency, the provision for this purpose has not of late been quite adequate. I hope, Sir, the Government will see their way to improve the provision for this purpose.

"Another matter which I am not tired of referring to is that of tenders—whether it be Public Works Department or Local Self-Government or Medical department. I really do not know what rules have been made with regard to the acceptance of tenders. I doubt whether the rules definitely lay down that only the lowest tender or the most favourable price should be accepted. That is a point, Sir, which I hope the Hon. the Minister will devote his attention to.

"Coming now to the local advisory committee for headquarter hospitals, no doubt they may prove good institutions if worked on right lines. But to my knowledge these committees in the case of headquarter hospitals consist mainly of officials. The non-officials element is not at all adequately represented. They meet usually only once a year, that is my information. It is very desirable that there should be more meetings of these committees in order to consider very important questions connected with the hospitals.

"In connexion with the question of affording of greater medical relief to the people, I hope the Hon. Minister would consider the question of taking up taluk headquarter hospitals. I do not think he ought to leave this question to the local boards, as their finances will not allow of their making adequate provision. I even think that in spite of the present financial stringency, the Government ought to take up this question at once, if necessary, by cutting short the subsidies they are now paying to local bodies, etc.

"Turning to the question of admissions to the medical college, I am glad to find that last year arrangement was made to take in more people from the Ceded districts. That really gave a chance to the backward districts. There was a time, Sir, when it was difficult for candidates from the backward districts to get admission into the Medical College. I hope that Government will be pleased to give greater chances to these people. I say this because the doctors in the backward districts at present are mostly from other districts. If we can get people of our districts trained in the Medical College, when they do not find employment under Government, they will settle in the villages and thus help the people. From that point of view, I think, preference should be given to candidates coming from the backward districts.

"Lastly, as regards the Vizagapatam Medical College, there was a complaint that in the research section, there were not many experts.

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So far as the teaching side goes, I believe there is not much complaint on account of the smallness in the number of students. As a matter of fact, I think, there are better opportunities in Vizagapatam than in Madras. It is a point to be investigated, whether some more experienced people cannot be sent to Vizagapatam and some of those who are already there cannot be taken to Madras."

IV.—THE MADRAS ESTATES LAND ACT (AMENDMENT) BILL— HIS EXCELLENCY THE GOVERNOR'S MESSAGE.

* The Hon. the PRESIDENT:—"I have just received the following Message from His Excellency the Governor regarding the Madras Estates Land Act (Amending) Bill. The Message is this:

MESSAGE.

I have given my careful consideration to the reports of the discussions in the Legislative Council and the representations that have been made to me by deputations and otherwise in respect of the Madras Estates Land (Amendment) Bill, 1934. Although notice of the principal amendments regarding inamdars had been before the Council since January 1933, I am satisfied that inamdars did not anticipate that those amendments would be incorporated in the Bill. In view of the complexity of the question involved, which, in my opinion, requires further consideration by the Council, I think it should be dealt with in a separate Bill which will be introduced by the Government early in the next session of the Council. At the same time, I consider that inamdars should not be permitted to acquire occupancy rights after the 1st November 1933 and that all pending proceedings in eviction should be stayed for a period of two years from that date in view of the proposed legislation.

I accordingly return the parts of the Bill specified below to the Legislative Council under section 81-A (1) of the Government of India Act for its reconsideration together with the amendments appended hereto, which I recommend.

1. Clause 4 (2).
2. Clause 4 (4).
3. Clause 5—Explanation (2) to sub-section (1) of new section 6; and the figure ' (3) ' in explanation (3) to the same sub-section.
4. Clause 7—New sections 8 (1), (3) and (5).
5. Clause 86—New section 163-A (1) (a)—the word and figure ' Explanation (3). '
6. Clause 104.
7. Clause 127.

List of Amendments.

1. Clause 4 (2).—For this clause, substitute the following, namely:—
' (2) for sub-clause (d) of clause (2), the following sub-clause shall be substituted, namely:—
' (d) any village of which the land revenue without the kudiwaram has been granted in inam to a person not owning the kudiwaram thereof, provided that the grant has been made, confirmed or recognized by the British Government.' "

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2. *Clause 4 (4).*—For this clause, *substitute* the following, namely:—
'(4) at the end of clause (10), the following shall be added, namely:—

" and includes

- a) all land which is proved to have been cultivated as private land by the landholder himself, by his own servants or by hired labour, with his own or hired stock, for a continuous period of twelve years immediately before the commencement of this Act; and
- (b) all land in an estate within the meaning of sub-clause (d) of clause (2) the entire kudiwaram interest in which has been acquired by the landholder before the first day of November 1933, provided that where such interest is acquired by surrender or abandonment of the land by the ryot or by purchase at a sale for arrears of rent, the land is proved to have been cultivated as private land by the landholder himself, by his own servants or by hired labour, with his own or hired stock, for a continuous period of twelve years since the acquisition of the land."
3. *Clause 5—New section 6 (1).*—(i) *Omit* Explanation (2); and (ii) for the figure ' (3) ' in explanation (3), *substitute* the figure ' (2) '.
4. *Clause 7—New section 8 (1), (3) and (5).*—In new section 8—
(i) to sub-section (1), *add* the following proviso, namely:—
' Provided that nothing in this sub-section shall be deemed to apply to land in an inam village which becomes private land within the meaning of sub-clause (b) of clause (10) of section 3.'
(ii) in new sub-section (3), before the words ' have the effect of converting ryoti land into private land,' *insert* the words and figure ' except in the case referred to in the proviso to sub-section (1) ' ; and
(iii) *Omit* sub-section (5).
5. *Clause 86—New section 163-A (1) (a).*—For the word and figure ' Explanation (3), ' *substitute* the word and figure ' Explanation (2). '
6. *Clause 104—Section 185.*—*Omit* the following, namely:—
' for the words and figures " was before the first day of July 1898 specifically let as private land," the words, letter and figures " was specifically let as private land before the first day of July 1898 or in the case of any estate within the meaning of sub-clause (d) of clause (2) of section 3, before the first day of July 1918 " shall be substituted; and '
7. *Renumber* clause 127 as sub-clause (1) of that clause and in the clause as so renumbered, for the words ' nothing in this Act,' *substitute* the words ' subject to the provisions of sub-section (2), nothing in this Act ' and to that clause, *add* the following as sub-clause (2):—
' (2) No tenant in possession on the first day of November 1933 of any land in an inam village, not being an estate within the

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meaning of sub-clause (d) of clause (2) of section 3 of the said Act as amended by this Act, or admitted by the inamdar to possession of any such land subsequent to the said date, shall be liable to be ejected until the first day of November 1935 and all proceedings in ejectment of any such tenant and all proceedings involving a decision whether or not the inamdar has the kudivaram right in such land, shall be stayed until the first day of November 1935.

Provided that nothing contained in this sub-section shall apply to any land the kudivaram interest in which has been declared or recognized before the first day of November 1933 to vest in the inamdar by a decree or order of a competent Court.'

" The amendments that have been proposed will be circulated to the Hon. Members of the House just after lunch time.

" Under Standing Order No. 6, if a Government Bill is returned by His Excellency the Governor for reconsideration, the Bill has to be entered as the first item of business after questions, on the first available day for Government business. As to-morrow is the first available day for Government business, this Bill will be entered as the first item after questions, in the list of business for to-morrow."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

III.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND XIX—MEDICAL—RESERVED AND TRANSFERRED.

* Rao Bahadur C. NATESA MUDALIYAR:—" Mr. President, Sir, I see that the efficiency in the administration of the Medical department is growing. I am extremely thankful to the Hon. the Chief Minister, to the Secretary and to the Deputy Secretary in charge of the department. I see that the Government feel very nervous in turning down any proposals which come from either the Surgeon-General or the Director of Public Health. I wish that the Government will, if they feel they are right, carry out their own suggestions with a strong hand. If they feel that certain proposals are not right, they must turn them down. They did it in one case in the Health department recently and that excited the admiration of all the people who were acquainted with that particular case.

" My young friend, Mr. Arasu, is a non-medical man. I congratulate him on possessing such a knowledge of the Medical department. He spoke of transferring people who were almost permanently stationed in Madras. Yes! There should be transfers once in three years in the interests of the Presidency. Whoever comes to Madras becomes a permanent fixture. He will not be willing to go and the Government do not take steps to transfer him out of Madras. They come here,

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acquire knowledge as a result of their training under first-rate men and if they are to remain here alone, how is the benefit of their knowledge to reach the distant places in the mufassal? A transfer of practitioners after training in Madras will result in up-to-date methods of treatment being applied in the mufassal. Therefore, I think that every three years there ought to be transfers from the City to the mufassal, and from mufassal to the city. Sir, I do not like that the rule of transfer should be applied to all the Members of the service, experts including. Experts should not be transferred out of Madras. Experts like Dr. Guruswami, Dr. Lakshmanaswami, Dr. Pandalai and Dr. Pai should remain in the city to give expert advice and treatment to the people who come to the metropolis from all parts of the Presidency. Metropolis is the essence of the Presidency and metropolis should retain the best of medical men for the sake of itself and the Presidency. The Presidency will be benefited by their stay here; even if they retire, I would suggest their remaining in Madras itself, just like Dr. Rangachari, to give the benefit of their expert knowledge to those people that come for it.

“ Mr. Arasu was speaking about Honorary Surgeons. He suggested taking Honorary Surgeons into the newly built surgical wards. In England, Honorary Surgeons are appointed from Surgeons of very high repute for whom it will be condescension to take up the place. It is such people that are wanted and if such men are available, I am sure the Surgeon-General—the Surgeon-General is of a very sympathetic view and impartial—will surely take them. I would be glad if Dr. Rangachari could be brought once more to the General Hospital as an Honorary Surgeon. If Mr. Arasu could point out to the Medical department men of such outstanding eminence it is certain that they will be taken. Even Assistant Surgeons in England are appointed from among men of repute. As for the General Hospital, I think that only such as are as clever and as dexterous as the paid surgeons themselves, should be appointed. You are now recruiting House Surgeons. Let them be there for one or two years as House Surgeons. Promote them as Honorary Assistant Surgeons after that period. After five years of assistant surgeoncy, if they are found very clever during this period, they might be appointed Surgeons. They should be given all facilities in the hospital for improving their knowledge of surgery. They may be given all facilities for private practice and may be allowed to attend the hospital only from 10-30 a.m. to 12-30. What is wanted is efficiency. There is no use taking anybody and everybody and appointing him Surgeon. It will be affording a false security to the public. What I consider is that with a good training for a certain number of years Honorary Assistant Surgeons can in course of years be promoted as Surgeons.

“ Let me come to the question of buildings. So much money is being wasted, some hon. Members said. Surgical wards, surgical theatres, maternity wards and theatres should be furnished with the most up-to-date scientific appliances. Especially is this the case with

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the theatres. Everything should be kept clean; if it is not properly varnished or polished, there is danger of sepsis forming on the slightest particle of dust getting in. In the maternity cases we see that the slightest neglect on the part of the medical man causes sepsis. Some time ago after using the present surgical theatre in the General Hospital for the last ten years, they found that somehow or other some cases became septic. We should be very careful in the maintenance and upkeep of surgical wards and theatres. Let not people think that spending so much of money on a polished hall or floor is a luxury. It is necessary that surgical theatres and wards are kept very clean in the interests of the patients. It is not the doctors that are going to enjoy it.

“ I shall just say a few words with regard to admission to Medical College. I am extremely thankful to the Hon. the Chief Minister and the Secretaries for giving the Committee a plan by which they can admit students from all communities and districts with even-handed justice. But unfortunately the quota fixed for Depressed Classes and for the Muslims could not be had. There was not a single candidate belonging to Depressed Classes this year. There were only one or two Muslims and some from the backward communities. In fact the seats reserved for these communities had to be given away to other communities for want of candidates from these communities. In the Legislative Council we are speaking so much about communal representation and all that. We have a case here of paucity of candidates from minority communities. Institutions should be organized to give education to young men for their admission to the Medical College. I know there is only one solitary Depressed Class degreeed medical man (M.B.) to-day. After getting his M.B. degree, he was appointed as a paid House Surgeon. I wish that such men are given encouragement. As for admission to the House surgeoncy there is no rule to the effect that so many from so many communities should be appointed; but there is a convention that all the communities should be represented. I thank the Deputy Secretary for the help he has been giving the committee in this regard. I wish the Hon. the Chief Minister will issue a rule to the effect that all communities should be represented in the matter of selection to the House Surgeoncy.

“ Sir, some hon. Members suggested to amalgamate the women and men medical schools. There cannot be a more un-nation-building idea than this. Nation-builders spoke so much this morning. Let me take a military analogy. If only one man-of-war among a group of men-of-war goes to the front, it is possible it is destroyed by the enemy. But if a number of others enter in common action, there will be a victory. So also, there can be no nation if one or two communities are on a decept level and others are in a deplorable condition. All those gentlemen that spoke of nation-building will consider the uplift of all the communities before they think of the advancement of the Nation. Until all the communities are sufficiently advanced, there cannot be a Nation, an

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Indian Nation. Only that Nation which is based on the strong foundation of equality of all the communities can be a Nation that will exist for ever.

2-45
p.m.

"Now, Sir, as regards the schools for women, my hon. Friend, Mr. Arasu, and other Gentlemen that spoke about this, suggested the amalgamation of these schools. I want to ask them how many of our women, Hindu or Muhammadan, and others will go there, except a few Indian Christian ladies. I am glad and I am extremely thankful to the missionaries for being responsible to the education of these Indian Christian ladies. I ask my friends whether the Gosha Muslim ladies and half Gosha ladies of some Hindu communities will join the school in numbers if it is a mixed one. I want to know from my hon. Friends, how many Muslim girls take advantage even of these medical schools for women. Most probably there is only one or so among the Muslims, and that is mainly due to the Parda system which is very strict and severe. So, what is the use of saying that both the schools should be amalgamated at one place? That means to say, you will be destroying the medical education of women.

"As regards scholarships that are granted by Government, girls from Hindu and other backward classes are just beginning to join the school. Only a very few people from even the Hindus, Muslims or Brahman community come forward. Just at a time when they are coming to prominence, you take away the scholarships. I therefore request Government to institute a number of scholarships and to see that a large number of women students are encouraged.

"Mr. Arasu said that the medical students from the school for women are taken to a distant place for medical clinics. Yes! but they are going to erect a building by the side of the Gosha hospital for medical school for women. I wish the Hon. Minister to take up the construction work as early as possible and see that the medical school for women comes into existence in the near future.

"Coming now to the Tuberculosis hospital, the hospital that is now in Madras contains about 80 beds. Taking the City of Madras alone into consideration, we have got over 600,000 people; and whenever there is a bad case and a letter is sent to the Superintendent of the hospital, he says, no place is available. In Germany, Sir, on the other hand, they are contemplating to have one thousand beds for patients suffering from tuberculosis, and even incurable cases are cared for. Medical advice and relief should be also given even to chronic cases, not food alone, as my hon. Friend, Mr. Arasu said this morning.

"Then, Sir, another need for the City is a Leper Asylum. Formerly, there was one such asylum in Madras, but that was transferred to Tirumani and I am extremely thankful to the missionaries for doing so much work, but after that was transferred to Tirumani, the lepers in Madras have become a menace to the city. Out of every 20 beggars, you can find at least one leper. I request Government, therefore to start

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a leper asylum in Madras very soon. They can start with a lakh of rupees in the beginning for a building and then they may have to spend Rs. 20,000 as recurring charges. The Leper Relief Council in Madras is attempting to do splendid work. There are, of course, leper clinics in Madras, but they are not the only things necessary. Now what happens is that, after treatment in the clinics, when the patients go back, they carry with them this infection and communicate it to others, so that when ten people are cured an equal number of others get infected. During the recent rains in Madras, infectious lepers with matter oozing out of their legs, were seen wading through water side by side with healthy people. Leprosy is contagious. When the Mayor and the ex-Mayor of Madras, when they visited some houses, they saw twenty lepers in five houses they visited suffering from this disease. I am sure, at present there are at least ten to fifteen thousand lepers in the City of Madras and I won't be surprised if this number increases to fifty or sixty thousand in the near future. It is therefore the duty of the Government to see that this infectious disease is attacked both by prevention and cure.

"With these few words, not wishing to take the time of other hon. Members who are anxious to speak and thanking you, Sir, for the opportunity you have given me, I resume my seat."

* Mr. K. P. RAMAN MENON:—"Mr. President, Sir, I rise to speak on this subject not with a view to criticizing any particular aspect of the question, but to get information on certain matters which, I think, are important in connexion with the question of medical relief in this Presidency. I want to know, whether the Government have any settled programme drawn up for the whole Presidency, what is the idea of the Government as to the supply of medical officers in rural areas, what is the idea of Government as to opening more medical dispensaries in rural areas—leave alone the taluks and towns, they can take care of themselves as there are private medical practitioners in any number in almost all the important towns in Southern India. But, so far as my knowledge of rural areas is concerned, there are very few medical practitioners there and unless Government step in and provide a sufficient number of medical officers and also a sufficient number of dispensaries, the people in rural areas will have to go without medical relief. Sir, the population of this Presidency is, I believe, about 46 millions. If you have a dispensary for say, every 10,000 persons, there must be about 4,600 dispensaries, and I also add that it is necessary to man these dispensaries with medical officers who will be able to give relief to those people who are expected to make use of these dispensaries. This will mean to 4,600 medical officers, and whether there are medical officers with degrees or diplomas alone does not very much matter, but it is necessary that there should be medical officers broadcast throughout the Presidency, so that people are enabled to go to them when they are attacked by any particular disease.

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"Then again, Sir, in some places cholera is rampant and in some other places there are other kinds of epidemics also and if a map is prepared with reference to special diseases that are prevalent in particular places it would be helpful. That is again a matter which ought to be attended to by the Government. I want to ask, therefore, whether the Government have got any programme with reference to these matters.

"There is yet another question which is all-important and that is in regard to the supply of midwives to rural areas. As far as my experience of my own district goes, in rural areas, there is hardly any midwife available. With reference to medical officers, my own experience shows, and speaking with reference to villages, in the villages which surround my own village, there are no medical officers anywhere near my village. One has to go 20 miles to find any medical officer in any direction. If you go east, you find medical officers in Palghat and there are also other medical men; if you go west, you will find some persons somewhere in Perintalamanna and if you go north you can find one attached to the dispensary at Mannarghat which is a distance of about 30 miles. It is much worse so far as midwives are concerned. There is hardly any that can be met with in any one of these places. One need not have much imagination to think of the sufferings which women at the time of confinement undergo; and as a consequence infantile diseases, diseases after birth, all these have to be attended to by quacks in the countryside. As to all these matters, have the Government any particular programme and whether they do mean to tackle this problem seriously and map out a programme? This is a matter on which I want information from the Hon. the Chief Minister and that is one of the reasons why I have taken part in this debate.

"Again with reference to the transfer of medical officers, I do not think that experienced officers should be transferred away from the Presidency town and inexperienced officers taken in. As to that, perhaps I am not competent to speak and so I do not want to offer any more remarks thereon, but I may say at the same time that it is desirable that a well-equipped medical man is found to minister to the wants of persons in rural areas. There is also necessity in the rural parts to have dispensaries where medical assistance can be obtained. Similarly, again it is necessary to have midwives to minister to the wants of women who have to be attended to at the time of confinement. I wish to press these points on the attention of the Hon. Minister."

* Mr. A. B. SHETTY:—"Mr. President, Sir, as pointed out by my hon. Friend, Mr. Arasu, the number of medical institutions in this Presidency and the number of beds in our hospitals fall far short of the requirements as judged by western standards. We have less than 10,000 beds in all our hospitals and the number of hospitals with ten or more beds are not more than about 92, while a large number of hospitals are provided with only two or three beds. If we are to satisfy the medical requirements of the Province, we must try to effect still more economy into our medical administration. It has been pointed out in previous years, how almost half the provision in the medical Budget is

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spent on giving salaries to officers. Medical relief in many of the western countries is given to a very large extent through non-official agencies. Even a rich country like England has not been able to provide a general paid medical service in spite of demands from the people for such a service. Government have accepted the policy of substituting the honorary system for paid medical service wherever it is possible and to an increasing extent. They have been trying an experiment at the Rayapuram hospital by appointing a large number of honorary men. I would like to know how far this experiment has proved successful. What curtailment has been made in the ranks of the paid medical service by substituting honorary men in place of paid men and what saving has thus been effected by Government? The report of the civil hospitals and dispensaries for the year 1932 is silent on the matter. Sir, all possible retrenchment should be made in the medical administration, so that we might make sufficient provision for the needs of the Province. We must extend medical relief to rural areas and we must develop taluk headquarter hospitals as surgical centres. Sir, though Government have taken most of the taluk headquarter hospitals under their control, the surgical work done at these hospitals is far from satisfactory. One reason for this is they have not got the required facilities for doing surgical work in most of the taluk headquarter hospitals. Surgical work requires a chloroformist, a theatre assistant, a nurse and an assistant medical officer. All these facilities are not provided in all these hospitals. Another reason is, that the men who are in charge of these taluk headquarter hospitals, in very many cases, are not up to the mark. They have not had sufficient opportunity for gaining skill and experience as surgeons. Sir, the students turned out of our medical schools and colleges should be made to work as house surgeons or physicians for at least two years. At present, it is only those that seek Government service that are given opportunities of working as house surgeons and physicians. Junior men in service with less than five years' experience must be put for some time at least in big hospitals and made to work there so that they can get sufficient practical experience and training. Assistant Surgeons in mufassal hospitals should be given facilities for post-graduate training in the Madras General Hospital.

"Study leave on half average pay has now been restricted only to 3 p.m. four people. I do not think there will be much loss to Government if medical men are given leave to go abroad for higher studies or for specialization as we have a sufficient number of men on reserve duty.

"It may seem rather unpatriotic, if I say anything disparaging the work of the School of Indian Medicine. I am afraid, Sir, that the standard of education laid down for candidates to be admitted to this school and the standard of training given here are below what is required. If you compare the products of the School of Indian Medicine with those who come out of other medical schools, you will find a considerable difference in their attainments. The number of beds in the School of Indian Medicine was said to be sixty. Now it is only fifty-five, as we find from the answer to an interpellation put the other day. I

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believe the Principal has been asking for an increased number of beds, viz., 120 so that sufficient clinical material may be provided for the 200 students undergoing training in this institution. If the school is to continue it must be well-staffed and well-equipped so that those who come to the school may receive proper training and they may not suffer in comparison with those coming out of our medical schools and colleges."

Mrs. ALAMELUMANGATHAYARAMMA then addressed in Tamil.

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I rise to bring to the notice of the Hon. the Chief Minister the unsympathetic attitude of the subordinate medical officers both in the hospitals and dispensaries. Sir, it is most unfortunate that caste has crept even into our medical institutions and I hope that under the auspices of the Hon. the Chief Minister it will be eradicated at an early date. Sir, I brought to the notice of this House some years back an instance in Coimbatore where the Depressed Classes were not properly looked after, after an assault in the Singanallur village. Recently it so happened that a respectable gentleman of Ootacamund who is a Depressed Class man had to be operated upon for some eye trouble in the civil hospital. Respectable man he is, he was treated worse than a beast if I may say so. He went for the operation of cataract and the treatment he underwent was so bad that he had to make a representation to me. It is a very sorrowful thing that caste plays a very prominent part. People who pay money get better treatment in the hospitals than those who cannot afford to pay. There are many instances of this nature and I hope the Hon. the Chief Minister will get the necessary instructions issued. Sir, the subordinates in the medical service give chits to those patients who see them privately and when these chits are shown in the hospitals they are given preference and special treatment. I think this also is a matter which has to be looked into by the Government.

"Another point which I wish to bring to the notice of the Hon. the Minister is the need for having a proper representation of the Depressed Classes, both among the nurse pupils and also in the subordinate staff. At present I do not think there is any woman from this community recruited as a nurse pupil. I find that provision has been made in the Budget for stipends to medical students in the Women and Children's hospital. I would request the Hon. Minister to do something for us in this connexion.

"Sir, as was pointed out by Dr. Natesa Mudaliyar, members of the Depressed Classes who have completed their M.B.B.S. course are very rare. It is therefore very necessary that such of those, belonging to the Depressed Classes as have completed their course and also their probationary period in Government hospitals, should be appointed in suitable places as Assistant Surgeons.

"One of my cut motions under this Demand is intended to elicit information regarding the views of Government as to disbursement of the grants by local bodies in directions not sanctioned by the Government. I know of two instances where this has been the case. For my

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own district board the Government gave a grant for maintaining rural dispensaries. But this grant I know has been recommended by the board to be diverted to a Mission hospital and into the hands of the owner of an estate. I do not know under what rules this diversion is sought to be made, of sums allotted by Government to local bodies for running their own dispensaries. I must say that I am not at all against the missionaries, because they have done a lot of work for education and for medical relief. But what I say is that the grants given by the Government to the local bodies must be utilized by them for running dispensaries maintained by the department. I have nothing more to say, Sir."

Mr. BASHEER AHMED SAYEED:—"Sir, as the time available is short, I shall confine myself to only one or two aspects. Although we have already earned the odium of pressing for communal claims *ad nauseum*, I must be pardoned for bringing again to the notice of the House another such claim. But the reason for pressing the communal claims is that they are not satisfied. In the Medical Service, out of the 8 district surgeons, only 2 are Muslims and after the Reforms out of the 41 civil surgeons hardly one is a Muslim. I hope the Surgeon-General and the Hon. the Minister will look into this. The number of Muslim assistant surgeons also is so small that it can be counted on one's fingers. Probably there are two or three among a hundred and odd assistant surgeons. I want to know why the Government should not take some pity for these men in the service who, after 25 years work, are still there as assistant surgeons.

"With regard to the taluk headquarters hospitals I want the Hon. Minister to take steps to appoint women doctors. There are several hospitals in the districts, particularly in those which I represent, but in all of them there is a dearth of women doctors. Women patients and children have to be attended. For this purpose, and in view of the existence of purdah and gosha among a large section of the community, there should be women doctors in each one of these hospitals. I want the Hon. Minister to investigate into this state of affairs and appoint women doctors to all the taluk hospitals as early as possible."

The Hon. the RAJA OF BOBBILI:—"Sir, in the limited time available to me, I shall refer to the various points raised by hon. Members in the order in which the remarks were made.

"My hon. Friend, Mr. Ramalingam Chettiyar, started the discussion and took objection to the heavy cost incurred on Government medical buildings. I am considerably handicapped in replying to this point as the hon. Member has only made a general statement and not given any particular instance. As far as we are aware, in this year's Budget, I do not find any grant for Rs. 20 lakhs, as suggested by him, for any district hospital. If the hon. Member brings to the notice of Government specific instances I hope I will be able to give him a satisfactory explanation. I may mention, however, that the cost of medical buildings is governed by the schedule of rates. Tenders are called and the lower satisfactory tenders are accepted. Now I believe the cost of

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construction has considerably gone down owing to the general fall in prices of materials. No case has come to my notice of any waste in public monies for the construction of medical buildings.

"The hon. Member pointed out to Government the desirability of co-ordinating English and Indian medicines. I must say that I do not quite follow how this would be possible. Of course he gave one illustration. He said that every taluk headquarter hospital should be an Allopathic institution, but that there should be branches of Ayurvedic dispensaries. I may state for his information that all taluk headquarter hospitals maintained by Government are allopathic institutions and that there is nothing to prevent the local bodies opening dispensaries of Indian medicine.

"Both my hon. Friends, Messrs. Ramalingam Chettiyar and Raman Menon, referred to the desirability of having the Presidency surveyed to find out the medical needs of the population and the various diseases prevailing among them. I have no doubt that it will be interesting to have these statistics and if they are made available to the public. But if the intention of the hon. Members is that the Government should immediately provide all the necessary amenities and hospitals which a survey of the kind suggested would reveal, I must say that with the funds at present available it will never be possible to undertake such a task.

"As regards the prevalence of malaria and other diseases the Government and the Surgeon-General have got the necessary information and I shall consider the question of preparing a map for the use of the public.

"My hon. Friend, Mr. Koti Reddi, wanted that the standard of medical education in this Province should be raised, and suggested that medical schools should be closed. He is no doubt aware that the policy of the Government is to encourage collegiate and higher education and that we have been therefore gradually closing down the medical schools in the mufassal, e.g., the schools in Coimbatore, Tanjore, Calicut and Vizagapatam. We are trying to expand to the fullest capacity the two medical colleges, located one at Madras and the other at Vizagapatam. I may also bring to the notice of the House that, in order to raise the standard of medical education, Government have now made the L.M.P. course last for five years. I believe our Province has been the first in India to adopt such a course.

"Mr. Koti Reddi also mentioned that owing to the Report of the Medical Committee, a number of admissions into the Medical institutions has been refused. I confess I do not know to which committee he referred. As far as my information goes, we have been from time to time increasing the number of admissions every year consistently with the accommodation and the clinical material available in the various institutions and I do not believe that with the existing accommodation and the staff available it will be possible to increase the admission to these institutions.

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"Of course as regards the other point raised by the hon. Member that we have not got sufficient number of doctors in this Presidency, I believe, Sir, we are not behind the normal requirements of the Province in this respect. But the difficulty has been to induce medical men to settle down in rural areas and set up practice there. The tendency unfortunately has been for these medical men to settle down in the cities and overcrowd the profession to the general disadvantage of all of them. The same Member has stated that it is cheaper to extend the system of Indian medicines. As regards this I may say that it is for the local bodies to make further extensions of rural dispensaries. We have not placed any restrictions in the way of their doing so either in respect of Ayurvedic, Unani or other systems of medicine."

Mr. BASHEER AHMED SAYEED:—"What about funds?"

* The Hon. the RAJA OF BOBBILI:—"It is the duty of the local bodies to find the necessary funds.

"Then, there was the question of debarring Government Medical officers from private practice raised. This is not the first time that this question has come up before the House. No doubt we have been following, as far as possible, the principle of debarring medical officers, especially in the special departments, from undertaking private medical practice. But, I am afraid it will not be possible for the Government to issue a general order to this effect. I may also state that, in the mufassal especially, it is a great boon to have a doctor available who could be had to attend to private cases or cases which could not be removed to the hospitals for lack of accommodation. It will be a great handicap to the rural population if all Government doctors are debarred from private practice. It has also to be remembered that the salaries of these doctors are fixed with reference to the probable income they would derive from private practice. So much so if we are to debar them, it would be necessary to sufficiently increase their salaries to compensate them for the loss of private practice.

"My Friend, Mr. Koti Reddi, has mentioned that no adequate provision has been made in the Budget for rural dispensaries. As I have stated last year, I am quite aware of the necessity for a very large number of rural dispensaries in this Province, but expansion in this direction is naturally limited by the funds available.

"I believe the same Member has raised the question of taking over all the taluk headquarter hospitals by Government. At present, according to the scheme laid down by the Government some years back, they have now taken over all divisional headquarter hospitals. Now the suggestion has been made by the hon. Member to take over all the remaining taluk headquarter hospitals. And at the same time, Sir, I have heard complaints from various Members that they find that some of these Government headquarter hospitals are not at present up to the standard. I am quite aware that all the headquarter hospitals which were taken over in 1928 have not yet been brought up to standard, and as at this stage, even if funds are available, Government have to consider

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the matter very carefully, namely, whether they should take over the remaining hospitals. No doubt the taluk boards are spending a sum of 5½ lakhs on them. Should Government take them over and should they wish to bring them up to the standard, the expenditure would come to more than 5½ lakhs. The other point we have to consider once for all is whether Government should be responsible entirely for all the medical institutions in the province, or should they confine their attention to the district headquarter hospitals and the hospitals in the city, so that these may be made into model hospitals for those managed by local bodies to copy. Of course, to those hospitals not taken over by Government, Government will continue to be giving grants. These are matters which should be considered by Government in connexion with the changes that would have to be introduced in the future administration of district boards after the taluk boards are abolished.

“Several hon. Members including Dr. Natesa Mudaliyar welcomed the new rules relating to the admission of students into medical colleges. Of course, some Members have suggested that in the case of backward communities and Depressed Classes, Government should relax the rules. I believe, Sir, that last year in one or two cases, we did relax the rules with reference to the percentage of marks and age-limit. Apart from that it would be necessary, in the interests of medical institutions to insist on a minimum educational qualification from students seeking admission.

“Several hon. Members have referred to the question of transfers of medical officers from the city to the mufassal. No doubt we have not got any hard and fast rule in this matter; Government are considering how best it will be possible to have an exchange of officers between the mufassal and the city. Especially it is their intention that in the case of specialists, like specialists in tuberculosis and other diseases, after a certain period, the services of these officers should be made available for the public in the mufassal areas. So in these cases in the interest of administration it will not be possible to have any hard and fast rule.

“As regards medical officers in the higher ranks, it will not be possible in all cases to follow this rule, as it is the intention of the Government,—and I hope there will be no objection to that—to make all the hospitals in the headquarters of the province as model institutions. For that purpose we require the best men available in the Medical Department to man these hospitals, and so we cannot transfer them.

“My hon. Friend, Dr. Natesa Mudaliyar, made the suggestion that the committee for the selection of honorary surgeons should be instructed to make the selection with due regard to the representation of all communities. I believe, Sir, at this stage it will not be possible to make any hard and fast rule. Anyhow I may assure him that the committee of selection will give due consideration to this matter.

“Some Members have suggested that it is quite unnecessary to have two medical schools in the city, one for men and the other for women.

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This question was discussed on the floor of the House last year, and I then stated that whatever may be the trend of future development, we have not now reached the stage when these two institutions could be amalgamated. Moreover I take it that hon. Members have made this suggestion hoping that there would be economy thereby. Even the Rayapuram Medical School is overcrowded. It is only, if there is a possibility of saving in expenditure, that such a step could be taken. If the two schools are to be amalgamated, it will mean an additional expenditure of 10 or 15 lakhs to Government, as they will have to find suitable accommodation for all of them. And probably in the long run this would not be economical. Some hon. Members, including the lady Member said that at least in the present circumstances it is not desirable to maintain these two institutions separate. The opinion of the Government is that for all practical purposes it will not be possible to take up this question in the immediate future. I do not think, Sir, in pursuance of the policy of the Government, it is our intention to start any more medical schools.

“My hon. Friend, Dr. Natesa Mudaliyar, has brought to the notice of the Government that the accommodation in the tuberculosis hospital is insufficient. I may bring to his notice that some years back several attempts were made to fix a site for the new tuberculosis hospital, but as no agreement has so far been reached between the Government and the Corporation it is not possible to consider the site of the hospital now.

“As regards the Leper Asylums, Government are fully aware of the further needs of the situation. And unless the finances improve, I am afraid it will not be possible to take up the question of Government themselves providing adequate provision for the segregation of all the lepers in the Province.

“Mr. Shetty considers that in all the hospitals put together, there are only 20,000 beds, and that this number falls short of the requirements of this Province. I may state, Sir, that I do not propose to dispute that point. But I may state for the information of hon. Members of this House that it is the practice in this country alone to expect Government to provide all sorts of medical institutions. If you compare the system prevailing in this country with that in England and other European countries, you will find that in those countries Government do not provide such institutions; but it is all done by public charity. And it will not be possible for us in the present state of our finances to extend it at a more rapid pace than at present.

“The same Member has said that the beds in the Indian School of Medicine has been reduced from 60 to 55. As far as I am aware, there has been no such reduction in the past, and I don't know from where the hon. Member secured that information. (Mr. Basheer Ahmed the hon. Member secured that information. (Mr. Basheer Ahmed Sayeed: ‘Has not the number been reduced from 70 to 60?’) As far as I am aware there has been no reduction in the past. The lady

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Member has brought to the notice of Government the necessity for an increase in the number of beds reserved for women in hospitals, and I shall certainly look into that question.

"Now I come to the remarks made by Mr. Muniswami Pillai. Of course he has made a general statement that the Depressed Classes are not well cared for in Government hospitals. It will not be possible for the Government to take any action on such a general statement. I shall be grateful if himself and members of his community bring to the notice of the Government or the Surgeon-General particular cases of this nature, and Government would only be too glad to take immediate action on them. Of course he mentioned one case in which a respectable gentleman coming from Ootacamund was not properly cared for in the Coimbatore hospital. I shall certainly look into the matter.

"As regards the recruitment of the Depressed Classes as nurses and midwives, he has simply stated that sufficient representation has not been given to his community. Without any further investigation I am not in a position to state whether a sufficient number of Depressed Class people were forthcoming, and if so, why they were not taken in.

"As regards appointment of members of the Depressed Classes as doctors, I may remind my hon. Friend that recruitment to the Medical service is now being made according to communal rotation; and when Government are in a position again to recruit medical officers, the claims of the depressed class community will be considered. The same Member also complained that the grants given to rural dispensaries have been diverted for other purposes by the district boards. Whatever might have been the practice in the past, at present we do not make any grants direct to the local boards. The subsidies to rural dispensaries are payable from the Government direct to the medical practitioners concerned. There is therefore no opportunity for the local bodies to divert these sums for other purposes.

"Mr. Basheer Ahmed Sayeed has brought to the notice of the Government the position of Muslims in the Medical service. At present, Sir, I believe, promotions are not made according to communal rotation. (Mr. Basheer Ahmed Sayeed: 'Why not?') It is applied only to direct recruitment. Moreover owing to drastic retrenchment in the Medical department there has been no question in the past of any promotions from the Assistant Surgeons to Civil Surgeons, and if and when such an opportunity arises, I shall certainly bring the matter to the notice of the Surgeon-General. He has also stated that the taluk headquarter hospitals should be provided with lady doctors. The idea is quite welcome, as no doubt it would be a convenient thing if that is done. We shall as far as possible provide such hospitals with lady doctors.

"My Friend, Mr. Arasu, has been a severe critic of the Medical department. He has made a sweeping statement and complained that, although there has been an increase in the medical Budget, there has been no increase in the number of hospitals and dispensaries. He assumes that the extra money has been spent on salaries to medical

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officers. Although there has been no increase in the number of hospitals and dispensaries, there has been a considerable increase in the number of patients treated and number of beds. Some amount of expenditure is no doubt due to the ordinary increments in salaries owing to the operation of time scales of pay. The hon. Member wanted to know the saving to the Government by appointing honorary doctors. I may state that the probable saving will be 2 lakhs. We have to take into consideration not only the savings due to increase of honorary surgeons but also additional expenditure which has been avoided by extending the system of appointing honorary surgeons.

"I believe I have replied to most of the important points raised, as hon. Members know that, within the time available for me, it will not be possible for me to take up all the queries. That does not mean that the other points that have been raised by hon. Members will be disregarded. I will carefully look into them and see what I can do."

The cut motion was, by leave, withdrawn.

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

DEMAND XX—PUBLIC HEALTH—TRANSFERRED.

* The Hon. the RAJA OF BOBBILI:—"On the recommendation of His Excellency the Governor, I beg to move—

'that Government be granted a sum not exceeding Rs. 23,90,000 under Demand XX—Public Health—Transferred'."

* Mr. C. BASU DEV:—"Mr. President, Sir, I rise with some amount of nervousness to move the cut motion that stands in my name as follows:—

'that the allotment of Rs. 30,600 for Public Health Establishments—Direction—Pay of Officers—be reduced by Rs. 100.'

"Sir, on a recent occasion, when I moved a similar motion under the Police Demand, I understand that my hon. Friend representing the city of Madras, Mr. Sami Venkatachalam Chetti, remarked that it was not in accordance with the Parliamentary procedure for an hon. Member to move a token cut motion and at the same time praise the Government. He also indulged in a fit of speculation and requested you, Sir, to reprimand me, should I vote against the motion if I was not allowed to withdraw it and the motion was pressed for a division. Sir, I do not know from which code of Parliamentary ethics the hon. Member wants to dictate the course of conduct I should pursue. I know as much as he does, at least and allow me please to tell him that Parliamentary etiquette does not demand that, because a member had moved a token cut motion, he should be impervious to reason and logic and should vote for his motion whatever may be the attitude of the answer or the strength of the arguments against him. I would also like to tell him that a token cut motion does not preclude reference to or remarks of appreciation of the good work of the Government. (A voice:—We cannot help if you do not want to learn.)

[Mr. C. Basu Dev]

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"I wish the Hon. Member first learns more before he pretends to teach others. Sir, coming to the subject on hand, the report that has been placed in our hands is extremely satisfactory, but the object of my cut motion is only to elicit some information with regard to certain questions which I shall presently refer to. The law relating to public health has been spread over several enactments and although the Government have recognized the need for consolidating all the rules and sections relating to public health in one Act, they have deferred the codification till after the new Reforms. Now that the Reforms are not likely to come in before another two years, I hope the Government would take early steps in that direction and bring in a consolidated Act. I know it is cruel on my part or on the part of anybody in this House to ask the Hon. Minister to devote some of his time for this very complicated matter relating to Public Health, as he is already devoting all his time and energy ungrudgingly for the service of the people. But in the interests of public health and in the interests of better administration of this department, I hope the Hon. Minister will devote some of his time to this question.

(At this stage the Hon. the Deputy President took the Chair.)

"I hope that with the assistance of his able Secretary, he will be able to bring in a consolidated Public Health Act in the near future.

"Another object of my cut motion is to suggest to the Hon. Minister to effect some economy in this department. We have at present four Assistant Directors of Public Health. By some more adjustment it may be possible to surrender one of these posts.

"In the matter of rural sanitation, the work is satisfactory. I ask if the time has not yet come to delegate this work of rural sanitation to the various district health officers and to village panchayats and to effect economy in this direction also.

"I am exceedingly sorry that on account of financial stringency and on account of huge remissions which the Government were compelled to grant in the matter of land revenue, it was not possible for the Government to allot more money for rural water-supply. Only 1½ lakhs have been allotted for digging wells in rural areas on account of the very severe financial stringency. I am sure that the hon. the Chief Minister can easily persuade the Hon. the Finance Member and get at least a lakh more for those wells in some areas where even drinking water is scarce.

"With regard to protected water-supply in the municipalities, I find only 37 out of 82 municipalities enjoy it. It is time that the others put their schemes into operation. Financial stringency may stand in the way, but the provision of drinking water is one of the primary duties of the State. Salem is greatly in need of good water-supply and in Vizagapatam a big and remunerative scheme is pending disposal by the Government. I hope that the Hon. the Chief Minister will make the necessary grant to Vizagapatam and persuade the Hon. the Finance Member to help the municipalities in meeting this elementary need.

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"I have got two more points to refer to. I do so with great hesitation. One is with regard to the irregularities and lack of discipline prevailing in the office of the Director of Public Health. This is a matter which has gone beyond the four walls of this office and has now become a public scandal. I hope the Director and the Hon. the Chief Minister will take early steps to restore discipline and see that the office is managed well and satisfactorily.

"The other point relates to the claims of one particular community, viz., the Anglo-Indian community for the honour of having one of their men as the Head of this Department. I never met the gentleman who is now acting as Director of Public Health and I am sorry to put him in an embarrassing position. I have heard questions put on the floor of this House with regard to this matter and also heard the sympathetic answer of the Government. I am sure the claims of the Anglo-Indian community which has stood firmly and loyally by the Government all the time will be recognized by honouring a member of that community with the post of the Director of Public Health.

"I have nothing more to add but to pay a tribute to the Hon. the Chief Minister for the excellent way in which he has administered this department and to the retiring Director of Public Health and the Assistant Directors who have given us a very satisfactory report of the work done during the last year."

* Mr. G. R. PREMAYYA:—Mr. Deputy President, Sir, I think a man can live without food for 20 days or more, but without good water I do not think a man can live for many days. If he is not given good water his health will be completely spoiled. Sir, in delta districts water will be on the land for more than six months. Especially in my district three of the nine taluks are under water for more than six months. During that time people who want to answer calls of nature generally go to tank-bunds and canal-bunds; because they use these bunds for that purpose, the soil of those bunds becomes polluted and when rain comes it washes off the soil into the canals and thus the water of the canal becomes contaminated. When all the water is contaminated, where is one to get good water from? Generally, Sir, 4 p.m. the dwellings of the depressed classes are situated in low-lying places and they are surrounded by water for not less than six months in the year. Sir, if the waters in the tanks and the canals are contaminated in this way, where could we get good water for drinking purposes? Last year and the year before last, I requested the Hon. the Chief Minister to give us a protected water-supply. The Rural Development Fund was formed three years ago and we have lakhs of rupees now in that fund but not even a rupee has been spent out of that fund for rural development. The money is there and the people are there and the difficulties also are there. But nobody is going to ask district board presidents and others to take steps to remove these difficulties. To prevent the people from contaminating the waters by answering calls of nature near by, I requested the Hon. the Chief Minister to ask the panchayats and other bodies to introduce bore-hole latrines

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in the villages. If these latrines are introduced, the people will learn to use them and the waters will not be polluted. In these delta areas where water stands on the land for six months in the year the people lead a miserable life because they cannot at all get uncontaminated water for drinking purposes. It is no wonder that these people get sick. You can imagine what will be the state of health of people who can have no good water for six months in the year and who are denied the necessary facilities to keep up their health. They are exposed to the cool winds both day and night and their children fall ill. When they so fall ill, the father or the mother has to take the sick children 5 or 6 miles and sometimes 10 miles even to get medical aid. Generally these ignorant village people take the help of the village doctor who is not well experienced in medicine. They do not know to do and lose their children. We suffer from these difficulties in the delta districts. Therefore my only one request to the Hon. Minister is to give us good drinking-water and ask the panchayats in the delta areas to introduce bore-hole latrines."

MR. BASHEER AHMED SAYEED:—"Mr. Deputy President, Sir, I rise to bring to the notice of the Government only one or two important facts with regard to public health in this Presidency. The first point is that propaganda in connexion with public health and sanitation has not yet reached the villages in spite of the department having been in existence for several years. I should like to know whether the Government have any definite policy for expanding the machinery in order that more propaganda may be done in the rural arts. No doubt, we are told time and again that financial stringency does not permit the expansion of the activities of the department, but this kind of plea cannot be sustained long. The health of the citizens is more important than several other activities of the Government and somewhere some money will have to be found for extending the activities of this important branch of the public departments. I know of several villages which have not had a word of advice in the matter of sanitation and public health from the officers of this department. No doubt, it is very largely a question of local bodies doing propaganda work, but the same argument of financial stringency is advanced by local bodies also who say that the funds at their disposal do not permit them to entertain any large staff for extending this propaganda work. So much so, the Public Health Reports narrate the same tale this year also. There is no progress in the matter of public health. Infantile mortality continues to be what it was. Deaths from epidemics like cholera and smallpox and other fell diseases continue to occur at the same rate in spite of the expenditure of large sums in this connexion. Sir, this shows that either the sums spent are inadequate or there is something fundamentally wrong somewhere. It is the paramount duty of the Government to promote public health in the rural parts as far as possible. Of course, within the municipal areas also we hear the same tale. The municipalities are not able to discharge their functions with regard to conservancy, public health and sanitation in the most desirable manner. There also the reason is want of funds and

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inadequate resources. Everywhere we find that the lack of facilities and the want of funds are the causes of this slow progress in the matter of public health propaganda.

"While on the subject of public health I want to say a few words on another point, and if I do so, I should not be considered to have initiated a discussion again on a very controversial question. I am going to refer very briefly to birth control. Sir, this subject has become a topic of frequent discussion outside. It is true that in this Council, apart from certain questions which were put and answered on the subject, there has not been an opportunity for discussing this question at length. It is not for me to say whether birth control is in the interests of the public or is not, or whether in the present stage of civilization in India it is desirable or not desirable. But one thing only I want to know from the Government and I hope that the Hon. Minister will enlighten us on the point. I want to know what exactly is the programme of the Government with regard to the establishment of birth control clinics and with regard to propaganda in connexion therewith. Sir, as civilization advances and new ideas spread in our society, probably there is a need for affording facilities to those who seek to know what exactly are the methods of birth control, what exactly its advantages are and what are the disadvantages that people who do not adopt such methods suffer from. From that point of view, I will certainly encourage the establishment of centres where knowledge can be imparted to such of those as seek that knowledge with a view to practise birth control and adopt contraceptive methods. If people there are who think that such knowledge should not spread in the society and that there will be great contamination if such knowledge is spread, I would urge of them to make a counter-propaganda if possible against the propaganda that might be started by the Government or other agencies. But I do not see, Sir, that there is any justification for the Government denying facilities for persons who seek to know something about birth control and thereby wish to profit by it. If people wish to profit by the adoption of birth control and contraceptive methods, it must be the duty of the Government to enable them to know how exactly it should be done, what is the literature on the subject and how the practical application should be made and all that. For these facilities which the Government are asked to afford, those who want them and those who do not want them equally pay. But it does not lie in the mouth of those persons who do not want those facilities to say: 'Do not give those facilities to those who seek them.' I would suggest to those people who are directly opposed to the Government taking an interest in this matter to start their own agencies to put down the spread of knowledge with reference to contraceptive and birth control methods. But, Sir, I would welcome the Government establishing centres to impart knowledge to such of those who are anxious to get such knowledge.

"Sir, I want to say a few words about the South Indian National Health Association, which has been supplementing the activities of the Public Health department. The Government have stinted even

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the little funds that they were placing at the disposal of this Association. Now, Sir, any institution, whether it is the South Indian National Health Association or any other association, which discharges the same functions and services which are discharged by the Public Health department, ought to be encouraged. It is not a wise policy for the Government to stint in placing funds at the disposal of these institutions. No doubt, to a large extent they depend upon public support, but in this country such public help and public support is very uncommon. It might be that the people have not yet realized the advantages of public propaganda in regard to public health and sanitation on a large scale. But the position is that these institutions are suffering seriously for want of funds and are unable to extend their activities. The Government till some time ago were giving Rs. 3,000 to this South Indian National Health Association to enable them to carry on very useful activities for the spread of health in the midst of towns and in the outlying rural parts. Now that contribution has been stopped for no valid reason. I would therefore urge upon the Government that they should revive their contribution of Rs. 3,000 at least to this association in order to enable them to supplement in a large measure the activities of other institutions like the municipalities and the Government. The Government should take greater interest in the matter of public health and they should not plead that this subject has been decentralized to a great extent and that the municipalities and local bodies are seized of it. If the Government cannot do much in this matter, it will not give us any consolation. This department deserves more encouragement at the hands of the Government and they should give it more and more grants and direct its activities into proper channels."

S. M. K. BEYABANI SAHIB Bahadur:—"Sir, I feel it a special privilege to speak on this Demand. Sir, I feel it my duty to bring to the notice of the Government a few facts and ask them to come to the rescue of the poor people in the far-off villages. Of course, those who have no experience of villages and have not seen so many villages as myself may not realize the difficulties of these poor villagers who live far away from the cities. There are some villages in my parts, where during the summer, they do not get water for nearly four or five months. They have to go to a distance of 7 miles. They go there with their carts and bring the water they require. You can just imagine the difficulties of the people who cannot get water anywhere near their place. I particularly refer to the villages in the Kurnool district and similar places in the interior where the people find it very difficult to get water for drinking purposes.

4-15 p.m. "We are talking of nationalism and so many other things. If you do not take into consideration these real difficulties of the villagers and provide them with boring pumps at least one for each village, I do not think we deserve to represent these poor villagers honestly. There are certain villages which I know of where people suffer from the disease, guinea worm. You will find that hundreds of people suffer in a certain

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season from the guinea-worm disease. This disease practically makes the man quite helpless; of course he eats, he drinks; but he is a dead man practically for all purposes. He cannot move an inch. You can just imagine the difficulties of those ryots who, during the season time, feel it very hard to attend to their field work. I would therefore request the Government to provide at least one bore-pump in villages where you find this guinea-worm disease and where it is very difficult for people to get water from a distance of 7 miles. I am sure that the Government would not have to spend much money for this purpose.

"To one other point I wish to draw the attention of the Government and it is this; my friend, Mr. Basheer Ahmed, has dealt at length with the health propaganda work that is carried on by the Government, and also by private bodies. I feel that very little has been done in this direction, because I find when I go to the villages, they have no idea of the health propaganda. We cannot blame private bodies, because as my friend, Mr. Basheer Ahmed Sayeed, said, the little help the Government were affording to these private bodies has been stopped and you cannot expect them to do any propaganda work. I think it is the duty of the Government when they appoint propagandists, to send them to big centres where the population is not less than 5,000. Propagandists ought to go to such places and do real propaganda work either by way of delivering lectures or some other method so that they can enlighten the villagers and educate them how to keep their health.

"In this connexion I think it is my duty to invite the attention of the Government to one other important matter. On a previous occasion while speaking on the same Demand, I have invited the attention of the Government to this matter. It is with regard to the appointment of females for health propaganda work. So far as I know, there has hardly been a single instance where female propagandists have been appointed by the Government to do propaganda work and to enlighten people of my community. What I mean is lady propagandists who know Hindustani should be appointed to do propaganda work. In big towns like Kurnool, Guntur, etc., on account of the peculiar gosha system, Muslim ladies have no facilities to go out and come into contact with the Telugu-knowing people. They always stay at home; they know only Hindustani. The purdah system stands in their way of attending health propaganda lectures. What I wish to point out is this; I do not plead that a Muslim lady propagandist should be appointed to do this work. A lady who knows Hindustani or Urdu may be appointed to deliver these lectures for the benefit of these purdah ladies who know only Hindustani or Urdu; it is necessary to bring home to them the necessity to look after their health. At present they are very ignorant; I know of a particular place where for every hundred houses there is a consumptive patient in one house, among Muslim ladies. About twelve or fifteen cases of consumptive patients have been brought to our notice. Unless and until something is done towards educating these poor gosha ladies, I do not think they will improve in their health. I appeal to the Hon. the Chief Minister

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to have my suggestions in view and I hope he will appoint lady propagandists who know Hindustani, to do propaganda work for the sake of those ladies who have taken to purdah, who cannot come out of their houses and who are really at a great disadvantage. I have nothing more to add, except to request the Hon. the Chief Minister to give effect to my suggestions."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, two years ago the Government issued a Government Order asking the taluk boards not to appoint any midwives at all for rural dispensaries in places where they have not already been appointed. Maternity cases and infantile mortality is increasing year after year. In order to reduce infantile mortality we have to appoint midwives. The Government have asked taluk boards not to appoint any more midwives. When we were discussing the same Demand last year, the Hon. Minister promised that he would cancel the Government Order after some time; but so far, no orders have been passed by the Government. So I would request the Hon. the Chief Minister to see that orders are passed about midwives at an early date so that they may help in the improvement of the condition in rural villagers. When we are not in a position to pay for first-class and second-class midwives, I make this suggestion to the Government. The country midwives, the women from the barber community who are attending to maternity cases in the villages may be trained as second-class midwives in the district headquarters by giving some sort of subsidy. Then, in the course of a few years, we may be able to convert village midwives into trained midwives. As a matter of fact from the Bapatla taluk of the Guntur district we have been sending midwives to the office of the District Medical Officer for training by offering a subsidy of Rs. 8 or so. We may continue the same policy for want of money, because the Government are not in a position to come to the rescue of taluk boards by giving some sort of contribution for this purpose. If the Government offer some sort of contribution by way of half-cost, I think several taluk boards will take up the scheme and complete it.

"For the last ten years we are speaking about and insisting upon compulsory vaccination. Even to-day we are not insisting upon compulsory vaccination uniformly; it is left now to the individual discretion of the local boards. In the beginning it was essential that we should use some discretion in the matter. But as the people are now accustomed to vaccination, I think it is too late when the Government should insist upon compulsory vaccination. Even to-day there are one or two taluks in the Guntur district where they are not insisting upon compulsory vaccination. For the last four years, no doubt the Government are taking some steps in the matter by appointing some health visitors. Unless the Government appoint at least one health visitor for one village in a district at their own cost, I think the utility of these officers will not be understood by the people. The Government may select a rural area in each district, and appoint one health visitor; thus the Government should appoint twenty-five health visitors for the

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twenty-five districts. If the people of the locality are made to understand that this is a beneficial measure, then the local boards will take up this scheme and increase the number of health visitors in the districts.

"Even to-day there are several municipalities without having health officers. Of course some municipalities have appointed second-class health officers. If we can appoint health officers on the scale of pay for sub-assistant surgeons—Rs. 75 to 100 or Rs. 120—we can see that epidemics like cholera, etc., do not break out. In the case of the Tenali, Narasaraopet and Chirala municipalities, there are no health officers at all. As a matter of fact we had a very serious epidemic at Tenali. To avoid these epidemics, the Government should insist upon every municipality appointing at least a second-class health officer. I do not think that what is spent on these health officers is not wasteful expenditure, because in the long run, we may not have to spend much money from public funds to combat epidemics. When an epidemic breaks out, the Government have to spend a lot of money for medicines and putting up pandals and for other expenses. It will be ultimate gain at the end. The Government should insist upon every municipality appointing at least a second-class health officer, even by reducing, if necessary, the number of sanitary inspectors employed by it.

"In the villages, there are people who are not accustomed to use latrines. No doubt the Government are recently popularizing bore-hole latrines; no doubt it is a beneficial measure. But unfortunately in delta areas, we are put to some inconvenience. As we have no good roads, in such places, a lot of mud is carried away and the bore-hole latrines are closed in a few days. It has become a troublesome matter to remove this mud, etc., from these latrines. That is the reason why people are not anxious to try this system. They find it difficult to make it work successfully. In this connexion I wish to make one suggestion. Instead of allowing people to use the banks of canals and the banks of tanks, and other public places, the Government may allot some vacant lands for the purpose of being used as lavatories; they may grow some small bushes in such places. If you allot one or two acres in each village for this purpose, it will be very good. In the same place you may have some bore-hole latrines also. People who are accustomed will use the bore-hole latrines and other people will use the open place. Some place must be ear-marked for the lavatory purposes. You must grow some bushes there to provide some secrecy.

"No doubt we have been talking about public health every year; but the Government are not coming forward with any contributions for the removal of burial ground. Sir, there are several burial grounds in the midst of towns and villages and people are anxious to remove them; but the local boards are not in a position to bear the expenditure. The Health department has been repeatedly recommending to the union boards and the taluk boards that they should be removed, and yet nothing has been done. When the head of the department recommends such removal, I think the Government should see that some provision is

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made for the benefit of such of the local bodies as are not in a position to remove them themselves. If we want to improve the condition of the villages, it is essential that we should have more grants for rural areas. Last year's Budget shows that a certain amount has not been spent. I do not know why the local bodies were not able to spend the amounts allotted to them to the full extent. That is why probably we find that the allotment has been reduced this year, under this head. I request the Hon. the Chief Minister to see to it that greater sums are allotted in the future for the benefit of the rural areas."

* Mr. K. KOTI REDDI:—"Sir, this is one of the departments whose existence is not very much felt, or not felt at all, in the villages. The limitations of finance may be advanced as a very good reason for the Government's inability to improve public health in the rural parts. But I believe even within those limitations, it may be possible, by means of consistent and intensive propaganda, to do something to help the villagers to live a healthier and more sanitary life. I shall put forward one or two suggestions for the Government to consider and adopt them, if found feasible. An occasional visit by a health inspector or a sanitary inspector to a village does not seem to be very helpful. On the other hand, if intensive propaganda is made within a certain area, that will be more helpful. Also, propaganda by a non-medical man cannot be so effective as propaganda by a medical man. The lectures of a medical man on the prevention and cure of diseases will naturally be more valuable. I would therefore suggest to the Government that instead of appointing health inspectors from among laymen, it would be much better if they appoint doctors to those posts. I think the present scale of Rs. 60-120 is sufficiently attractive to bring in regular doctors into the Public Health department. Even on the ground of finance, it would be better to have the posts of health inspector and the rural doctor combined into one. The doctor will have greater opportunities of coming into contact with the villagers in the neighbourhood, as he will be called in to attend to diseases, and his advice will certainly be more valuable to them. He could certainly help a great deal in doing propaganda in regard to public health. Another institution which can be very well utilized for propaganda work is that of the village teacher. In the Punjab, I know the village teacher's existence has been taken advantage of by various departments. If every village teacher, either employed by private agency or by the Government, is given tuition for a period of two or three months and made to do this propaganda work, he will do good work and the expenditure incurred will be less; perhaps the only expenditure that will then have to be incurred by the Government will be that on the training to be given to these teachers for two or three months. Yet another suggestion I would make in this connexion is that the text-books now used by the local board schools should contain at least a few lessons on health matters. No doubt there is a Text-Book Committee; I do not know whether it goes into these text-books which are prescribed. The approval of the text-books seems to depend more on favouritism and canvassing than really on the merits of the books. If

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the Government will only see that text-books containing such lessons are used in all the schools of the Presidency, it will go a great deal towards health propaganda.

"I have very often been pleading in this Council for some water for the Ceded districts. My Friend, Mr. Premayya, said that he has enough water, but he wanted better water; but in my district there is no water at all. There are a number of villages in the black-cotton soil parts. The water at all. I refer to the villages in the black-cotton soil parts. The water that we get from wells there is generally brackish, and therefore unfit for drinking purposes. The only water that people can get to drink is water collected in small reservoirs, some of which are maintained by private agencies. Apart from its purity, even that water is not available in some periods of the year when rains are scarce. In the case of a number of villages, I know people have to walk long distances of six or seven miles to take water from those reservoirs. There have also been one or two cases where during the summer, they have died while on their way for want of drinking water. I find this year the allotment for rural water-supply is only Rs. 1,50,000. It is absolutely inadequate. On account of financial stringency, it may be said it is not possible to allot more funds; but when the towns which after all contribute very little towards the revenues of the province get a larger share of this allotment, I cannot see why the Government should not make bigger allotments for rural water-supply. It will be better if Government adopt some policy in regard to the allotment of funds for water-supply in the towns and in the villages. When a rich municipality like the Corporation of Madras—it has good roads and many other conveniences—gets a grant of Rs. 6 lakhs, that the rural areas should get only Rs. 1,50,000 is really absurd. As I said, Sir, I hope some policy will be devised by the Government for allotment of funds in this respect as between the towns and the rural areas.

"Turning now to my own town of Cuddapah, so long as the present policy is pursued, of allotting more funds for the towns. I would like to insist on a large grant being given to the Cuddapah Municipality. When the municipality approached the Government, I am told that the Hon. the Chief Minister expressed his sympathy; but it seems there is no possibility of getting more than a half grant. The Chief Minister is aware of the poverty of this municipality. Almost every officer who resided in the place has testified to the urgent necessity for the supply of drinking water there. In my own house, I have no pipe connexion. When I recently applied to the municipality for pipe connexion, they refused sanction, at the instance of the Government, and I believe for very good reasons. For getting drinking water for my family, I have to engage a servant. Around these public pipes one will see a lot of people waiting with their pots and other vessels for hours together to get priority; sometimes people come even at 3 in the morning and wait there till their turn comes, to get one potful of water. That is the kind of difficulty the people of Cuddapah are suffering for getting drinking water. I only hope, Sir, that the Hon. the Chief Minister will be generous towards them. In this connexion, I may state that there are certain rich municipalities

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which got even three-fourths grant. The Bellary Municipality, for instance, is more prosperous than Cuddapah—I do not grudge it. I only want that my municipality also should be treated similarly. Coimbatore, I think, got more than half the grant. Considering the poverty of this municipality, a half-grant will not suffice, and I hope that at least a two-thirds grant will be given. Otherwise, Sir, I am afraid there will be no hope for our municipality.

“Another important respect in which the rural areas have been neglected is in the matter of village planning. Every year I see that provision is being made for the town-planning experts. I do not see why the Government should not spend some amount for the benefit of the villages also. I believe the necessity for village planning is much more than the necessity for town-planning. Do the Government believe that no planning is necessary for the villages? If only the Hon. the Chief Minister will visit some of the villages in the black-soil districts, he will find out the necessity. We have enough air and light; but in many of the village homes, there is not much air or light and the open spaces available are also very limited. In most of the villages, it is very expensive to have open spaces. Something must be done to reconstruct the villages on a definite plan which would give more open spaces and greater light and air to the villagers and their cattle. As a matter of fact, in most of the villages in the black-cotton-soil districts, the ryots and the beasts share the houses together.

4-45
p.m.

“I hope the Hon. the Chief Minister will with his usual zeal and driving force in the cause about which he is convinced take into his head the necessity for a definite constructive programme of reconstruction of villages. He may not be in a position to spare large sums of money but I would urge the necessity for a definite plan and legislation necessary to see that the village-planning system is adopted by the Government in the future. There is one other matter in regard to which I would like to press the necessity for some provision. I thought that the Government was not very particular about temperance propaganda but seeing that they have made some provision for that purpose I thought that if the Government is serious and genuine about the necessity of conducting some propaganda to put an end to this evil more money than what is provided for now should be made available for that cause. The provision of Rs. 1,000 towards the temperance propaganda seems to be absolutely inadequate. I hope the Hon. the Chief Minister would make a better provision in future. The non-officials will not be willing to take advantage of that grant and do any real work. If they know that the Government would help them in this propaganda by sufficient financial aid, I am certain many non-officials will come forward and do the work which the Government has hitherto been doing. I do not believe the temperance propaganda is the solution for the evil of drink. The proper solution is absolute prohibition. Leaving apart this question, I say that as long as provision is made for the temperance propaganda, the Government will, I hope, make a much larger and a more generous provision for this purpose than the sum of Rs. 1,000 which I submit is absolutely insufficient.

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“Sir, let me come to the question of birth-control. Some Hon. Members have spoken previously and I believe we have discussed this question sufficiently well once on a resolution and on Budget cuts also. It seems to me that the views, for or against the birth-control are so many, so varied and so equally balanced that for a lay man like me, it is very difficult to come to a conclusion, whether I should be for or against birth-control. But one thing I am certain of is this: that it is not time in this country for the Government to take up this propaganda. In other civilized countries where they have adopted this system, there was a lot of private propaganda before Government undertook the work themselves. In England, they were able to adopt this system in a very modified form; they had not committed themselves to the extent to which this Government is committed, till very late. There if a doctor of some experience openly made any propaganda in favour of birth-control, it was considered an offence. It is only recently that this has been removed. It is only where a doctor is convinced that birth-control is necessary for the purpose of safeguarding the health of the ladies concerned that he could offer medical advice on birth-control. Of course medical advice on birth-control may be necessary in the interest of the health of the lady concerned. In other cases we need not bother very much. There is the fear and this has been given vent to by eminent thinkers that if the percentage of the increase in population is to continue and if an artificial check is not placed on production we shall have to face the period when we shall have to starve. I believe that the research of science during the last generation or so has amply proved that there is absolutely no fear on the part of anybody provided proper adjustment is made in the relationship and the distribution of wealth. For my part, I have no fear about this sort of thing, viz., that unless artificial checks are imposed on birth, a time will come when we shall have to starve. On the other hand in very civilized countries like Italy and France, the Governments have now undertaken a propaganda in the matter of the increase of population. At any rate they consider it absolutely necessary that as against the other countries which they think are more populous, they must increase their population. However the consequences of the birth-control propaganda have gone to such an extent that in spite of prizes and the intensive propaganda that is being carried on, they are not in a position to increase the rate of births to the extent the Governments of those countries want. India is one of the most populous, if not the most populous country. So long as I am convinced that our resources are not enough and even then I have a feeling that the reserves of the world will soon be adjusted . . .”

* The Hon. the DEPUTY PRESIDENT:—“I fear the Hon. Member has already exceeded his time limit.”

* Mr. K. KOTI REDDI:—“Sir, I shall soon finish. We have been entertaining all sorts of fears with regard to the increase of births on account of ideas which we have derived from the western countries and of keeping our sons on a high standard. That seems to me to trouble the educated classes more than anybody else. As such there is no need for intensive propaganda on the part of the Government, which ought to be

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left to private agencies at present. I think it is improper for the Government to establish clinics at the Government expense. It is really the richer classes of people that would resort to this. It is not the poorer classes that will be benefited and would take advantage of these clinics. Seeing that the need for clinics is only in respect of richer and middle classes who could afford to have advice in this matter, I think it would be better if these clinics are not made a burden on state revenue."

Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, I would not have joined in this debate but for the introduction by the Hon. the Muslim Member from South Arcot of the question of what is misnamed 'birth-control' but what is in fact birth prevention. My being a Catholic is to some extent a handicap in a debate on matters of this sort. 'Oh! he is a Catholic' is in certain quarters assumed to be a sufficient answer to our arguments. On questions of religion and morals, we no doubt take our guidance from what we consider to be a divine and infallible authority. It is a question of faith with us Catholics. But let me make it clear that it is not on that ground that we want other people to accept our position. I put forward the plea that even if you consider the Papal See to be a mere human institution, it is still an institution with 1,900 years of experience behind it, and when it speaks with the weight of its authority born of the unbroken tradition of such a long period, its statements are entitled, if not to acceptance, at least to deep and earnest consideration; and is not that experience entitled to some consideration at the hands of non-Catholics also?

"On the other hand, as far as the Catholic point of view is concerned, in this agitation which has been going on for some months past, there seems to be considerable amount of misapprehension. It has been asserted in some quarters that the Catholics want to force their views down the throats of other people. Nothing is farther from the truth. We hold our belief; we hold that certain things are wrong and certain things are right and we should be glad if other people follow what we consider to be right. We do not want our views to be forced on other people and if in this controversy, which has been going on for some months past, we have adopted a definite attitude, it is not so much against the propaganda that may be carried on in favour of birth-control by various people but it is solely and exclusively against the Government's lending support and weight, moral and financial, and spending its funds to which we have also contributed and in the disposal of which we have got a certain voice. There again, there is some misapprehension. Our position is this—We do not want the Government to establish clinics in Government institutions and also direct their subordinates to issue instructions on birth prevention. One of the patent objections to a proposal like that would be that from all your medical institutions you will be excluding people who would have conscientious objection to give advice in a matter like this. I feel certain that every Catholic doctor would find himself handicapped as far as giving instructions in such things is concerned. On the other hand, if the attitude of the Government is merely to let such doctors as may desire, or may be willing to impart instruction in birth-control to do so and not give any

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directions of those who would not do it, it would be an attitude which we can very well understand and to which we can take no reasonable objection at all. We put it wholly on that score. It should not be made a necessary adjunct to any Government medical institution. In connexion with this, Sir, the Neo-Malthusian League circulated some months back a pamphlet giving therein the debate in the House of Lords on Birth Control. It seemed to me that if the League thought that the debate was advocating the introduction of birth-control clinics and was therefore strengthening their cause in this controversy, they were very much mistaken. What does the debate in the House of Lords say? Certain institutions engaged in maternity relief were doing good work for which they were receiving grants from the Government. But, one of the conditions in those days to their earning the grant was that they should not impart any instruction in birth-control. They were private institutions."

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

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

[22nd March 1934]

APPENDIX.

[Vide answer to question No. 817 asked by Mr. M. A. Manikkavelu Nayakar at the meeting of the Legislative Council held on the 22nd March 1934, page 601 supra.]

Serial number and names of auditors.

Serial number and names of auditors.

Fasli 1339.

Tanjore—

- 1 N. S. Pattabhirama Ayyar.
- 2 M. R. Balasubrahmanya Ayyar.
- 3 K. A. Sankara Ayyar.
- 4 M. Kandaswami Mudaliyar.
- 5 C. M. S. Prakasam.
- 6 M. Rajamani Ayyar.
- 7 K. M. Kunchithapadam Pillai.
- 8 M. S. Seshadri.
- 9 K. Narayanaswami.

Trichinopoly—

- 1 L. S. Mathurbutham Ayyar.
- 2 N. S. Pattabhirama Ayyar.
- 3 P. N. S. Ayyar.

Trichinopoly—cont.

- 4 A. N. Lingam.
- 5 M. S. Krishnaswami Ayyangar.
- 6 S. Paramasivan.
- 7 N. C. Rajan.
- 8 K. Narayanaswami.
- 9 T. S. Viswanathan.

Tinnevely—

- 1 A. N. Lingam.
- 2 K. A. Sankara Ayyar.
- 3 T. M. Sankaranarayana Pillai.
- 4 K. V. Gopala Ayyar.
- 5 R. Seshan.

Fasli 1340.

Tanjore—

- 1 N. S. Pattabhirama Ayyar.
- 2 M. R. Balasubrahmanya Ayyar.
- 3 K. A. Sankara Ayyar.
- 4 M. Kandaswami Mudaliyar.
- 5 C. M. S. Prakasam.
- 6 M. Rajamani Ayyar.
- 7 K. M. Kunchithapadam Pillai.
- 8 M. S. Seshadri.
- 9 K. Narayanaswami.

Trichinopoly—

- 1 L. S. Mathurbutham Ayyar.
- 2 N. S. Pattabhirama Ayyar.
- 3 P. N. S. Ayyar.

Trichinopoly—cont.

- 4 A. N. Singam & Co.
- 5 M. S. Krishnaswami Ayyangar.
- 6 S. Paramasivan.
- 7 N. C. Rajan.
- 8 K. Narayanaswami.
- 9 T. S. Viswanathan.

Tinnevely—

- 1 A. N. Lingam & Co.
- 2 K. A. Sankara Ayyar.
- 3 T. M. Sankaranarayana Pillai.
- 4 K. V. Gopala Ayyar.
- 5 R. Seshan.
- 6 T. S. Viswanathan.

Fasli 1341.

Tanjore—

- 1 N. S. Pattabhirama Ayyar.
- 2 M. R. Balasubrahmanya Ayyar.
- 3 K. A. Sankara Ayyar.
- 4 M. Kandaswami Mudaliyar.
- 5 C. M. S. Prakasam.
- 6 M. Rajamani Ayyar.
- 7 K. M. Kunchithapadam Pillai.
- 8 M. S. Seshadri.
- 9 K. Narayanaswami.
- 10 G. Natesan.
- 11 A. V. Subrahmanyam.
- 12 T. S. Viswanathan.

Trichinopoly—

- 1 L. S. Mathurbutham Ayyar.
- 2 N. S. Pattabhirama Ayyar.

Trichinopoly—cont.

- 3 P. N. S. Ayyar.
- 4 Lingam & Co.
- 5 M. S. Krishnaswami Ayyangar.
- 6 S. Paramasivan.
- 7 N. C. Rajan.
- 8 K. Narayanaswami.
- 9 T. S. Viswanathan.

Tinnevely—

- 1 Lingam & Co.
- 2 K. A. Sankara Ayyar.
- 3 T. M. Sankaranarayana Pillai.
- 4 K. V. Gopala Ayyar.
- 5 R. Seshan.
- 6 T. S. Viswanathan.

22nd March 1934]

Serial number and names of auditors.

Serial number and names of auditors.

Fasli 1342.

Tanjore—

- 1 N. S. Pattabhirama Ayyar.
- 2 M. R. Balasubrahmanya Ayyar.
- 3 K. A. Sankara Ayyar.
- 4 M. Kandaswami Mudaliyar.
- 5 C. M. S. Prakasam.
- 6 M. Rajamani Ayyar.
- 7 K. M. Kunchithapadam Pillai.
- 8 M. S. Seshadri.
- 9 K. Narayanaswami.
- 10 G. Natesan.
- 11 T. S. Viswanathan.
- 12 M. N. Sambamurti.
- 13 K. Thiruvonkatachari.
- 14 N. C. Rajan.
- 15 M. V. Sundararajan.
- 16 M. S. Krishnaswami and Jagannathan.
- 17 S. Viswanathan.

Trichinopoly—

- 1 L. S. Mathurbutham Ayyar.
- 2 N. S. Pattabhirama Ayyar.
- 3 P. N. S. Ayyar.
- 4 M. S. Krishnaswami Ayyangar.
- 5 S. Paramasivan.
- 6 N. C. Rajan.
- 7 K. Narayanaswami.
- 8 T. S. Viswanathan.
- 9 L. Sivaram.
- 10 S. Viswanathan.
- 11 C. Krishnamurti.

Tinnevely—

- 1 K. A. Sankara Ayyar.
- 2 T. M. Sankaranarayana Pillai.
- 3 K. V. Gopala Ayyar.
- 4 R. Seshan.
- 5 T. S. Viswanathan.
- 6 L. Sivaram.
- 7 K. M. Kunchithapadam Pillai.

Fasli 1343.

Tanjore—

- 1 N. S. Pattabhirama Ayyar.
- 2 M. R. Balasubrahmanya Ayyar.
- 3 K. A. Sankara Ayyar.
- 4 M. Kandaswami Mudaliyar.
- 5 C. M. S. Prakasam.
- 6 M. Rajamani Ayyar.
- 7 K. M. Kunchithapadam Pillai.
- 8 M. S. Seshadri.
- 9 K. Narayanaswami.
- 10 G. Natesan.
- 11 T. S. Viswanathan.
- 12 M. N. Sambamurti.
- 13 K. Thiruvonkatachari.
- 14 N. C. Rajan.
- 15 M. V. Sundararajan.
- 16 M. S. Krishnaswami and Jagannathan.
- 17 S. Viswanathan.
- 18 P. Arunajatai.
- 19 A. V. Subrahmanyam.

Trichinopoly—

- 1 L. S. Mathurbutham Ayyar.
- 2 N. S. Pattabhirama Ayyar.
- 3 P. N. S. Ayyar.
- 4 M. S. Krishnaswami Ayyangar.
- 5 S. Paramasivan.
- 6 N. C. Rajan.
- 7 K. Narayanaswami.
- 8 T. S. Viswanathan.
- 9 L. Sivaram.
- 10 S. Viswanathan.
- 11 C. Krishnamurti.

Tinnevely—

- 1 K. A. Sankara Ayyar.
- 2 T. M. Sankaranarayana Pillai.
- 3 K. V. Gopala Ayyar.
- 4 R. Seshan.
- 5 T. S. Viswanathan.
- 6 L. Sivaram.
- 7 K. M. Kunchithapadam Pillai.
- 8 Messrs. P. M. V. Nayudu & Co.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Friday, the 23rd 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.
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 Bibbili, 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.
Beyabani Sahib Bahadur, S. M. K.
Bhanoji Rao, Mr. A. V.
Birley, Mr. F.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraishwami Reddiyar, Mr. K. M.
Foulkes, Mr. R.
Gopalaswami Mudaliyar, Diwan Baha-
dur M.
Gopalaswami Ayyangar, Diwan Baha-
dur N.
Hood, I.C.S., Mr. H. M.
Indrayya, Mr. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Kesava Ramamurti Nayudu, Mr. K.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Krishnan, Mr. C.
Kumara Raja of Venkatagiri, The.
Ladden, Mr. W. W.
Lakshmana Reddi, Mr. G.
Langley, Mr. W. K. M.
Madanagopal Nayudu, Mr. R.

Maharaja of Venkatagiri, The.
Manikkavelu Nayakar, Mr. M. A.
Methorell, Mr. J. K.
Moses, Mr. P. C.
Muniswami Nayudu, Diwan Bahadur B.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Rao Bahadur C.
Nanjappa Bahadur, Subadar-Major
S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Rao Sahib D. V.
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.
Pattabhiramayya, Mr. K.
Pattagar of Palayakottai, The.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Ramachandra Padayachi, Mr. P. K.
Ramachandra Rao, Diwan Bahadur M.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Rao Bahadur
T. A.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Ratnasabhpathi Mudaliyar, Diwan
Bahadur C. S.
Sahajanandam, Swami A. S.
Sami Venkatachalam Chetti, Mr.
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.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.

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PRESENT—cont.

Subrahmanya Chetti, Rao Sahib P.	Venugopal Nayudu, Rao Bahadur
Subrahmanya Bhatt, Mr. U. C.	R. K.
Sundara Rao Nayudu, Mr. T.	Viswanatha Rao, Diwan Bahadur
Syed Tajuddin Sahib Bahadur, Khan Sahib.	V. N.
Thangal, Mr. P. M.	Yahya Ali Sahib Bahadur, Khan Bahadur.
Thorne, C.I.E., I.C.S., Mr. J. A.	Yakub Hasan Sahib Bahadur.
Vasudeva Pillai, Mr. V. G.	Zamindar of Kirlampudi, Tho.
Vedachala Mudaliyar, Mr. M.	Zamindar of Mirzapuram, Tho.
Venkatarama Ayyar, Mr. K. R.	

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Labour

Measures for relieving unemployment.

* 825 Q.—MR. M. B. RANGASWAMI REDDI: Will the Hon. the Home Member be pleased to state whether the Government have any measures under contemplation to relieve the educated and uneducated unemployment in the Presidency?

A.—The answer is in the negative.

MR. M. S. SRESHTA:—“ May I know, Sir, whether any statistics have been prepared showing the extent of unemployment among the educated and the uneducated classes? ”

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

MR. M. S. SRESHTA:—“ May I know whether the Government are proposing to obtain statistics? ”

The Hon. Sir MAHOMED USMAN:—“ There is no such proposal before the Government.”

RAO BAHADUR C. NATESA MUDALIYAR:—“ May I know, Sir, whether the Government would consider this question seriously taking into consideration the facts mentioned in the Police reports and also taking into consideration that so much of mental and physical energy is being wasted in our country? ”

The Hon. Sir MAHOMED USMAN:—“ I do not know the object in making such enquiries. I do not think any useful purpose would be served by making such enquiries.”

MR. M. S. SRESHTA:—“ May I know whether any proposal has been examined by Government for the purpose of finding out if relief can be given to the unemployed? ”

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

23rd March 1934]

MR. U. C. SUBRAHMANYA BHATT:—“ May I know, Sir, whether Government are aware that letting loose a large number of educated unemployed persons in the Presidency is dangerous to society and will cause unrest to Government? ”

The Hon. Sir MAHOMED USMAN:—“ I am thankful to the Hon. Member for the information.”

MR. M. S. SRESHTA:—“ May I know whether the Government are prepared to consider the question? ”

The Hon. Sir MAHOMED USMAN:—“ I do not think it is possible on account of our financial position.”

Prisons and Prisoners

Political prisoners in jails as on 28th February 1934.

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

(a) what the number of political prisoners in each of the jails in this Presidency was on 1st January 1934;

(b) how many of them have yet to serve a period of more than three months; and

(c) how many of them have got remission of sentences and what such remission is due to?

A.—(a) The number of prisoners, convicted for offences connected with the Civil Disobedience Movement, in jails as on 28th February 1934 was 77. The Government have no information in regard to the number in each jail.

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

MR. U. C. SUBRAHMANYA BHATT:—“ May I know, Sir, in view of the fact that the political atmosphere in the country has settled down and there is absolutely no Civil Disobedience Movement now, whether the Hon. the Law Member will consider the advisability of remitting the unexpired terms of imprisonment of these 77 prisoners? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ The release of the Civil Disobedience Movement prisoners is being considered by the Government from time to time.”

MR. U. C. SUBRAHMANYA BHATT:—“ Is there any such consideration now being made, Sir? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I am not in a position to give an answer to that question.”

[23rd March 1934]

Irrigation*Damage caused by the Vatchili drain in the Godavari Central Delta.*

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

(a) whether there have been petitions sent up to the Government by the ryots of the villages of Vaddiparru, Vatchili, Vasanthavada, Atreyapuram, Lolla, Vadapalli, etc., in the East Godavari district since 1925;

(b) whether the special party has ever gone to the central delta; if so, whether the Government have given any instructions to the special party with regard to the irrigation facilities to the lands at the head of the main and bank canals in the central delta;

(c) whether the Government have received petitions about the havoc rendered by the Vatchili drain; and

(d) what the steps taken by the Government are to safeguard the ryots against the damages caused by Vatchili drain?

A.—(a) No such petitions are readily traceable.

(b) Presumably the special party which worked in the Godavari Western Delta for the localization of the permanent, rotational and excluded zones is referred to. This party did not work in the Central delta.

(c) No.

(d) The Government will enquire.

Mr. G. SRIRAMULU:—“ May I know, Sir, with reference to the answer to clause (c), whether the Government are aware that much damage is caused to the ryots by the Vatchili drain? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ I have no information on the point, but I am enquiring into the matter, as stated in the printed answer to clause (d). ”

Land Revenue Administration

Executive instructions to Revenue Divisional Officers in regard to collection of kists.

* 828 Q.—Mr. V. T. ARASU: Will the Hon. the Member for Revenue be pleased to state—

(a) whether any executive order or instruction has been issued to the Revenue Divisional Officers suggesting to, or compelling, them to exercise all the resources at their command in the matter of the collection of the kists; and

(b) if so, whether a copy of the same will be laid on the table of the House?

23rd March 1934]

A.—(a) & (b) The Government are not aware of the issue of any such orders to Revenue Divisional Officers, but the officers of the Revenue Department are expected to exercise when necessary the powers conferred on them to enable them to collect the land revenue.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government officers are taking more coercive steps this year than in previous years? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ Government have no information. ”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know from the Hon. the Revenue Member whether Collectors of districts have issued stringent circulars to their subordinate officers to see that the tax is collected somehow or other? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ I have no information on the point. ”

Need for remission of land revenue in Malabar on account of fallen trees.

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

(a) when the resettlement rates of land revenue were introduced in Malabar;

(b) whether at any time the Government or the Board of Revenue called for reports from the Collector of Malabar in regard to fallen trees and the need for granting temporary or permanent remission; and

(c) whether he will be pleased to place on the table of the House the reports received on the subject?

A.—(a) Resettlement rates were introduced in fasli 1336 in the Wynad taluk, in fasli 1341 in the taluks of Palghat, Calicut and Walluvanad and in fasli 1342 in the Kurumbranad taluk. They are being introduced in the current fasli in the remaining plains taluks.

(b) & (c) No such report has been called for by the Government since July 1931. The Government have no information whether the Board of Revenue called for any such report.

Local Self-Government

Alleged irregularities in the conduct of elections to the Chingleput District Board held in June 1932.

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

(a) whether it is a fact that, in connexion with the elections held in June 1932 to the District Board of Chingleput, the counterfoils relating to the third booth of Uttiramerur and the entire counterfoils of the Kammalampundi booths were missing;

[23rd March 1934]

(b) if so, what action has been taken by the Government to trace the missing bundles of counterfoils or to take any disciplinary action against those responsible;

(c) whether it is a fact that the petitioner communicated these irregularities to the Secretary to the Local Self-Government, Madras, and if so, what action has been taken thereon; and

(d) what action has been taken for this alleged negligence on the part of the Government and whether all the counterfoils have since been traced and are in safe custody in the event of their being required for scrutiny by a competent court of law?

A.—(a) The Government are not aware of this.

(b) The question does not arise.

(c) & (d) A petition was received from Mr. T. Sabapathi Mudaliyar and he was informed that Government found on investigation that the allegations made by him against the Tahsildar of Conjeevaram were incorrect.

Medical Administration

Appointment of a woman doctor to the Taluk Headquarters Hospital, Kasaragod.

* 831 Q.—Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the hospital committee of the Kasaragod Taluk Headquarters Hospital was asked by the Government whether a woman doctor is required for the hospital;

(b) what the report and recommendation are of the committee; and

(c) what the daily attendance was of the male and female out-patients respectively of the Kasaragod Taluk Headquarters Hospital in the month of January last?

A.—(a) No.

(b) Does not arise.

(c) Males—207.

Females—133.

Mr. U. C. SUBRAHMANYA BHATT:—“In view of the large number of ladies attending the hospital, may I know whether Government would consider the advisability of sanctioning a lady doctor for the hospital?”

The Hon. the RAJA OF BOBBILI:—“I have already stated in answer to a similar question that the matter would be considered as soon as funds are available.

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Number of L.I.M.'s turned out by the School of Indian Medicine, Madras.

* 832 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Local Self-Government be pleased to state the number of L.I.M.'s turned out by the Government School of Indian Medicine each year since it was started?

A.—A statement ^a furnishing the information required is laid on the table.

Public Health

Rural reconstruction scheme at work in Chingleput district.

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

(a) whether a scheme of rural reconstruction is being worked in Chingleput district under the direct supervision of the Public Health department; and

(b) if the answer to clause (a) is in the affirmative, whether he will be pleased to place on the table of the House full details of the scheme?

A.—(a) Yes.

(b) A copy ^b of G.O. No. 1467 (50-S), P.H., dated 30th June 1933, which contains the details of the scheme as approved by Government is placed on the table of the House.

By-laws of the Coimbatore Municipality for water-supply.

* 834 Q.—Mr. V. T. ARASU: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Coimbatore Municipality has applied for sanction for their revised by-laws for water-supply;

(b) whether the Government have passed orders thereon;

(c) the names of other municipalities which have likewise applied to the Government for sanction of by-laws; and

(d) whether the Government passed orders on them?

A.—(a) Yes.

(b) Final orders on the subject have to be passed by the Inspector of Municipal Councils and Local Boards to whom the powers of the Government to approve and confirm or cancel or alter by-laws framed by local bodies have been delegated since the year 1930. He has however addressed the Government for orders on the Council's proposal to grant house connexions on the tap-rate basis by taking agreements in advance from the owners

^a Printed as Appendix I at page 732 infra.

^b Printed as Appendix II at pages 732-754 infra.

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or occupiers pending the issue of final orders on the revised by-laws and the matter is still under consideration.

(c) & (d) "No other application has been received by the Government.

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—" May I know, Sir, how long will it take for Government to pass final orders? "

The Hon. the RAJA OF BOBBILI:—" As stated in the printed answer, it is a matter for the Inspector of Municipal Councils and Local Boards; but I shall remind him and see that the matter is expedited."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—" May I tell the Hon. Minister that a lot of water is being wasted and the people are also put to great inconvenience on account of this? "

The Hon. the RAJA OF BOBBILI:—" I shall see that immediate action is taken."

Right of user by the Adi-Dravidas of Malarasur village, Lalgudi taluk, of the waters of the Peria Eri.

* 835 Q.—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Peria Eri (big lake) in Malarasur village, Lalgudi taluk, Trichinopoly district, is a public or a private tank;

(b) if it is a public tank whether it is true that Adi-Dravidas were not permitted to draw drinking water from that tank;

(c) whether it is a fact that water in the Chinna Eri (small lake) which the Adi-Dravidas were using for drinking purposes has become saline and unfit for human consumption and that the Adi-Dravidas were prevented from taking water from the big lake on the ground that it was not customary for them to take water from the big lake;

(d) whether it is a fact that the Collector of Trichinopoly district and the Commissioner of Labour, Madras, were petitioned by the Adi-Dravidas of that village and as a result it is proposed to sink a new well in the Cheri itself for the use of the Adi-Dravidas; and

(e) whether it is the policy of the Government to save the caste Hindus from being penalized according to the amended Local Boards Act, by sinking new wells for the exclusive use of the Adi-Dravidas?

A.—(a) It is a public tank, but is not maintained by the local board concerned.

(b) It has hitherto been used exclusively by the caste people who maintain it.

(c) Yes.

(d) Yes.

(e) No. A reference has been made to the Panchayat Board in the matter.

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Agriculture.

Research work on betel vine in Poonamallee conducted by the Government Mycologist.

* 836 Q.—Mr. V. T. ARASU: Will the Hon. the Minister for Public Works be pleased to state—

(a) the nature of special investigations done by the Government Mycologist, Agricultural College, Coimbatore, during the year 1933;

(b) the nature of research work done by the Government Mycologist on betel vine in Poonamallee, Chingleput district, and the number of times he visited the place during 1933; and

(c) the cost of tour undertaken in July 1933 and the nature of work done during this tour?

A.—(a) & (b) Attention is invited to the reports of the subordinate officers for 1932-33. The Government Mycologist visited Poonamallee only once in 1933.

(c) The total cost of the Mycologist's tours in July 1933 was Rs. 47-11-0 which included travelling allowances for visits to Tiruvallur and other places in the district during the tour to Poonamallee. The tour to Poonamallee was undertaken to inspect a betel vine garden where experiments to control betel vine wilt were in progress.

Co-operation.

Propaganda work among the Depressed Classes for the popularization of the Co-operative movement.

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

(a) what steps the Co-operative department are taking to do propaganda work among the Depressed Classes in the city and the mufassal for the creation of more co-operative societies among the Depressed Classes and generally to point out the benefits of the co-operative movement;

(b) whether the Co-operative department give facilities to non-official agencies that do co-operative work among the Depressed Classes in the city;

(c) if so, what they are; if not, why not; and

(d) whether the Registrar of Co-operative Societies refused to register the Depressed Classes Co-operators' Federation in the city; if so, the reasons therefor?

A.—(a) In view of the present condition of the movement, the policy of the department is not to encourage the organization of new societies, but to devote all its attention to the

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rectification and consolidation of existing societies. The department has not however stopped completely the registration of new societies but is proceeding cautiously. The propaganda work is not at present done by the Government staff but by the district central banks or federations wherever the latter exist.

(b) & (c) Yes. The Madras District Co-operative Central Bank is the constituted body for the city for propaganda and the organization of new societies.

(d) The Madras Depressed Classes Co-operators' Federation applied to the Registrar of Co-operative Societies for registration under the Co-operative Societies Act. But as there exists already a duly constituted co-operative society, viz., the Madras District Central Bank, for this purpose, the Registrar considered that there was no need for the registration of another society.

Rao Sahib V. I. MUNISWAMI PILLAI:—" May I know from the Hon. the Minister for Development that, under what section of the Act, the Madras District Co-operative Central Bank becomes the constituted body for purposes of propaganda? "

The Hon. Mr. P. T. RAJAN:—" Notice."

Rao Sahib V. I. MUNISWAMI PILLAI:—" Am I to understand, Sir, that no other body than the Madras District Co-operative Central Bank can undertake propaganda? "

The Hon. Mr. P. T. RAJAN:—" I cannot say anything off-hand."

Rao Sahib V. I. MUNISWAMI PILLAI:—" Will the Government reconsider their decision to register the Depressed Classes Co-operators' Federation? "

The Hon. Mr. P. T. RAJAN:—" If the matter comes up before the Government, it will be considered."

Fisheries.

Expenditure on account of the Tanur Research Station.

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

(a) what the experiments conducted in the Tanur Research Station during the past five years were;

(b) what the results achieved so far are;

(c) what the qualifications of the Research Assistants are who have been conducting these experiments; and

(d) what the amounts spent so far under non-recurring and recurring charges are?

A.—(a) & (b) The hon. Member's attention is invited to the administration reports of the last five years.

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(c) Except the assistant now in charge of the station who is a graduate in Zoology, others who held charge possessed no academical qualification but considerable experience and ability sufficient to carry on experiments under the direction of the Director.

(d) The expenditure incurred every year is recorded in the administration report of the department. Details of recurring and non-recurring expenditure are not available with Government but the building, plant, laboratory, etc., were valued in 1932 at Rs. 39,120.

Experiments with drier carried on at the Tanur Research Station.

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

(a) whether experiments with the drier are being carried on at the Tanur Research Station;

(b) whether the Research Assistant in charge of the experiment is qualified for the purpose;

(c) whether it is a fact that the experiment with the drier was conducted by Sir F. Nicholson;

(d) whether the defect observed by Sir F. Nicholson has been remedied; and

(e) whether the Government will be pleased to call for the observations recorded by the present Director of Fisheries and place them on the table of the House?

A.—(a) Yes.

(b) Yes, under the orders of the Director of Fisheries.

(c) Yes.

(d) From paragraph 63 of the administration report for 1932-33 it will be observed that the experiments have attained some success.

(e) The Director's observations are contained in paragraphs 61-63 of the latest administration report.

Imposition of the condition of financial guarantee in respect of fish-curing yards.

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

(a) the number of fish-curing yards closed on the West Coast as a measure of retrenchment;

(b) whether the Government insist on fishermen giving financial guarantee in the case of Baikampadi and Nattika yards;

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(c) whether the principle of financial guarantee is imposed in respect of all yards including those on the East Coast; and

(d) whether the Government will be pleased to place on the table of the House a statement showing the extent of operations and the cost of running the yards both on the West and East Coasts?

A.—(a) Nine.

(b) Yes.

(c) The principle is imposed in the case of new and temporary yards.

(d) The hon. Member's attention is invited to the Administration Report of the Department of Fisheries for 1932-33, pages 20-27 and 72.

Proposal to open a Fisheries Training School at Tuticorin.

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

(a) the number of new schools opened by the Fisheries Department during 1933-34;

(b) the number of teachers trained in the Fisheries Training Institute appointed in the new schools and also the additional teachers appointed for the existing schools;

(c) the number of teachers who have passed out of the Training Institute who are still unemployed;

(d) whether it is proposed to admit more pupil teachers for training during 1934-35;

(e) whether the Government hope to provide employment to all trained teachers either in the existing schools or proposed new schools;

(f) whether the Government have at any time considered the proposal to confine training in fisheries only in the Training Institute;

(g) whether stipends are paid to pupil teachers undergoing training even though there is no prospect of their immediate employment;

(h) whether the Director of Public Instruction has ever been consulted on the necessity for the continuance of the Training Institute as it is run at present;

(i) whether the Government have under consideration a proposal to open another Training Institute at Tuticorin; and

(j) whether there are schools maintained by the Fisheries Department on the East Coast?

A.—(a) Two.

(b) Information is not available.

(c) From the information available it appears that there are 20 such teachers.

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(d) The question will be considered.

(e) Yes, provided there are vacancies.

(f) Yes.

(g) When pupil teachers are admitted for training, they will be given stipends.

(h) No.

(i) Not at present.

(j) No.

Industries.

Teaching of motor-driving and mechanism in the Industrial Schools maintained by Government.

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

(a) the industrial schools maintained by the Government in which motor-driving and mechanism were being taught;

(b) whether it is a fact that as a measure of retrenchment the subject is not taught in these schools;

(c) whether there is a proposal to insist on training in a recognized institution before a driving licence is granted; and

(d) whether proposals for the re-introduction of motor-driving as a subject in the industrial schools is under the consideration of Government?

A.—(a) The schools at Madura, Calicut, Mangalore and Bellary.

(b) Yes; and also on the ground that at Calicut and Madura facilities for learning driving were available in private institutions.

(c) No.

(d) No.

Mr. M. S. SRESHTA:—"May I know how many pupils there were in each of the classes for motor-driving and mechanism, before they were abolished, in the schools at Madura, Calicut, Mangalore and Bellary?"

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

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I know from the Government whether there are any institutions in Bellary where motor-driving is taught, I mean private institutions?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Yes, it was on a report to that effect that instruction in motor-driving in the Industrial school was stopped."

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Mr. M. S. SRESHTA:—" May I know, whether any representations were received by the Hon. the Minister protesting against the abolition of teaching motor-driving in these schools? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It was abolished some years ago. At that time probably some representations were received, but not recently."

Mr. M. S. SRESHTA:—" Will the Hon. Minister kindly examine the question again? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I am afraid it is too late now."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" Will the Hon. Minister make enquiries whether there are private institutions at Bellary where motor-driving is taught? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Even if enquiry is made, it is not possible to reopen the question."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact, Sir, that persons can get at least some job after such training and thus earn for themselves? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It may be so. When there are other means of learning, I do not see why public money should be spent."

UNSTARRED QUESTIONS.

Irrigation.

Excavation of a drainage channel in Vishnuvakkam cheri.

843 Q.—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Member for Revenue be pleased to state whether the promise made in answer to clause (c) of question No. 660, dated 13th March 1933, to raise the level of the cheri site to the north and east of Survey No. 177 and excavate a drainage channel in Vishnuvakkam cheri has been carried out; if not, when the same will be executed?

A.—After the extension of the Karikalavakkam tank-bund, the Vishnuvakkam cheri is free from danger. Of the two S. Nos. 177 and 178 cheri site poramboke S. No. 178 has been transferred to grazing ground poramboke and there is a proposal to transfer S. No. 177 to assessed waste and assign it on patta. A new cheri is being formed very near the existing cheri which will be free from any danger of water. The Collector has also reported that he has seen the cheri and that it is now protected by the extension of the tank-bund. In these circumstances it is considered that nothing need be done to the existing cheri either to raise its level or to form a channel as formerly proposed.

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Medical Administration.

Employment of Sisters belonging to Religious Orders as nurses in the hospitals.

844 Q.—Rai Sahib C. KOLANDA REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) the number of Sisters of Religious communities employed as nurses in the various Government hospitals in this Presidency;

(b) the different nationalities they belong to;

(c) how many of them are permanent and how many temporary;

(d) how many of them were entertained before 1929 and how many after 1929;

(e) how many of those entertained after 1929 are permanent and how many still temporary;

(f) what advantages have been derived by employing Religious Sisters in preference to nurses, both Indian and Anglo-Indian, trained in the Madras Government hospitals; if none, why have the former been entertained;

(g) whether the Madras trained nurses were tried and found wanting in all hospitals where Religious Sisters are now working;

(h) whether, wherever there were vacancies for nurses in Government hospitals, the vacancies were advertised and applications called for from qualified Madras trained nurses before appointing Sisters; if not, why not;

(i) (i) how many of them have resigned service, ever since the scheme of entertaining Religious Sisters was inaugurated;

(ii) from which hospitals; and

(iii) for what reasons;

(j) whether it is a fact that in some Government hospitals the expenditure has increased after the Madras trained nurses were replaced by Religious Sisters;

(k) why are sisters who do not belong to British Nationality being entertained after 1929 in spite of G.O. No. 712, Public, dated 2nd July 1929; and

(l) whether the sanction of the Local Government was obtained before appointing them in each case; if not, why not?

A.—(a) 38.

(b) British	...	...	...	...	...	...	1
Irish	...	...	...	...	...	...	1
Anglo-Indian	...	...	...	...	...	...	3
German	...	...	...	...	...	...	2

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French	...	...	...	...	...	15
Italian	...	...	...	...	...	1
Belgian	...	...	...	...	...	3
Portuguese	...	...	...	...	...	4
Swiss	...	...	...	...	...	6
Swedish	...	...	...	...	...	1
Dutch	...	...	...	...	...	1

(c) Permanent 29.

Temporary 9.

(d) Number employed before the 2nd July 1929 ... 22

Number employed after 2nd July 1929 ... 16

(e) Seven sisters are permanent and the remaining nine are temporary.

(f) The religious sisters came to be employed under an arrangement with their respective missions at a time when a sufficient number of nurses trained in Government Hospitals were not available.

(g) Madras trained nurses became available in sufficient numbers only recently.

(h) Nurses are available for appointment immediately after the examination which are held half-yearly; nurses whose services are required are appointed to vacancies which exist. There was thus no necessity to advertise the vacancies.

(i) (1), (2) and (3) A list * of religious sisters who resigned their appointments with the reasons therefor is attached.

(j) The expenditure on account of the employment of nurses whether religious or secular is the same.

(k) & (l) Orders in G.O. No. 712, Public, dated 2nd July 1929, are applicable to the members of the nursing staff only after 20th August 1930, the date on which the Madras Medical Subordinate Service Rules (General Branch) were issued. The question whether the sisters employed after this date should be retained in service or not is under the consideration of the Government.

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

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

* The Hon. the PRESIDENT:—"I have to announce that the Periyar Irrigation Tanks (Preservation) Act, 1934, received the assent of His Excellency the Governor on the 15th March 1934."

* Printed as Appendix III on pages 754-755 infra.

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III.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, FOR CERTAIN PURPOSES (BILL No. 12 OF 1931).

* The Hon. Sir MAHOMED USMAN:—"Mr. President, Sir, may I with your permission, move that item * No. I on the agenda be taken up for consideration after all the other items on the agenda are disposed of."

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

The motion was agreed to.

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

GRANT I—LAND REVENUE—RESERVED.

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

'that Government be granted a further sum not exceeding Rs. 65,300 under Grant I—Land Revenue—Reserved.'

"Sir, this sum is made up of two items, one relating to Survey and Settlement—Professional Survey parties—Pay of establishments and amounting to Rs. 17,400; and the other relating to Assignments and Compensations—Other charges and amounting to Rs. 47,900. The increase under the first head is due to revised estimates based upon the actual requirements. This increase is partly due to the fact that when the Board of Revenue submitted their original estimates, we made a reduction in the sum which was mentioned by the Board of Revenue on account of probable savings based on a comparison of actuals with estimates in previous years with reference to these savings and following the precedents of previous years, a lump sum reduction of Rs. 25,100 was made. In making this reduction, the fact that on the abolition of a large number of temporary posts as a result of the reduction in the number of Survey parties, most of the permanent men holding higher temporary posts would revert to their substantive appointments and would draw higher permanent pay than those who acted for them before, was taken into account. The Board of Revenue has explained that the establishment according to the number statement submitted with its original Budget estimates had been working throughout the year, and thus the probable saving anticipated by the Government had not actually accrued. The post of Sub-Assistant Director of Survey ordered to be abolished was retained during 1933-34 under orders passed in May 1933 for work in connexion with the survey of two blocks in the Cauvery-Mettur Project area in the Tanjore district. Another item of increase under this head is due to excess expenditure of Rs. 3,100 on account of boundary pillars and hired labour.

"The second item covers increase of Rs. 1,000 under malikhanas and Rs. 46,900 on account of other charges. The latter includes assignments to local bodies of fishery rents collected by the Revenue

* Reconsideration of the Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931).

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Department and expenditure under this head is expected to amount to Rs. 35,000 between January and March 1934. The nature of the expenditure under all these items is subject to fluctuations and it is very difficult to estimate the requirements correctly in advance."

11-15 a.m. * The Hon. the PRESIDENT:—"I wish to know how the cut motion given notice of by Mr. Basheer Ahmed, to reduce the allotment by Rs. 100, to urge the postponement of giving effect to the resettlement rates in the Salem district is relevant to the issue."

Mr. BASHEER AHMED SAYEED:—"This shortage of money is put under the head Survey and Settlement. The increase is mainly under Pay and Establishments. The establishment is based on actual requirements. We are not now concerned with the next year. In the current year it is only with regard to survey and settlement that this demand arises. If they are going to give effect to the proposals they will require further money. I want to say that they need not incur extra expenditure so far as the district of Salem is concerned. If they abandon the operations, they can have a saving. That is my point, Sir."

* The Hon. the PRESIDENT:—"My fear is if there is any proposal in this cut motion asking for any reduction on the ground of increase of establishment, it will be quite in order. On the other hand, if the whole principle of the postponement of settlement operations is taken up, district after district will come forward and probably another Budget discussion will have to take place. That is exactly my fear and so it is not in order."

Mr. BASHEER AHMED SAYEED:—"My next point is to impress the need for having all proprietary estates surveyed and to afford survey facilities to those proprietors."

* The Hon. the PRESIDENT:—"That brings in a new principle altogether and I do not think a supplementary demand is a proper place for that."

Mr. BASHEER AHMED SAYEED:—"I can speak on the Demand, Sir."

* The Hon. the PRESIDENT:—"I will have to stop the hon. Member if he speaks of settlement rates in Salem."

Mr. BASHEER AHMED SAYEED:—"Sir, I wish to point out that the Government should make certain exceptions in certain districts at any rate. If the whole survey policy is not to be revised, at least in certain districts, considering the circumstances and the present conditions prevailing, they can postpone giving effect to the settlement proposals in a particular district. What is required is, Sir, that whatever they have done so far, they need not go on incurring further expenditure and come forward with supplementary demands. If they would pursue a policy of stopping where they have gone and then reconsider the whole question at least in particular districts and peculiar circumstances, that will be in the interests of economy. I want not to speak

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on the general question of the poor ryots, but I want that the Government need not be going on increasing their settlement operations. They must stop without incurring any further expenditure in surveying areas. They could attend to areas which require survey on the proprietary estates. I want Government to view this favourably by way of curtailing expenditure instead of increasing expenditure."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I have before explained on the floor of the House that we regard it necessary to carry on the present system of land revenue and settlement as long as the present form of administration is in force; otherwise it is impossible to ensure that each district shall pay its fair share of the land revenue. The system involves a re-examination about the incidence of land revenue taxation in each area once in thirty years and it is desirable that we should carry on that re-examination. It may involve an increase in taxation in particular areas but it does sometimes involve reduction. There have been instances in which reductions has been made. So, the question whether any enhancement of rates of assessment is to be brought into force immediately or postponed is a matter for consideration with reference to the situation existing at the time when the new rates should come into force. I may point out that the imposition of additional rates is not the only effect of a resettlement. We undertake at resettlement a very careful examination of the economic condition of the ryots in each district. It is most desirable in my opinion that the Government should make a very careful examination of the economic condition of the people from time to time."

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

GRANT X—SECRETARIAT AND HEADQUARTER ESTABLISHMENTS—
DISTRICT ADMINISTRATION AND MISCELLANEOUS—RESERVED.

* The Hon. Sir ARCHIBALD CAMPBELL:—"On the recommendation of His Excellency the Governor I move—

'that the Government be granted a further sum not exceeding Rs. 1,35,200 under Grant X—Secretariat and Headquarter Establishments—District Administration and Miscellaneous—Reserved.'

"Sir, this sum is made up of seven items as is explained in the note which has been placed before the House. I do not think that I need go through every one of these items in detail, but there is one large item about which perhaps I may give the House some more information, that is the fourth item 'Pay of officers,' Rs. 74,000. There is very little information given under that head in the note placed before the House. The first reason for this large increase is the fact that more officers of the provincial civil service have been in charge of divisions reserved for officers of the Indian Civil Service; that means a saving to Government on the whole. Secondly, the pay of special

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deputy collectors for land acquisition work for local bodies is debitable to this head. Thirdly a certain number of senior deputy collectors have been reverted to the ordinary line from the co-operative department, that has had the effect of replacing some junior officers in the Revenue Department by these senior officers. Fourthly an additional special deputy collector was employed for Estates Land Act work in the Ramnad district. I think, Sir, there is no other item about which I need go into detail unless hon. Members wish to have further information than is given in the note."

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

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

* The Hon. the RAJA OF BOBBILI:—"Sir, on the recommendation of His Excellency the Governor I beg to move—

'that the Government be granted a further sum not exceeding Rs. 64,300 under Grant XI—Ministers, Civil Secretariats and Miscellaneous—Transferred.'

"The extra expenditure as regards the Ministers' travelling allowance this year over the amount budgeted for is mainly due to the Ministers' tours to Simla and Delhi which were unexpected and could not be provided for in the Budget. The figures will show that even this increase is much less than the travelling allowance incurred in 1930-31. The excess expenditure of Rs. 6,100 is due to payment of leave salaries to Assistant Secretaries and the appointment of a special temporary Assistant Secretary during the absence on leave of the Secretary, the employment of temporary special establishment in connexion with the examination of the financial position of the taluk boards and the amendment of the Madras City Municipal Act and the payment of travelling allowance to a Special Officer for his journey to Simla as a representative of the Road-Rail Conference and the travelling allowance of the Special Officer for the abolition of taluk boards. Under the head 'General Administration' the cost of Rs. 800 is due to the excess expenditure on postage owing to the large number of circulars issued to the panchayats. Under the head 'General Administration' the excess expenditure of Rs. 46,400 relates to amounts forfeited during elections. The question as to whether the Government or the local bodies should get the money was not decided. It has been since decided that as the cost of the elections is met by the local bodies it was therefore fair that the deposits should go to the local bodies. It was originally considered that this could be done by an abatement of the charges recoverable from local bodies. It is now considered that the simpler procedure would be to move for the supplementary grant."

11.00 Mr. BASHEER AHMED SAYEED:—"Mr. President, I do not propose to move my cut motion, or that part of it touching on the travelling

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allowance of Ministers, in view of the fact that the Hon. Minister has already given the details saying that the extra expenditure for the Ministerial tour was due to the tour to Delhi. Certainly it was unexpected and no one could have provided for it in the Budget. But I may suggest one thing in this connexion. As has been remarked by the Accountant-General time and again, the progress of expenditure may be watched and a programme of Ministers' tours may be drawn up in advance and on that basis, for the purpose of the Budget, calculations may be made. The progress of expenditure from month to month should be available to the Finance Department, and, on the basis of that, if calculations are made and funds allotted, it should be possible not to exceed the allotted amount. I want the Finance Department to keep a close watch over the expenditure and when as it comes up.

"Now, Sir, my second reason for giving notice of the cut motion is to urge upon making adequate provision for the employment of taluk board clerks on the abolition of taluk boards."

* The Hon. the PRESIDENT:—"How does that question come under this Grant?"

Mr. BASHEER AHMED SAYEED:—"Sir, this is one of the several items making up the Grant."

* The Hon. the PRESIDENT:—"Which item?"

Mr. BASHEER AHMED SAYEED:—"Item 6, Sir, which speaks of probable expenditure on travelling allowance likely to be drawn by the Special Officer to be appointed in connexion with the abolition of taluk boards. My motion is covered by this item."

* The Hon. the PRESIDENT:—"But what connexion has this item with the re-employment of taluk board clerks?"

Mr. BASHEER AHMED SAYEED:—"Sir, the Special Officer is going to make arrangements in connexion with the organization of the district boards in consequence of the abolition of taluk boards. It is stated that it is the intention that the absorption of the taluk board employees should also be considered by the Special Officer. It seems to me that he should therefore examine the question how far the ex-employees could be absorbed and what arrangement should be made for the purpose. I hope the Special Officer has to do that and advise the Government, but if it is not part of the duties of this officer, I shall not speak on that. I would wait for an answer from the Hon. Minister."

* The Hon. the RAJA OF BOBBILI:—"Sir, for the purpose of finding out whether taluk board employees are to be provided for, I believe it is not necessary for the Special Officer to tour in the districts. He will have other work to do. As regards this, we have addressed district boards and taluk boards to let us have detailed information as to the number of clerks at present employed, the number who could be absorbed and the number who will be in excess for a temporary period. The

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expenditure which may be involved in the travelling allowance of the Special Officer will not be incurred in connexion with the staff of the taluk boards."

MR. BASHEER AHMED SAYEED:—"Sir, I submit that if you are going to rule that this question does not come under item 6, it would come under item 4 which speaks of the examination of the financial position of taluk boards and the amendment of the Madras City Municipal Act, 1919. The re-employment of ex-taluk board clerks will come under this."

* The Hon. the PRESIDENT:—"I think the Hon. Minister said just now that the purpose for which the Special Officer is going to be appointed is not to examine the question of reinstating the employees of taluk boards, but to examine the financial aspects of the abolition of the taluk boards. I think that is what the Hon. Minister said."

DIWAN BAHADUR B. MUNISWAMI NAYUDU:—"Sir, this appointment question cropped up this year after the passing of the Taluk Boards Abolition Bill. The duties which are entrusted to him, as laid down in the communiqué, are that from the headquarters here he should call upon the various local bodies for certain returns and issue instructions to them to give effect to the Government proposals. Though it may be that in his tours the Special Officer may not be directly keeping in touch with the question of the re-employment of these clerks, even sitting at headquarters he will have to consider the various reports of taluk board presidents and advise Government in regard to the re-employment of these men and so on. All that the Hon. the Chief Minister has said is that his tours will not be specially for this purpose alone. He did not say that the Special Officer during his tours will not consider this question. He did not say that the Special Officer will be prevented from discussing this question with the taluk board officials to see how best their difficulty may be solved. Further there is the question of the temporary establishment newly created also coming under this Grant. The cut motion therefore would come under the duties of the Special Officer, either on tour or at headquarters. Lastly, the Government will have to consider in appointing this Special Officer the duties to be entrusted to him. Under this category also, this motion will come. On these three points this motion will be relevant."

* The Hon. the RAJA OF BOBBILI:—"I have no objection to the discussion of this point. What I have stated is that the tours of the Special Officer will not be undertaken for the purpose of deciding the future of these taluk board employees. This is one of the duties which he has to attend to at headquarters. But, as we are not now concerned with the salary of the Special Officer this question, I think, will not be relevant."

MR. BASHEER AHMED SAYEED:—"Mr. President, my point is only this: that the Minister having appointed the Special Officer and a

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temporary staff to examine the financial position of the taluk boards, he should see that some equitable rules are framed to do justice to the aggrieved taluk board employees who are going to be thrown out of employment by reason of the abolition of the taluk boards. I have already come to know that, ever since the Press Communiqué was issued, saying that the taluk boards are going to be abolished, some district board presidents are exercising the power, which they now have but which they will not have, after orders have been passed by the Government on the subject, to confirm all probationers and temporary employees who are their favourites and also increasing the allowances and salaries wherever possible. I understand that in particular districts, anticipating the results of the abolition of taluk boards and notwithstanding the Government orders issued, several employees on probation, etc., have been confirmed with a view to shut out any possibility of the senior district board employees serving in taluk boards being retained in preference to them. I suggest that Government should not ratify the appointments made in such circumstances. Sir, before any further action is taken by the district board presidents in this connexion, I would request the Government to expedite the issue of rules on the lines of those issued in connexion with the re-entertainment of men thrown out on account of retrenchment. The Government should see that all the present taluk board employees who were originally in district board offices are absorbed as early as possible and that all the permanent employees of the taluk boards before the reorganization are taken into the district board establishments. If this is not done, people who have 20 or 25 years' service to their credit would lose the reward for their long service and persons who have not even completed their probation will take their places. I think this should not be permitted. I therefore want the Government to take the House into their confidence and tell us what exactly their proposals are and how they would rectify the existing state of affairs which has been brought about by some of the unscrupulous presidents of district boards. I do not mean any reflection on them. But it is a fact that they anticipated the Government order and did certain things which go clean against the Government order. I want Government to call for such cases and rectify the situation and also prevent further mischief. As there are a few days or weeks more for the Act to come into force, there is room for some more mischief being done. I want the Government to take steps to prevent further abuse of their powers by the district board presidents. With these few words, I move—

'to reduce the allotment of Rs. 64,300 for Ministers—Civil Secretariats and Miscellaneous—Transferred, by Rs. 100'."

* The Hon. the RAJA OF BOBBILI:—"Sir, my hon. Friend himself has mentioned that the Government have issued certain orders on this matter and, if any president has acted in violation of the Government Orders in question, they will not be recognized as valid. Of course

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Government are very much alive to the fact that in some cases the presidents might try to get round the rules and they are keeping careful watch over these matters. If any such case comes to the notice of Government, they will certainly take necessary action. As I have already stated, during the progress of the Bill, the Government will adopt all possible measures to see that as little hardship as possible is done to the taluk board employees."

The cut motion was, by leave, withdrawn.

The Demand was then put and carried and the Grant was made.

GRANT XII—ADMINISTRATION OF JUSTICE—RESERVED.

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, on the recommendation of His Excellency the Governor I move—

'that the Government be granted a further sum not exceeding Rs. 93,500 under Grant XVI—Administration of Justice—Reserved.'

"The facts which necessitate this motion are all stated in the note that has been circulated to hon. Members."

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

GRANT XIII—JAILS—RESERVED.

11-45 a.m. * The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Sir, on the recommendation of His Excellency the Governor, I beg to move—

'that Government be granted a further sum not exceeding Rs. 100 under Grant XIII—Jails—Reserved.'

"In this case also the facts that necessitate this motion are all set out in the note that has been circulated to the Members of the House. The amount that is actually required is only Rs. 360, and I can find this amount by appropriation from the amount already sanctioned. But as this is a new service, as stated in the note, a specific vote of the Legislative Council is required, and so I move this token motion."

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

GRANT XXVIII—MISCELLANEOUS DEPARTMENTS—TRANSFERRED.

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Sir, on the recommendation of His Excellency the Governor I beg to move—

'that Government be granted a further sum not exceeding Rs. 34,600 under Grant XXVIII—Miscellaneous Departments—Transferred.'

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

'to reduce the allotment of Rs. 34,600 for Miscellaneous Departments—Transferred, by Rs. 100.'

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"To express the hardship in insisting on typewriting qualifications for persons for ministerial posts. This typewriting qualification is not required in many ministerial departments. It is only in a few departments where this extra work is extracted from the clerks that such a necessity arises. Therefore the insistence on a knowledge of typewriting from clerks seems to be not necessary and not legitimate. There are several departments where there is absolutely no need for typewriting at all; and when such is the case, I don't know why Government should insist on a general qualification like that. As a matter of fact, there are certain sections in the Judicial department where I find typewriting and shorthand men are required, but Government are not prepared to supply them. So, what I suggest to Government is that they should not demand a knowledge of typewriting from all clerks, as it would mean serious hardship to them, but to insist on that additional qualification only from those clerks who are to be employed in such offices where such a knowledge is found essential. It is on this reason that I urge Government to revise their order."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, it is a matter for surprise to me how the subject of motor vehicles taxation should come under the purview of the Hon. Education Minister, as it should legitimately belong to the Chief Minister. (Mr. Basheer Ahmed Sayeed: 'Miscellaneous Departments.') I should like to know why Government should pay house-rent on behalf of the Police staff employed in the matter of motor vehicles taxation. May I know why, when the department which is responsible for the supply of quarters has not chosen to do so, this department should pay house-rent for these Police officers? Also, Sir, where is the necessity for these officers, who are merely collecting agencies to travel? As regards the continuance of the temporary establishment employed in the office of the Deputy Commissioner of Police, Traffic and Licensing, for the working of the Madras Motor Vehicles Taxation Act, I believe this comes under the portfolio of the Hon. the Home Member, and further how did the necessity arise, when the staff necessary for it had already been employed and when the extra work that has resulted on account of the Madras Motor Vehicles Taxation Act is very small as compared with the work that was already there before. I should like to have a detailed explanation on these things before I can give my vote to this Demand."

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Sir, as regards the point raised by hon. Member, Mr. Basheer Ahmed, I can only tell him that that subject is dealt with not by me but by the Hon. Member for the services. And so far as this Demand is concerned, all that is asked for is a certain sum of money as remuneration to be paid to examiners. (Mr. Basheer Ahmed Sayeed: 'Yes, as these examiners have to superintend the typewriting examination, I raise the question why such a qualification is necessary from clerks.') I may tell my hon. Friend, that the question whether such

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an examination should be held for clerkship's posts or not is a matter that relates to the Hon. Member for the services."

The cut motion was, by leave, withdrawn.

* The Hon. the RAJA OF BOBBILI:—"Sir, I take it Mr. Sami Venkatachalam Chetti has not taken any objection to the employment of the Police staff in the matter of motor vehicles taxation. As regards the payment of house-rent, I may tell him that wherever Government quarters are not given to the Police staff, Government have to pay them house-rent. As regards the expenditure under travelling allowance, I may tell him that the officers have to do checking and inspecting work, and this naturally entails tours. As regards the continuance of the temporary establishment in the office of the Deputy Commissioner of Police, Traffic and Licensing Department, my hon. Friend was saying that the Police Department were previously doing this work, and as the work was light then the same staff could now do the additional work. For the information of my Friend and the House I may say that at present there is immense work to be done there; they have to collect taxes, send returns, go to district centres and collect money there, then make refunds wherever necessary, check the taxes levied and see whether licences have been taken in all cases and so on. We find that the present staff is overworked, and so it is but proper that this additional expenditure should be incurred."

Mr. SAMI VENKATACHALAM CHETTI:—"Does not this ten per cent cover the whole thing?"

* The Hon. the RAJA OF BOBBILI:—"No, the ten per cent refers only to the Police staff employed for working the Madras Motor Vehicles Taxation Act. This is a special staff, and this does not apply to the Police in the city."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I wish to refer to the Government Technical Examination in typewriting. Recently the syllabus has been revised."

* The Hon. the PRESIDENT:—"That motion has been withdrawn."

Mr. A. RANGANATHA MUDALIYAR:—"But I wish to speak on the main Demand. I was stating, Sir, that the syllabus has been revised, in that a mechanism test has been introduced, with the result that those who have passed the old lower grade test in typewriting are rendered ineligible for appointment. I wish to suggest to the Hon. Minister why not allow those candidates to sit for the 'practical test' only in the new lower grade typewriting test, so that they may become eligible for appointment as per the new rules? I believe, Sir, some time back this same question was raised, and I do not know what became of it. So, Sir, I am putting forward this suggestion once again."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Sir, in connexion with the Motor Vehicles Taxation Act, I wish to say a few

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words. In spite of considerable amount of travelling allowance given to the Police and in spite of the scrutiny that is at present adopted, we find that there are still a large number of lorries and motor vehicles plying without licence. Further there are a large number of cars plying under trade numbers. Some of these belong to commercial firms, and they give them to private people for use under trade numbers for any number of days. Further people owning a number of cars, get licence only for two or three and with these licences they use all the cars. Similarly persons owning a number of cars also interchange their licence numbers. In this way they evade taking licence for all vehicles owned by them. Generally the Police check the cars only by their licence number, and so where there is interchange of licences, they are not able to detect cases of evasion. I request the Hon. Minister to issue orders to the Police to make a closer scrutiny in the matter, and check cars not by the car licence in relation to car number but also of engine number."

* The Hon. the RAJA OF BOBBILI:—"Sir, we hope that, with the introduction of special checks and improvement in the system of collections, it will be possible to reduce the number of cases of evasion. Even now periodical checks are being done and I fear, any further increase in them will not completely eliminate evasion. It would only perhaps cause annoyance to the public. As regards evasion of licence by means of trade numbers, I shall look into the matter, if particular cases are brought to my notice. With regard to the system of checking by engine licence, I shall see how far that is possible."

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

GRANT XXXIII—PENSIONS—RESERVED.

* The Hon. Sir HOPETOUN STOKES:—"Sir, on the recommendation of His Excellency the Governor I beg to move—

'that Government be granted a further sum not exceeding Rs. 91,200 under Grant XXXIII—Pensions—Reserved.'

"From the explanatory note it will be seen that a larger number of officers, due to retrenchment in the last two years, have retired, and so we have to make provision for them to draw their pension. Hence the necessity for this Demand."

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

GRANT XXXV—MISCELLANEOUS—RESERVED AND TRANSFERRED.

* The Hon. Sir HOPETOUN STOKES:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

'that Government be granted a further sum not exceeding Rs. 46,600 under Grant XXXV—Miscellaneous—Reserved and Transferred.'

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"The House will find all the necessary information about these proposals in the note which has been circulated."

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noon.

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

'that the Demand of Rs. 46,600 under Grant XXXV—Miscellaneous—Reserved and Transferred—be reduced by a sum of Rs. 100.'

"Sir, the object of this motion is to express disapproval of the increased rates charged in connexion with the medicines to be supplied by the Medical Stores Department to local and municipal institutions. Sir, I do not object to local and municipal bodies getting their supplies from the Military Medical Stores Department, but the position seems to be very peculiar in regard to the prices at which these medicines and other articles are supplied to local boards and municipalities. Even in the case of Corporation of Madras which is purchasing medicines and other articles from the Military Medical Stores the prices of those articles considerably vary from the prices at which the corporation buys the very same articles, of the same quality and same specification from the open market. In fact, in a few cases, I had myself occasion to test the price as given by the Medical Stores Department with regard to certain knives and the price given for the same quality by the private market was far below the price at which they were sold by the Military Stores Department. I want the Government to examine why the Military Stores Department should not be able to supply the same article and of the same quality at the same price at which it is sold in the market, if not at a lower price. If the examination of this question is taken up, I am sure it will result in some economy to local boards and municipal councils. It is true that the finances of local boards and municipalities are not so sound, but if you are going to insist on their paying extra prices for articles of the same quality by compelling them to purchase from Military Medical Stores, it does not seem to be a sound policy. It does not really go to minimise their expenditure. Either the rule that they should buy all their requirements from the Medical Stores Department should be abrogated or the Medical Stores should be made to supply articles at the market prices. I do not think there is always any difference in the quality, because the makers supply these articles to private merchants in the City of Madras and other places and they also supply the very same articles to the Military Medical Stores. Whatever it is, it ought to be possible for the Government to take up this question and make the local bodies buy at the most economical rates and not to go in for a higher rate at which these articles are supplied by the Medical Stores Department. Either there should be a revision of the existing rule or the local body must have the supply of the articles at the market rate from time to time."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"My Friend, Mr. Basheer Ahmed, has not put the position quite clearly. The Medical Stores Department are charging the local bodies about 25 per cent more than what they charge Government institutions for supplying

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medicines. They do not make any profit for supply to Government institutions, but they want to make much profit by supplies to local board institutions. Local bodies are quasi Government institutions and they should be supplied at the same rate as are charged to Government institutions. This invidious distinction ought not to be made. There is another hardship also in the case of local bodies. The Government not only fix a higher rate for supplying medicines, etc., to local bodies, but they also compel them to purchase these articles from the Government Medical Stores and not from anybody else, even when they cost less than the rate of the Medical Stores. The quality may be superior to or it may be at least as good as those supplied by the Medical Stores, and yet local bodies are forced to purchase them from the Stores Department paying higher cost. Is it not very unfair on the part of Government? So, I would ask the Government not to make any distinction but to treat local bodies on a par with other departments of the Government and see that medicines are supplied to them by the Medical Stores at the same rate as they are supplied to other Government institutions."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"I beg to endorse every word that has been said by my hon. Friend, Mr. Ratnasabhapati Mudaliyar. It has also been my experience that the local bodies are being charged a higher rate for supplies made by the Medical Stores. In view of the fact that the finances of the local bodies are very much crippled now, I hope the Hon. the Minister will consider this question seriously."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, it is a long standing grievance that the local bodies are forced to buy their medicines from Medical Stores at prices higher than what they would have to pay if they purchased their supplies from outside. Government cannot deny this. But the justification of the Government is that the supplies made by the Medical Stores are more guaranteed and are much better probably than what you can buy from outside source. To that objection I would answer by saying that Government would do well to give the option to local bodies to purchase either from the Medical Stores at a higher price if they would not give at a lower price or they should purchase their supplies from certain companies of good standing which are dealing in medicines. It is open to the Government to have a list of medical firms which deals with a supply of these, especially those firms who can guarantee for the quality of medicines they supply, and authorize the local bodies to purchase their needs from them or from the Medical Stores as they like. I mention this particularly now, because, as the Hon. the Chief Minister knows, the Medical Stores has to deal with a number of local bodies and Government having guaranteed the Government of India for payment the Surgeon-General and a large number of local bodies are compelled to purchase their stores from the Medical Stores. Possibly there might be some small local body where the president or somebody in authority might place his order elsewhere. But now that the taluk boards are going to be abolished and there are going to be a larger number of district boards—24 or more—the district boards ought to be given the

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discretion to purchase their supplies either from the Medical Stores or from any recognized medical firm whose name is on the list of the Government. I think it is time that Government think over this matter seriously and allow a certain amount of option to local bodies to purchase their medicine either from the Medical Stores or from any recognized firm registered by the Government."

* Mr. SAMI VENKATACHALAM CHETTI:—"I request the Hon. the Finance Member to explain why this Demand for writing off Rs. 31,200 granted to the Nilgiris District Board should have been entered here. Of late there have been a few cases of mixing up these grants. If the Hon. the Chief Minister is perhaps the proper authority to move this grant, probably the question of his policy with regard to advances to district boards might become a subject-matter for discussion and then we may ask why of all district boards, the Nilgiris District Board alone should be singled out for this treatment. I want also to ask the Hon. the Chief Minister, whether, irrespective and independent of the Local Self-Government Department, the Finance Department has got powers to give compassionate grants or advance monies to local bodies. If that is so, what is the policy guiding such grants or advances. I may also ask the Hon. the Finance Member to explain the enigmatic language used in the last paragraph of the explanatory note relating to this Demand. There it is stated:—

"In order to enable it to repay the advance fully in the current year, it is proposed to sanction a compassionate grant of Rs. 31,200 to it of which a sum of Rs. 500 has been found from savings within the grant, leaving a balance of Rs. 30,700."

"Evidently it means the Government want to write off the Rs. 31,200. Now from the language that is used it looks as though the district board is going to pay some thing and you are going to write off some other thing. Probably Accountancy rules require such enigmatic language. However I would like to know whether what I think is correct."

The Hon. Sir HOPETOUN STOKES:—"As regards those lines which the hon. Member refers to, I may say that they refer purely to a method of accounting."

* The Hon. the RAJA OF BOBBILI:—"The question of purchase of medicines from Medical Stores was gone into recently and it has been found, taking into consideration all the factors, that on the whole it is cheaper to purchase from Medical Stores. It has been found difficult and impossible to purchase all the medicines from one firm. Moreover some of the firms who tender for the supply of these medicines want to have an idea as to the probable quantities which we would purchase from them. Generally it may not be possible to say in advance what amount of drugs or other medicines which the local bodies require in a year.

"The other point raised by my hon. Friend, Mr. C. S. Ratnasabhapati Mudaliyar was that local bodies are charged 25 per cent more. They are charged only 10 per cent. The Medical Stores Department is

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under the Government of India and it will not be possible for this Government to reduce that 10 per cent excess. If any district board president takes the trouble of sending us details as to the total amount of medicines that board would be purchasing, what it would cost and what probable savings would be effected if that board purchased their supplies from private firms, then the Government will certainly consider such cases. The difficulty is that the Government or the local body does not know what medicines they would be requiring, nor have they the means of knowing the market prices from time to time. It has been found on the whole that to purchase from Medical Stores is cheaper. It was also found necessary that there should be a safe check over these indents for medicines by the local bodies. However, if there are good firms who are prepared to supply medicines of good quality to the local boards, Government will have no objection to consider their case."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, in the matter 12-15 of the purchase of stores and medicines there was no system under which p.m. all the local bodies had to buy their requirements. The local bodies bought wherever they pleased with the result there was a great deal of waste and some local bodies paid higher rates for their stores and some paid lower rates. It was also found that in the case of some articles the Government Stores Department was able to supply them at much lower rates than what the local bodies had to pay in the outside market. In view of this, it was proposed to bring into existence a central organization which will consolidate the requirements of the local bodies and purchase them wholesale. I do not know in what stage that proposal is at present. I request the Hon. Minister to consider that matter and see if it is not possible to bring into existence such an organization for this purpose."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, on the whole, it may be cheaper to buy from the Stores Department, because medicines containing alcohol such as tincture iodine are cheaper there as the Government do not pay any excise duty on alcohol. On the other hand the other medicines, the patent medicines for example, are more costly to buy from the Stores Department. If we exclude medicines containing alcohol, the other medicines are sometimes 100 per cent more costly in the Stores Department than in the local market. If necessary, I can give instances of various companies which supply these things much cheaper than the Stores Department. The Hon. Minister stated that they cannot have an idea of the total requirements of the various local bodies. What the taluk boards now do is to send a list of their requirements to the District Medical Officer who consolidates the requirements of the several taluk boards and sends them to the Surgeon-General. This gives us an idea of the total requirements of a district. Now, as we have abolished the taluk boards, the district boards can make a consolidated list of the requirements of the various hospitals and call for tenders from the various recognized firms. As the hon. Member, Mr. Muniswami Nayudu, suggested, the Government may have a list of recognized companies from whom alone the local bodies should take their requirements. As I said

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before, except in the case of medicines containing alcohol, in the case of all the other medicines, the local bodies will save much if they buy from outside agencies instead of from the Stores Department. We are not anxious that the local bodies should buy from any outside agency except for the consideration of cheapness and saving of unnecessary expenditure. While the Government insist on the local bodies accepting the lowest tender in the other cases, I do not see why they should ask the local bodies to buy their medicines from the Stores Department where the prices in many cases are much higher than in other companies for medicines of the same quality. The Hon. Minister said that the local bodies have not got experts to test the quality of these medicines. But the Government themselves purchase the medicines from the companies when there is no stock in the Stores Department. Therefore it is desirable that the Government have a list of companies in whom they have confidence that they will supply medicines of the proper quality. That will solve this problem."

* The Hon. the RAJA OF BOBBILI:—"Sir, the hon. Member has not met the point mentioned by me. He has said that certain medicines are cheaper in the local market, but he has not given any indication as to whether he is satisfied that those medicines are of the same quality as those issued by the Stores Department. He has also stated that only mixtures containing alcohol are cheaper in the Stores Department but that the patent medicines are 100 per cent more expensive. (Mr. P. V. Krishnayya Choudari: 'In some cases.') As far as am aware, Sir, the Stores Department do not supply patent medicines. As regards the suggestion made by my hon. Friend, Mr. Ramalingam Chettiyar, that question was considered some time back but was dropped. Of course, I am not sure whether it will be more economical to have a separate organization for purchasing and stocking these medicines, because anyhow, the local bodies will not be able to buy in such large quantities as the Stores Department is able to do. We would have to maintain a special staff for the purpose and I am afraid, in the long run, there will be no saving. Mr. Krishnayya Choudari also asked: 'When the Government themselves purchase medicines sometimes from certain firms, why should not local bodies be allowed to do the same?' In the case of Government, they have facilities for testing the medicines purchased, but the local bodies have no such facilities. The other point which I have already mentioned is that these local bodies will buy only such small quantities that they will not be able to get the benefit of wholesale rates. I have also stated that if a district board is able to show that it can get guaranteed medicines of the same quality from outside agencies at much cheaper rates than those of the Stores Department, the Government will certainly consider the question."

Mr. BASHEER AHMED SAYEED:—"I beg leave to withdraw my cut motion."

The motion was, by leave, withdrawn.

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

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GRANT XXXVIII—REFUNDS OF REVENUE—RESERVED AND TRANSFERRED.

* The Hon. Sir HOPETOUN STOKES:—"Mr. President, on the recommendation of His Excellency the Governor, I move—
'that Government be granted a further sum not exceeding Rs. 1,89,400 under Grant XXXVIII—Refunds of Revenue—Reserved and Transferred.'"

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

V.—AMENDMENT TO STANDING ORDER No. 80.

* The Hon. Sir MAHOMED USMAN:—"Mr. President, Sir, I beg to present the Report of the Select Committee appointed to consider an amendment to Standing Order No. 80* of the Standing Orders of the Madras Legislative Council and move that the report be taken into consideration.

"This is a very simple amendment, the object of which is to allow any Member who proposes a change in the Standing Orders to be a Member of the Select Committee which will consider the amendments. In case the Member who proposes the amendment happens to be a non-official Member, it is provided that the Member of Government concerned should also be a Member of the Select Committee. It is a very simple change and I think it is necessary that this should be made."

Dr. P. SUBBARAYAN:—"I second it."

The motion was put and carried.

The Hon. Sir MAHOMED USMAN:—"I beg to move that the amendment be passed."

Dr. P. SUBBARAYAN:—"I second it."

The motion was put and carried.

VI.—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:—"Sir, I beg to move the following amendments which are merely verbal and formal in character:—

"In clause 4 (2), in line 2, after the words 'issued by the Board' insert the words and brackets ' (including those issued before the commencement of this Act).'"

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

The amendment was put and carried.

* The Hon. Mr. P. T. RAJAN:—"I beg to move—

"in clause 10, sub-clause (1), in line 2, for the figure '8,' substitute the figure '9'."

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

The amendment was put and carried.

* Vide Appendix IV at page 755 infra.

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* The Hon. Mr. P. T. RAJAN:—"I beg to move the following amendment:—

"In clause 11, sub-clause (1), in line 2, for the figure '9' substitute the figures '10.'"

This is only a question of renumbering the clauses."

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

The amendment was put and carried.

The Hon. Mr. P. T. RAJAN:—"I beg to move the following amendments:—

"In clause 13 (1)—

in line 3, omit the word 'and' in the second place where it occurs;

in line 7, for the word, 'body' substitute the word 'committee'; and

in line 8, for the word 'cases' substitute the word 'case.'"

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

The amendments were put and carried.

The Hon. Mr. P. T. RAJAN:—"Mr. President, Sir, I beg to move the following amendments:—

"In clause 14, sub-clause (1)—

in line 2, for the figures '12' substitute the figures '13';

in line 3, for the words 'duly authorized by it' substitute the words 'duly authorized by such committee';

in line 4, after the word 'Officer' insert the words and figures 'appointed in that behalf under section 22';

in line 5, after the word 'notice' insert the words 'in writing'; and

in line 6, for the figures '12' substitute the figures '13.'"

Mr. C. BASU DEV:—"I second it."

The amendments were put and carried.

12-30 P.M. * The Hon. Mr. P. T. RAJAN:—"Sir, I beg to move the following amendment:—

"Clause 15 (3)—

'In line 4, for the words 'principal Co-operative Officer of the district,' substitute the words 'principal officer of the Co-operative department in the district.'"

Mr. C. BASU DEV:—"I second it."

The amendment was put and carried.

* The Hon. Mr. P. T. RAJAN:—"Sir, I move—

"Clause 16 (2)—

In sub-clause (a), in lines 4 and 5, for the words 'to establish the right he claims in the Civil Court,' substitute the words 'in a court to establish the right he claims.'

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In the Explanation, in line 1, for the word 'section,' substitute the words 'sub-section' and in line 2, for the word 'court' substitute the words 'Civil Court'."

Mr. C. BASU DEV:—"I second it."

The amendments were put and carried.

The Hon. Mr. P. T. RAJAN:—"Sir, I beg to move—

"Clause 18—

Sub-clause (1)—In line 7, for the figures '16' substitute the figures '17.'

Sub-clause (2)—In line 4, for the figures '16,' substitute the figures '17.'

Sub-clause (3)—For this sub-clause, substitute the following sub-clause, namely:—

"(3) In regard to the cases dealt with in sub-sections (1) and (2), the provisions of rules 97 to 103 of Order XXI of the First Schedule to the Code of Civil Procedure, 1908, shall, mutatis mutandis and so far as may be, apply."

Explanation.—In line 2, for the figures '15' substitute the figures '16.'"

"The first two amendments and the fourth amendment are formal in character. But the third amendment which requires the substitution of a separate clause is based on the following reason. Rules 95 and 96 of Order XXI of the Civil Procedure Code, correspond to clause 18 (1) and clause 18 (2) and there is no necessity to refer to these rules in clause 18 (3). Rule 103 of Order XXI gives a right of suit and cannot be said to form part of the proceeding to be followed by court when dealing with an application under clause 18 (1) or (2). The intention is merely to make the provisions of rules 97 to 103, which relates (a) to resistance or obstruction to the delivery of possession and (b) to the dispossession of persons other than the judgment-debtor (corresponding to the mortgagor in this case) applicable. Hence this draft."

Mr. C. BASU DEV:—"I second it."

The amendments were put and carried.

* The Hon. Mr. P. T. RAJAN:—"I move the following amendment:—

"Clause 20—Sub-clause (1)—

In line 3, for the figures '12' substitute the figures '13.'"

Mr. C. BASU DEV:—"I second it."

The amendment was put and carried.

* The Hon. Mr. P. T. RAJAN:—"Sir, I move—

"Clause 21—

In line 2, for the figure '12' substitute the figures '13.'

In line 3, for the figures '14' substitute the figures '15.'"

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Mr. C. BASU DEV :—" I second it."

The amendments were put and carried.

* The Hon. Mr. P. T. RAJAN :—" I beg to move—

" Clause 24—

In line 12, for the figures ' 8 ' and ' 12, ' substitute the figures ' 9 ' and ' 13 ' respectively ."

Mr. C. BASU DEV :—" I second it."

The amendment was put and carried.

* The Hon. Mr. P. T. RAJAN :—" I move the following amendment :—

" Clause 25, sub-clause (1)—

In line 3, for the figures ' 8, ' ' 12 ' and ' 22, ' substitute the figures ' 9, ' ' 13 ' and ' 24 ' respectively ."

Mr. C. BASU DEV :—" I second it."

The amendment was put and carried.

The Hon. Mr. P. T. RAJAN :—" Sir, I move—

" Clause 30 (1)—

In line 4, for the words ' the Mortgage Bank, ' substitute the words ' a mortgage bank. ' "

Mr. C. BASU DEV :—" I second it."

The amendment was put and carried.

Rao Bahadur T. A. RAMALINGAM CHETTIYAR :—" Sir, I beg to move the following amendment :—

" In line 2 of clause 31, after the word ' apply ' insert the word ' also ' ."

" My idea is this: the provision applies to all the loans given out of the money borrowed from the Central Bank. Here this enabling clause says that the same rules will apply also to loans given out of the funds of the Society. That I want to be shown in the clause. I do not want that the effect of the previous chapter should be taken away by any doubt being left in the matter."

Diwan Bahadur M. RAMACHANDRA RAO :—" I second it."

The amendment was put and carried.

* The Hon. Mr. P. T. RAJAN :—" Sir, I beg to move—

' Renumber clauses 35, 36, 37 and 38 as 37, 38, 36 and 35 respectively. ' "

Mr. C. BASU DEV :—" I second it."

The amendment was put and carried.

The Hon. Mr. P. T. RAJAN :—" Sir, I move—

" Clause 37 as renumbered by the previous amendment—

In line 2, for the figures ' 12 ' and ' 19 ' substitute the figures ' 13 ' and ' 20 ' respectively, and omit the figures ' 22. ' "

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In line 3, for the figures and letter ' 22-A ' substitute the figures ' 25. ' "

Mr. C. BASU DEV :—" I second it."

The amendments were put and carried.

* The Hon. Mr. P. T. RAJAN :—" Sir, before I move that the Bill be passed into law, I wish to make a few observations. Hon. Members are aware how, with a view to relieve agricultural indebtedness particularly of the small landholder, land mortgage banks were organized so far back as 1925 and these banks had to find their funds from the share-capital, deposits and debentures, mainly from the last source, viz., the debentures. It was however soon experienced that the debentures of these primary banks were not attractive enough to draw the necessary capital, and it was felt that debentures issued by a larger and central organization would prove more popular and accordingly with the sanction of the Government a Provincial Central Land Mortgage Bank was started in 1929, the shareholders of the same being the primary banks and to a certain extent, private individuals. To ensure public confidence in the debentures of this Bank, the Government guaranteed the interest falling due thereon during the first five years up to an extent of 50 lakhs, while with a view to safeguard its own interests, the Registrar of Co-operative Societies, was to be a trustee of the Bank and also have a seat on the directorate in addition to another nominee of the Government to that directorate. The Bank had so far issued debentures to a value of Rs. 30 lakhs. While the Madras Co-operative Societies Act of 1932, designed to implement the recommendations of the Committee on co-operation, satisfactorily deals with the affair of Co-operative Credit Societies, a supplementary Act dealing specifically with Land Mortgage Banks was found necessary; hence this Bill.

" The main objects of the Bill are two-fold in character, viz., the securing of easy credit for land mortgage banks and effective powers for the prompt recovery of the loans due to them from their constituents. 12-45 p.m.

" To achieve the former object, the original Bill intended the Government guarantee to apply to the interest payable on debentures, but the Select Committee was of opinion that this Government should stand guarantee for both principal and interest, so that the debentures may be made trustee securities and consequently more easily negotiable, and altered the Bill accordingly. This does still form part of the Bill, but subject to the qualification that the Government could prescribe a maximum limit up to which alone its guarantee would apply, and also that the Government could, at any time after sufficient notice, withdraw its guarantee to any debenture to be issued thereafter. The safety of the Government as regards the guarantees will be in the fact that the trustee, with whose previous sanction alone debentures can be issued,

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is to be the Registrar or a nominee of the Government. This arrangement, it is hoped, while not jeopardizing the interest of the Government in any way, will enable the land mortgage banks to raise the funds necessary for this purpose.

“Now as regards the procedure to be adopted for the prompt recovery of the loans advanced by the banks, it was intended to obviate the need to resort to civil court and therefore according to the original Bill the bank was to be empowered to distrain and bring to sale any movable property of the debtor for the recovery of a mere instalment and to attach and sell the mortgaged property for the recovery of the mortgage amount or any part thereof. The Select Committee however was of opinion that the movable property to be distrained should be only the produce of the mortgaged property and not any other movable property of the defaulter. While this restriction is retained in the Bill, the power of distraint and sale whether of movable or of immovable property was, during the course of the second reading, transferred from the Bank to the Registrar or a person to be appointed by him. This procedure will, on the one hand, have all the advantages of a summary procedure without resort to a civil court and, on the other, avoid the possible dangers which certain hon. Members, not perhaps without justification, apprehended of the misuse of powers on the part of the governing bodies of the primary banks. In effect, the Registrar will constitute an impartial Tribunal duly safeguarding the interests of the bank while, at the same time protecting the debtor against any harassment. Provision is also made for proper notice being given to all interested parties in respect of any proposed action. While all proceedings right up to the confirmation of sale of immovable property will be taken by the Registrar or under his authority, the actual delivery of the land to the purchaser is to be made through the civil court and then the provisions of the Civil Procedure Code, Order XXI, Rules 97—103 are made applicable. This is done to protect the right to possession, if any, of a person who might be a stranger to all preceding transactions.

“The only other provision which needs special mention is that relating to minors and limited owners. The original Bill provided that mortgages executed on behalf of minors or by limited owners shall not be liable to be questioned on the ground that the debt was not binding on the minor or the reversioner. The Select Committee revoked this provision but altered this ordinary law to the extent of placing the onus of proof on the person questioning the binding character of the debt. Even this has now been altered and the ordinary law will hold good except in cases where the mortgage is executed by the managing member of a joint Hindu family.

“It will be seen from the above that the Bill has, at its various stages, undergone material alterations and, as it stands at present, represents the maximum measure of agreement among the various sections of the House. This being a measure conceived not merely in the

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interests of the land mortgage banks, but also to advance the welfare of the poor agriculturists of this Province, I thought it necessary to enlist on its behalf the sympathy and co-operation of every school of thought, and though it has had what might be termed a chequered career, I must confess to a feeling of considerable satisfaction that, thanks to the helpful and constructive criticism and suggestions offered by several hon. Members of the House, whether on the floor of the House or outside, it has been possible for me to ultimately present the Bill in a form which may not be perfect but which, I hope, would be acceptable to every one.

“Before I conclude my remarks, Sir, I should like to take the opportunity to express my sincere thanks to the Leaders of the various Groups for having agreed to set apart a day for the discussion of this Bill and also to the leading Members of the various Groups who have helped me to arrive at a satisfactory solution of the difficulties pointed out on the floor of the House, by attending the conferences convened by me for this purpose. Though I won't like to make invidious distinctions, I should like to express my thanks to my Friends, Mr. Ramalingam Chettiyar, Mr. Ramunni Menon, Sir A. P. Patro and Mr. Pannirselvam for having constantly met me whenever I wanted them, as the last moment changes required constant consultations and modifications. While thanking the non-official Members, I should also like to thank the Expert Member who has been appointed for this purpose, for the great help he has rendered. I must also thank Mr. Hood, the present Finance Secretary, who was good enough to place at my disposal all his experience. He was Registrar of Co-operative Societies and it was during his period of office that the Central Land Mortgage Bank was organized. I also take this opportunity, Sir, to thank my Registrar for his help; and to express my sincere thanks to Diwan Bahadur R. V. Krishna Ayyar for the great help he has rendered in drafting the various amendments which have been necessitated as a result of the discussions. I should not forget to thank the Development Secretary and the staff of the department, which deals with this matter, for the readiness with which they coped with the work, seeing that this is the Budget season. Before I close, Sir, I should also like to publicly acknowledge the keen interest exhibited by the representatives of the Madras Presidency in the Assembly in connexion with making the debentures of the Central Land Mortgage Bank trustee securities.

“With these words, Sir, I have great pleasure in moving—

‘that the Bill, as amended, be passed into law’.”

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

* The Hon. the PRESIDENT:—“The motion is that the Bill, as amended, be passed into law.”

The motion will have to be put to vote at one o'clock.

Diwan Bahadur B. MUNISWAMI NAYUDU:—“Sir, I think this Bill is welcome in one or two respects. Firstly, it will make it possible for

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the Government to guarantee the investment of private capitalists in land mortgage banks, not merely the interest but also the principal; and to that extent, making it possible for private capital to flow into this bank. Secondly, in its object, it will be helping the agriculturists in obtaining loans for long terms, although unfortunately such facilities have not so far been provided for them. At the same time, Sir, I think that the mentality underlying this Bill, so far as the construction of its clauses is concerned, is more the securing of the position of a favoured creditor to the land mortgage bank and to arm it with powers which no other private creditor can hope to get. I do not grudge the arming of these banks with such powers and privileges, but at the same time, I think that those who are responsible for having this Bill ushered in, i.e., the authorities of the land mortgage bank, have been more anxious to secure for themselves greater powers of recovering loans than really to see that easy credit was given to the agriculturist, while his other sources of borrowing money or getting capital were not prejudicially affected. Sir, the provision providing for the lands being sold without the interference of the court is one which is fraught with very serious dangers, even so far as the agriculturists are concerned. It is no doubt true that the agriculturists will be helped with long-term loans being granted to them; and one would naturally expect that the agriculturists would be enabled to return the loans from time to time according as the times and the nature of the other demands on their credit necessitated. We cannot shut our eyes to the fact that having regard to the low prices prevailing and the uncertainties of the seasons and to various other circumstances that attend upon cultivation, it is not always possible for the agriculturist, from merely out of his own produce, to repay the instalments at the proper times in the shape of money. The agriculturist therefore will very often have to go to other sources, temporarily if necessary, to borrow, in order to repay these instalments. Next, the agriculturist, after taking these loans and undertaking to repay them on a long-term basis, has got other loans to borrow to meet other expenditure. For that as well he must look to other sources for taking loans. Lastly, even under the provisions of the Co-operative Societies Act, there are only certain kinds of loans that will be given to the agriculturist—what we may call productive loans, or loans given for productive purposes, in the sense that they will prove profitable in the long run—and he will not be given any loans for any other purposes. So that, we find that at every stage the agriculturist, even after taking loans from the mortgage banks, will have to take loans, sometimes for good purposes and at other times for other purposes, from other sources. Under the general law, any one can give further loans to the agriculturist on the security of his lands, thinking that after paying the agriculturist loans, there will still be some margin left to him and that he will be protected under the general law when the bank wants to enforce payment by sale of property or by regular proceeding being launched, in which he himself will be brought in as a defendant, when he can have a chance to take such objections as he wants to. But by the introduction

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of the summary power of sale, large power is vested in the mortgage banks to bring the properties to sale and one of the sections specifically provides that when a sale is held and confirmed, it will not be liable to be impeached upon some of these grounds, not even on the ground that no notice was given. We have provided also in other sections that, if this power of sale is exercised, notice should be given before the application for sale is made, and notice should be given during the sale by the officer conducting the sale. Having provided that statutorily, we will be making the whole thing nugatory by saying that if there is a violation of this safeguard, that violation shall not affect the sale or the title of the purchaser of the property, but shall only drive these people to sue for compensation against the bank. That is a large order, and that will seriously affect persons who may have to advance loans on the strength of the property of the agriculturist. Therefore, the result from the point of view of the tenants and those who own lands will be that once they get into—I would not say the clutches—the ambit of these mortgage banks, they will be practically deprived of any other man giving them loans at reasonably low rates, because they run the heavy risk of their properties being sold, and they won't even be given notice, in order to safeguard themselves.

“ Again, Sir, there is a provision authorizing the bank to distrain the property or the produce of the land for the purpose of these loans. Of course I find this power is to be exercised with the sanction of the Deputy Registrar, as the Bill has now been amended. But what do we find? It does not matter whether it is made at the instance of the 1 p.m. Deputy Registrar or not. I think the Expert Member was saying that, with the guarantee given by the Government, much private capital would flow into the bank and that the bank will be able to extend its operations to a very large extent. If that is to be so, we shall not be having borrowers by hundreds but by thousands. It is really impossible to take comfort in the fact that this provision requiring the sanction of the Assistant or Deputy Registrar would be a sufficient safeguard against the possible misuse of powers by the banks in bringing properties to sale.”

* The Hon. the PRESIDENT:—“ May I suggest that the hon. Member may continue his speech after the House reassembles? ”

The House rose for lunch.

After Lunch (3 p.m.)

Diwan Bahadur B. MUNISWAMI NAYUDU:—“ I was referring to the possible effect of the provisions of the Bill with regard to the chances of the ryots' position being seriously affected in borrowing for other than productive purposes from co-operative banks.

“ Then, Sir, there is a provision that the produce could also be distrained and sold. It is a provision which is rather important and

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which is capable of misuse and abuse. Apart from that, the powers vested in the bank in the matter of sale cannot be more tersely and more forcibly put than what my hon. Friend did as a Member of the Select Committee. He has shown how at a time when the ryot would be expecting to repay the loans taken by him for seeds and other purposes with the sale proceeds of the produce, his produce may be attached and he may not be able to pay those from whom he borrowed for seeds and other things. The Government ought to take into consideration these circumstances in working out the provisions of the Bill and see that they are not abused. No doubt in the Bill as it emerged from the Select Committee the power is given in each case to the Deputy Registrar, on application made to authorize the distraint; but it is really impossible for the Deputy Registrar to deal with a thousand and one cases that would arise and after all you cannot but act on the report of the bank authorities who would say that, unless that power is given to them, it would be impossible for the bank to recover their monies. More often than not it would be granted as a matter of course when the banks ask for it.

“ With regard to the sale of lands, the Bill provides for the appointment of an official as the sale officer under section 22 of the Act to bring the properties to sale. As I have already said, the sale completed by the issue of a certificate cannot be impeached so far as purchase is concerned. But so far as the bank is concerned, the liability for any irregularity of omission or for want of proper caution on the part of the sale officer or for other reasons, i.e., if the property is sold for a very low price and thereby the owner of the property suffers loss, rests on the bank and the owner of the property may sue the bank for compensation. The claim for compensation is not against the sale officer who conducted the sale but the bank. The result, therefore, will be that the bank will have to pay for compensation for acts done, not by its own officers, not for acts done by an officer appointed by the bank, but by the Government. The result will be that you are throwing upon the banks the liability for compensation for acts done by the sale officers who are not the agents of the banks but are empowered by the Government in this behalf. My hon. Friend, Mr. Ramachandra Rao, shakes his head evidently taking it as a good point that a public official is entrusted with the sale. But, Sir, the mere fact that the sale officer is appointed by the Government is no guarantee that the sale is conducted properly. If that is so, this very provision for compensation is ununderstandable. If everything will go all right with a sale officer appointed by the Government, I fail to understand the need for a provision regarding compensation. We do not find any provision for compensations in respect of sales conducted by courts. The only remedy is to apply for setting aside the sale on grounds of irregularity or fall in prices. Beyond that, there is no other remedy. Supposing in the case of a sale conducted by the sale officer, for some reason or other—through oversight or irregularity—the sale price has been very low, there is no provision in this Bill for anybody to intervene and set

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aside the sale. The only provision to be found is that once the sale is held, within 30 days thereafter, the person affected might deposit the amount due and put in an application for cancellation of the sale. If the deposit is not furnished, or the application is not made, or if the application is made and dismissed, the sale is to be confirmed. It will be noticed that on the application to set aside the sale, the payment of the deposit amount is the only relevant point to be considered and not whether the property has been sold for its proper value or not. The result will be that while we have authorized the sale of property by a sale officer, there is no provision in the Bill for setting aside the sale of the property in case it is not sold for its proper value; and above all this we have got the provision in the Bill to mulct the bank to pay damages to persons who may be affected. This is a curious liability on the bank for acts done by another official, however much we may welcome the idea of having an officer appointed by the Government as the sale officer.

“ It is therefore clear that from the point of view of the ryot, the provision with regard to the distraint and sale of produce is likely to affect very prejudicially his capacity to repay loans borrowed by him for other purposes for which no other co-operative banks will finance him. It may also act prejudicially against persons who may have given the ryot loans for other purposes because there is the possibility of the lands being sold away at the instance of the bank under circumstances in which they will have no safeguard for them. It may be, there may be some claim for him against any surplus amounts. Even in court sales, it does happen at times that, with all the publicity and proclamation the properties are sold for a price very much less than its actual worth. As such, in the case of a sale conducted by the sale officer, there is the possibility that the surplus amount left would be nothing or very little indeed. In the result, the subsequent mortgagee will have to sue the ryot in a court of law for the recovery of his amounts. If it is on any other security, it is well and good. But all the same the ryot will surely be put to a great loss, both in respect of the sale transaction conducted by the sale officer as well as in regard to payments in respect of the second transaction. I must say, Sir, that in working out the provisions, due regard should be taken of all these things and if they are worked hastily, they are sure to affect very seriously the future borrowing from the bank. Once a debtor to the bank always a debtor to the bank is the position to which the ryots will be reduced.

“ There is one other provision which has been introduced in the Bill and that is that after the sale is made and the certificate issued, the purchaser will be entitled on application to court to take possession of the land, not merely against mortgagor or other persons acting on his behalf, but also against everybody who might have a title to that property either by way of mortgage or by way of sale subsequent to the mortgage to the bank. A notice is sought to be given to the parties affected by the sale; but the absence of any such notice does not matter so far as the sale is concerned. Not satisfied with all this, the Hon. the

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Minister wants to give further powers to the bank in the matter of bringing the property to sale without the intervention of the court. This provision, I am sure, the Expert Member will justify on the ground that is nothing new. When it is open to the mortgage in the City of Madras or in any of the Presidency towns to take that power by expressed stipulation in the mortgage deed, there is no reason why a similar power should not be taken by the bank in regard to the properties situated in the mufassal. May I ask the hon. Member whether he can point out any single provision in the Act which goes to the extent of saying that the purchaser shall come into possession of the property merely on an application being made to court? There is no such provision at all. The purchaser cannot be deemed to be a purchaser until the prescribed time has elapsed and all objections have been considered and decided. And even then, Sir, the persons affected have the right of appeal. But this is all in respect of cases where private people are concerned. I think, Sir, that the anxiety of a money-lender in the garb of a bank is evident from such enormous powers that have been taken in respect of possession of property after sale by the sale officer.

“ It may be said that I am making a carping criticism on the Bill; but my view is only to impress upon the Government that every possible step must be taken to see that the powers which are given by this Bill are not allowed to be misused and that in exercising these powers they are to be very careful to see that the person to whom the power of sale is entrusted, i.e., the sale officer, is one of sufficiently high rank in office so that there can be a guarantee and there may be a certain amount of confidence in the minds of the people affected that what is done by him will be done correctly. As for the qualifications of the sale officer, I shall be glad if the Government prescribe some rules laying down the qualifications for such officers. A person of the Deputy Tahsildar's rank or of the Deputy Registrar's rank may be empowered in this behalf; but with the growing number of sale applications, these qualifications should not be relaxed. It would be a dangerous precedent to appoint anybody of a lower rank because any irregularity committed by the officer may result in damages to the bank or the owner of the property.

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“ I think, Sir, there is still another provision in the Bill which also shows the mentality of the framers of the Bill, that it is intended more to protect the bank rather than protect the ryots. Sir, I refer to section 29 which gives a certain amount of immunity to the bank and its officers in lending money. Any ordinary money-lender would take reasonable care and precaution that in lending money he acts honestly. It is a safeguard and a protection of the interests of the other members of the borrower's family. If, on the other hand, the money-lender does not take proper precautions and the mortgagor for the time being mortgages his properties, it is open to the other members of the family who are affected, to contest the debt on the ground that it is not taken

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for reasonable purposes or for family purposes. In such a case the money-lender will have to prove to the satisfaction of the court that he has taken all reasonable precautions, that he has enquired into the necessity for the debt and that he was satisfied with it. Even if it goes to a court, if the money-lender proves to the satisfaction of the court that he acted *bona fide* that he took all reasonable precautions and after proper enquiries he was satisfied with the reasonableness of the debts, the courts generally agree with the money-lender that the money had been utilized for the purpose for which it was taken. In order therefore that the creditor should be protected, he should make proper enquiries before he is satisfied with the purpose of the loan. Now, when such is the case with private money-lenders, I do not see any reason why this bank should be put on a better position. After all, if the bank conducts its operations with regard to the sanctioning of loans in a manner that is above board, if the directors of the bank do their work satisfactorily, and make enquiries on application being made for a loan, that they have grounds for believing that the debt is necessary—these are all matters of record—and if these things are satisfactory, the court would naturally be inclined to accept their case as one of prudent transaction. But, what we do find in section 29 is a sort of immunity given to the bank. I think these officers and the way in which loans are granted by them by saying, once a loan is granted by the bank, it shall be the presumption that the officers have done everything rightly and it shall be open to the other party to prove that there is no necessity for the loan; that means, the proof of the negative is what the other people are asked to prove. Sir, those who are accustomed to procedure in courts and its implication will only know how difficult it is to prove a negative of this sort. The only things that have to be proved by the bank are only, the circumstances under which the loan was given, the enquiries made and the criticisms, if any, in regard to the sanction of the loan; but the absence of it is asked to be proved by the persons who have no knowledge whatever. If there is a case in which no such presumption ought to be allowed to be drawn, it is a case in which the bank is concerned.

(At this stage, Mr. K. R. Venkatarama Ayyar occupied the Chair.)

“ I am only sorry that the Government have readily agreed to this kind of immunity, because in a matter where circumspection and care are required of public officials, the official concerned is given a sort of immunity by which he is likely to feel, ‘it does not matter what kind of enquiry I am making, the law is there to protect me and who is going to ask me and so let me sanction the loan.’ Any ordinary money-lender or even any bank would be careful before sanctioning a loan. What I want to say is this provision will lead to several difficulties. For instance, the officers or even for that matter, the managing committee of a mortgage bank consisting of local people who may be swayed away by so many considerations, are given immunity under the Act, but the onus of proof is only on the other side.

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"I therefore think that, while we are anxious that every facility should be given to protect the bank, this kind of trying to put a premium on inefficiency or upon the carelessness of the bank ought not to be allowed to stand and this is also a thing which may seriously affect where two parties to a transaction are concerned. Sir, this will go to show how, so far as this Bill is concerned, though as the Hon. the Minister has stated that it is conceived with the best of wishes and possibly goes to a large extent to fulfil that object, yet it is conceived also in the spirit of trying to help the bank itself and to put it in a better position than ordinary money-lenders; and I am sorry to say that the same interest has not been shown towards the ryot to whom these facilities ought to be given and whose interests ought to be protected much more zealously by the Government than merely of the bank. Somehow or other, throughout this Bill, the feeling seems to have been that, because Government have to guarantee interest and principal on account of the issue of debentures and have given money to the bank, they seem to think that, if the bank is not able to pay them, the Government will suffer and so it seems they are giving the bank all possible considerations, not considering who is to pay and how. You do not look at it from the point of view of the ryot, because you think that the bank has an important position in the body finance, and therefore you can conveniently ignore the interests of the ryot and other persons. I therefore think that considering it from this point of view, the same interest has not been shown towards protecting the ryots. While you are allowing them to take loans, it should be your duty to see that their properties are not sold and also the rights of other people who will be affected by the transaction are properly protected. I therefore hold that, while this Act is worked, Government should take care to see that some kind of procedure is adopted by way of administration report or otherwise as to how this Act reacts upon the interests of the ryots themselves and upon other people who are interested in those properties and if at any time they consider that it is abused the Government should step in and see that matters are set right.

"After having said that, if myself and my party agree to this Bill being passed, it is because, as I said, we believed that the Bill was conceived in the spirit of helping the ryots. By this Bill it is possible to treat debentures as negotiable securities and thereby much money will flow into the mortgage banks. Therefore, as it is, conceived in that spirit and also as the Bill is intended to help the realization of that spirit to a large extent, I support the Bill.

"I must also thank the Hon. the Minister for his appreciation of the co-operation which all parties have given and I on my part tender my thanks for the solicitude he has always shown to find out from other people who may not see eye to eye with him to what extent they could have agreed to the Bill. All the same I think the Bill will be able to achieve the purposes for which it is intended and that is to bring relief by way of long-term loans, so that the heavy indebtedness of the whole Province will be relieved."

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* Diwan Bahadur M. RAMACHANDRA RAO:—"Mr. Chairman, I thought I might intervene in the debate for a few minutes at a later stage of the proceedings in order to make a few remarks with reference to some of the points raised by my hon. Friend, Mr. Muniswami Nayudu. I must say at the outset that, after having heard all his criticisms, it was somewhat comforting to hear the concluding part of his speech in which he gave his support to the Bill. I may assure him, as one who has something to do with the working of the bank, that all his suggestions will be borne in mind in actual working. There are, however, some matters which might have been cleared up if they had been subjected to criticism at the second reading stage, and many of the misconceptions about the objects of the Bill that are in the minds of some hon. Members might have been cleared. The result is that the fundamental principles are again under examination when the Bill is about to be passed into law. Therefore, I have to refer to a few of the remarks of hon. Members, and deal with what I think to be the fundamental objects of the Bill.

"Sir, my Friend said that no proper consideration has been shown to the interests of the borrower. You cannot have a land mortgage bank without certain essential conditions and one of them is that the bank which is going to lend large sums of money to borrowers for 20, 25 or even for longer periods, must be effectively armed, in case of default, to recover its dues. The reason is this. The main method of financing this Bank is by the issue of debentures and the debenture holders are entitled to interest regularly at the end of every six months. We have now issued debentures to the extent of 30 lakhs, we have to pay the debenture holders interest at 5, 5½ and 6 per cent regularly at the end of every six months. Now, the conditions under which these debentures are issued are that, if the debenture interest is not paid within a period of three months after it falls due, the debenture holders have the right to demand payment of the sum for which the debenture is issued and therefore it is of the utmost importance that the Bank should be placed in a position to meet its obligations to the persons from whom the debenture capital has been raised. Therefore this is a very fundamental problem and this fact should be remembered, namely, that the Bank is financed by the issue of debentures which involves on the part of the Bank payment of interest every six months and which can only be done if persons to whom this money is lent are regular. Further, our transactions are carried on through the primary banks, that is, what we borrow by way of debenture money, is lent to primary banks and the primary banks in their turn lend the funds to a number of borrowers on mortgages. Therefore, unless the borrowers pay their interest regularly to the primary banks and the primary banks regularly pay that interest to the Central Bank, we shall not be in a position to meet the debenture interest regularly. The consequences of our not being in a position to pay this interest to debenture holders are most serious, and we will be making for the Central Bank, which

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is the central financing agency, a great deal of trouble. If interest is not paid, the trustee of the debenture holders has a right to step in and do what he likes to satisfy the claims of debenture holders, both with regard to the payment of interest and of principal. This is of course the first time we are now attempting to float debentures through a central agency on the collective security of the properties of borrowers. Therefore, the provisions in the Bill for distraint, sale or administration of the properties, are for the purpose of enforcing the obligations of these borrowers regularly with a view to see that the debenture interest is paid regularly, so that the central financing agency may not be put to trouble. Sir, the remarks made by my hon. Friend seemed to suggest that these are extraordinary powers. I contend that it is not so. Wherever land mortgage banks have existed and have been working successfully, as in Germany and France, they have been given exactly the same powers of distraint of movable property, powers of administration and sequestration and so on and unless such powers are given it is impossible for the banks to function successfully. I do not think I need trouble the House by citations from books on the subject of the state of things in Germany, France and other countries where land mortgage banks have been working successfully, but I shall content myself with saying that identically the same powers have been given to such banks in those countries.

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“There is one other point that I should like to mention in this connexion. The question of constituting or establishing land mortgage banks in this country has been under consideration for several years. The question was considered in 1926, then in 1928 and the whole question was considered by the Townsend Committee. The question was also considered by the Royal Commission on Agriculture. The question of financing the agriculturists with long term loans was again considered by the highest authority, namely, the Central Banking Enquiry Committee which was advised by experts from Germany and England. All those who have examined these questions have recommended these identical powers in view of the experience gained in other countries by the mortgage banks. I will read one paragraph from the Townsend Committee report:

‘We are of opinion, however, that the power of sale is necessary, if debentures are to be popular and marketable. Land mortgage banks are being started to rescue the ryot from the money-lender; this object will be frustrated if banks are handicapped in their operations by delay and difficulty in suits and executive proceedings to recover mortgage debts. Rules should however be made for the issue of due notice of the intention to exercise the power of sale, for due publicity of all proceedings connected with the proclamation and conduct of the sale, and for the postponement of the sale when the highest bid for the property is not adequate. We further recommend that the sale should be conducted through the agency of the Registrar, or an officer authorized by him, or such other officer as the Government may prescribe.’

“Now, Sir, these recommendations about the power of sale to be given to mortgage banks have been endorsed by the Royal Commission on Agriculture. They have been endorsed by the Central Banking

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Enquiry Committee. Therefore, when my friend says that this is an extraordinary power, I can only say that these powers are there in western countries wherever the land mortgage banks have succeeded and that these powers have been recommended by three very responsible committees in this country. I do not think, Sir, I need weary hon. Members by going into the details of the criticism of my hon. Friend, Mr. Muniswami Nayudu. He said a good deal about the powers of distraint being abused by the banks, the powers of sale also being abused. But what is the power which he proposes to confer on mortgage banks? Does he advocate lending money to everybody without any summary power of recovery. Then, what would be the position of these banks? I am not able to see what is the exact position of my hon. Friend? Does he want to confer any powers at all on the banks? Apparently he wants us to go to court (Sir Patro: It is not his intention.) My friend, Sir Patro, seems to be a commentator of my friend's speech. So far as I have been able to listen to him, I have not been able to see any suggestion as to what power he proposes to confer on the primary bank or the central bank. He criticized the power of sale. He also did not want the power of distraint in the Bill. The appointment of receivers is also an extraordinary step. What then would be the position of the banks which lend money for 20 or 35 years? If money is lent to persons for 20 years and if the banks have no power to collect the money when it falls due, what then will be the position of the debenture-holders? I should have been very glad if my hon. Friend had suggested some other way of meeting the situation than a resort to ordinary civil courts. Would he like to have these defaulting members subjected to the process of land revenue administration? Would he like to have these funds collected in the same way as land revenue collections? (Mr. Sami Venkatachalam Chetti: Appoint receivers.) One of the writers in a recent book on the subject condemns the appointment of receivers in strong terms. The appointment involves dispossession, change of management, expenses of management, indefinite postponement of the placing of the man again in possession. A receiver won't have the personal interest of the owner in his own property. There is another suggestion to sell away the property. I may tell him at once that it is not the object of the bank to sell up the defaulter.

“As far as possible we do not want to sell anybody's property and when we resort to sale we do not want to become landholders. There is a distinct provision in the Bill that the properties purchased should be resold within a period fixed by the Registrar and that is intended to prevent the accumulation of landed properties in the hands of the Central Land Mortgage Bank. May I assure hon. Members that our main object is to collect instalments regularly? We do not want to bring the properties to sale. We do not want to subject them to distraint unnecessarily. The appointment of a receiver is a more drastic proceeding. Further I submit that the powers given are all reserve powers and I believe these powers may be conferred on the committees of the primary banks which consist of representatives of the borrowers without any

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danger. My own feeling is that these powers will not be exercised even in cases where they ought to be exercised. Therefore, I do not think my hon. Friend is right when he made all these criticisms about abuse of the power.

“ There is only one other criticism I wish to make in regard to these matters. There are in the co-operative field two sets of opinions. One is that the co-operative movement should be freed from official control. The other is that official control should be maintained. I do not know to which school my hon. Friend, Mr. Muniswami Nayudu, belongs. (Diwan Bahadur B. Muniswami Nayudu: May I know to which my friend belongs? One question is not answered by asking another. If my friend wants really to tell me where he is, I am perfectly willing to answer his question. The hon. Member in charge of the Bill naturally framed this Bill by giving these powers to the committees of the primary banks. When the Bill comes up for consideration, you say, ‘ You have given too much power to the banks. We shall give the power to the Registrar.’ I should certainly be satisfied with the exercise of these powers by the committees of these primary banks. After all they are representatives of the borrowers and so far as I see these members know, if they exercise the powers wrongly, they will be criticized by the members of the banks in the villages. But we have now interposed the Registrar and I do not regret it. I am equally willing to try that method. Only it may involve delay. My hon. Friend says, ‘ Will it be possible for the banks to secure the services of the Deputy Registrar?’ The Registrar has been given these powers at the suggestion of my hon. Friend. (Diwan Bahadur B. Muniswami Nayudu: May I say that nobody said that. On the other hand we opposed the provision.) If my hon. Friend had allowed this provision to be put in, he is a consenting party to it. I do not want to pursue this controversy. I am prepared to give a trial to the provisions as embodied in the Bill. I certainly would not have thought it a very dangerous thing, if these powers were entrusted to the primary banks. If, after gaining experience of the working of the banks, any further provisions are necessary and if any flaws are discovered, I am certain that the matter will be brought up again before this Council.

“ There is one other provision to which I want to make reference. That is clause 29. In our short experience of three and a half years we have found various difficulties in lending money to members of a Hindu family. There is always a minor and we do not want to be put in a difficult position on account of minors if these transactions are questioned on the minor attaining majority. Our loan applications pass through the committee of the primary bank, they are examined and reported upon by two directors and then they go to the committee and after that is done the necessity of the loan is investigated, by the Sub-Deputy Registrar, then the applications go to an officer called the Deputy Registrar who investigates the loan applications. After all these steps are taken the applications come to the board of the Central Bank—when

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they are again examined critically. If any inference can be drawn it is that these applications are fairly bona fide transactions. We do not want to give room to dishonest minors to come up afterwards and challenge these transactions at the end of 15 or 20 years. •

“ That is all. The banks are semi-public institutions managed on a 3-45 co-operative basis and formed for the purpose of financing the ryots and p.m. guaranteed by the Government. They have a certain amount of stability and special protection is given to these in every country.”

Diwan Bahadur B. MUNISWAMI NAYUDU:—“ Are there any joint families in any of those countries, Sir? ”

* Diwan Bahadur M. RAMACHANDRA RAO:—“ Well, I admit that joint families are institutions peculiar to our land, but land mortgage banks are not peculiar to our country. The question of surrounding the mortgage banks with a certain number of special provisions was considered by the Baroda Land Mortgage Banks Committee which recommended exactly the same provisions which have been discussed and referred to in the Bill. Therefore I do not see why these banks should not be surrounded by certain special privileges for the purpose of stabilizing their work and placing them on a sound footing.

“ I do not wish to weary hon. Members with any more reference to these topics. There is however one matter which I should mention. We are deeply grateful to the Madras Government and to the Hon. Mr. P. T. Rajan for standing by this bank, during all these two and a half years. We had a very acrimonious controversy with the Government of India in regard to the debentures issued by the bank as being declared trust securities. During the whole period the Hon. Minister and the Members of the Madras Government have stood by this bank and they have now induced the Government of India to accept these debentures as trust securities. It is very essential that this should be done for the reason that, unless they are so recognized, they would not be easily negotiable. I therefore take this opportunity of thanking my hon. Friend for the strenuous fight that he put up in this matter and for the wise decision in bringing forward this Bill.”

Rao Bahadur Sir A. P. PATRO:—“ Mr. Chairman, Sir, I am one of those who attended the Conference called by the Hon. Minister for giving shape to this Bill for giving benefit to the people. The object is a laudable one and we are grateful that the Bill has been passed. I rise now to make a few observations in reply to what the experienced liberal politician has stated to-day. I only wish that he had no connexion with the Central Bank. If he had no connexion with it, he would have taken exactly the same position taken by my hon. Friend, Mr. Muniswami Nayudu, and all the criticisms made by Mr. Muniswami Nayudu would have been valiantly supported by the hon. the Expert Member. But, fortunately or unfortunately, he happens to be so much absorbed with the work of the Central Land Mortgage Bank that, human nature being what it is, he forgets himself and pleads

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and advocates the cause which he has undertaken for the benefit of the people. He has impressed us with the desirability of running the Land Mortgage Bank on the debenture system. I am sure hon. Members of this House are no wiser now than when they first started with this Bill. We started with saying that there should be these debentures. Further repetition of it does not improve matters. The hon. the Expert Member has referred us to the position of land mortgage banks in Germany and France. I am glad to see that he did not read extracts from the reports of their working. I am glad that the land mortgage banks are working satisfactorily. We expected it. But we have in our Province the Hindu Law and usage, our co-parcenary system and our joint family system and we have also got the widow's estate and the Muhammadan Law. What about their bearing on the working of the banks?

(At this stage the Hon. the President occupied the Chair.)

"Then, Sir, the hon. the Expert Member said that when we are trying to work for the benefit of the people, how are we going to pay the debentures unless every month the primary societies pay us regularly and unless there was power given to recover from them? This difficulty is common to all forms of banking. There is nothing strange in that. If you have got a federation of central banks and other banks working, unless the primary banks also work in unison, it will be impossible to meet the demand. There is nothing extraordinary in that to justify the demand for summary powers of the kind provided in this Bill.

"Then, Sir, the question was repeatedly asked of Mr. Muniswami Nayudu as to what alternative he had to suggest. He was asked what suggestions he had for recovering the loans advanced. The answer is quite simple. In putting this question to Mr. Muniswami Nayudu, the questioner probably forgot the existence of the Agriculturists Loans Act, the Land Improvements Act and so on. Under these Acts loans are granted to agriculturists. And how is the money recovered? Have we in those cases contemplated overriding the provisions of the Transfer of Property Act? No. Why should we do so in this case? How does the Imperial Bank recover its debts? Here you have, according to the Expert Member the Government guarantee for the principal and interest not only for the past transactions but for the future transactions as well. With the people's money, the Government has been very generous. If the bank fails the tax-payers must foot the Bill. Now it remains to be seen how far the transactions of this bank are going to be beneficial to the agriculturists. A distinction must be drawn between the real agriculturists and those who have invested their moneys on land. The investors are really capitalists. Is it for their sake, for the sake of the capitalists who buy debentures, that you are going to have this drastic power? Or, are you taking this power for the benefit of the poorer classes, the agriculturists? This is the acid test of this Act. It is not a question of how you recover. I am willing to give you all

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the power you want for recovery of your moneys, but on one condition and that condition is that you should really help the agricultural and the ryot population. I am not interested in the capitalists and how you repay your debentures issued to them. That is your anxiety. But I may tell you that these investors are no better than those who have invested in other concerns. Unless and until we are satisfied by means of the working of this Bank that it is for the benefit of the real agricultural population, we will not be willing to give such drastic powers. We have now given you these powers because the Hon. Minister is anxious that some such Bill as this must be placed on the Statute Book and a start made. As we go on working this and gain experience, we will modify it whenever necessary. But I may repeat that the acid test of this measure is the extent to which it benefits the agricultural population.

"Then, the hon. the Expert Member asked Mr. Muniswami Nayudu, of the two schools in the co-operative movement, to which school he belonged? I would not be so sporting as to put to the Expert Member by way of a reply to which school the Expert Member himself belonged. He is a politician of great experience with a good deal of knowledge of men and things. I have great respect for him. He is a thoroughly liberal politician. But in the matter of this Bill, he has become so thoroughly bureaucratic that he is supporting the cause of the capitalists.

"It is a great change that has come upon Diwan Bahadur M. Ramachandra Rao, whom we know to be a nationalist. (Laughter.) But could you not save us from those summary powers vested in the Central Banks, which will work surely to the detriment of the agricultural classes? What do the summary powers propose to do? Under these powers you are going to attach the crops of the agriculturist, you are going to appoint a receiver for his lands, you are going to bring his land to sale and you are going to dispense with the claims of owners. And these powers, Sir, the hon. Expert Member claims to be necessary in whose interest? Not in the interest of the agriculturist, not in the interest of the poor persons who mortgage their lands, but in the interests of the capitalists who advance money to the Central Banks. So, I am sure the hon. Expert Member will think over it and revise the whole position at the end of the year. After all, if you want to safeguard the money of the banks, there are several other provisions by which the money of the banks could be realized. You do not require such drastic provisions as you have made in the present Bill. My friend, Mr. Muniswami Nayudu, has ably dealt with the details of the Bill and he has rightly sounded a note of warning, which must be borne in mind by all directors. It remains to be seen how the directors of the Central Bank assisted by their trustee or the Registrar, whoever he may be, are going to work this Bill, and if we are to have the same experience as we have had in the Co-operative Credit Society, then it will be a great disaster to this Province. But if, on the other hand, the directors are persons of great integrity of character, patriotism

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and love for the country, we can expect much good for the agriculturist, and it would be a blessing both for them and the country. If, on the other hand, the personnel of the directorate is such that they pay no interest to things economic and social and allow the interests of the agriculturist to go by default, then I feel sure this Bill will be a curse to the ryots. All the same, the Bill, as it is framed at present has been accepted by this Council, and I wish it every success."

* Mr. C. BASU DEV:—"Sir, I rise to associate myself with the observations of my esteemed and hon. Friends, Diwan Bahadur B. Muniswami Nayudu Garu and Sir A. P. Patro. They have practically exhausted all their remarks on the legal aspects of the Bill, and I do not wish to detain the House by either repeating or adding to those observations. I would like to say that the hon. the Expert Member has rightly laid stress on the importance of the primary banks, and I strongly endorse his opinion about their great contribution to the success of the Mortgage Bank. I have some knowledge of the history and working of these primary banks. I know, Mr. Krishnayya Choudari will bear me out when I say that these primary banks were ushered into existence over-night and their directorate packed with a particular section of the Telugu Brahman community. Sir, if this is the way in which these primary banks are to be started, and the co-operative movement is to function, I have absolutely no hope that they will fulfil even in part the high expectations which we entertain about the movement."

"Another point to which I wish to advert is the nature of the loans granted by these banks. You know, Sir, that I had been asking for a copy of the administration report of the Central Land Mortgage Bank, and to-day the hon. the Expert Member was kind enough to place a copy in my hands. I immediately turned to the chapter on loans, as I was anxious to see what are the purposes for which loans were borrowed from this bank and how far the noble objects with which the bank was started have been carried out. For the information of the House I shall read from the Preamble of the Bill the objects of the Central Land Mortgage Bank:

'In order to provide for the grant of long-term loans to owners of land with a view to enable them to discharge their debts, to carry out agricultural improvements, to acquire land for the formation of economic holdings and other like purposes and thereby to promote thrift and self-help among them.'

"If this administration report had anything in it to tell us that at least a hundredth part of these objects has been fulfilled, I will be the first person to wholeheartedly support the provisions of this Bill but as it is I will have to give my hesitating vote. The provisions are certainly extraordinary; and when my friend, Mr. Muniswami Nayudu, referred to them as extraordinary, he meant that they are out of the ordinary in comparison with the provisions of the common law of the land. Mr. Ramachandra Rao said that such privileges were granted to such banks in foreign countries. But that does not take away the extraordinary nature of these provisions. There is a great deal of difference

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between banking in foreign countries and banking in this country. In foreign countries they have developed, at least that is our information, a strong public opinion and their standards of commercial morality are high. In this Presidency the absence of public opinion and the low standards of commercial morality and the way in which co-operative societies were started and worked give us little hope of any good results. Sir, the rate of interest is high. I would strongly urge considerable reduction of the rate of interest of the debentures. I will join my hon. Friend, Mr. Muniswami Nayudu, in his solemn warning to the hon. Expert Member that the directorate should use all possible care and keep an incessant watch over the way in which these loan applications are entertained and sanctioned and should endeavour its best to translate the noble objects of the Bill into action."

"Sir, I shall not detain the House any longer. Finally I should like to take this opportunity to express my admiration of the Hon. the Second Minister for the way in which he has piloted this Bill through the Council. I hope he too will ever be watchful, and keep a vigilant eye on the working of this Act and of this Bank and see that it is worked satisfactorily so as to fulfil the expectations of the people."

Mr. SAMI VENKATACHALAM CHETTI:—"On a point of order, Sir, may I know whether there is any possibility of the Estates Land Act (Amending) Bill being taken up in the course of this evening?"

* The Hon. the PRESIDENT:—"That is not a point of order. (Laughter.) The hon. Member could have put it on a point of information. All the same, so far as I know, it is not likely to come up to-day. It may be postponed to to-morrow. The Hon. the Leader of the House will presently make an announcement after this subject is finished."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Mr. President, Sir, I am glad that all those who have now spoken on this Bill have said that in its working caution is necessary and that provisions ought to be made to see that there is no abuse of powers. I may repeat once again here that the powers that are given are of an unusual character, and so I am glad that a timely warning has been given in this House that, in the use of these powers, great care ought to be taken. I am sure that the banks will take steps to introduce as many safeguards as possible against any abuse of powers, with which they have been entrusted by this House. I am glad, Sir, that, judging from the speeches in this House with regard to this Bill, the Members of this House are taking some interest in the movement that is going on. One of the main objections which I took in my dissenting minute against the Bill as it emerged out of the Select Committee, was that the Bank should not be allowed unlimited powers of floating debentures without coming to this House now and then. The justification for such a view is found in the discussions that have taken place here to-day. I want that, whenever this Council vests any body with powers that body should come before this House now and then, so that the administration of those powers, vested in those bodies, could be reviewed

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by this House from time to time. I am glad that in the Bill as now framed and which is now about to be passed into law, there is provision for bringing the working of these institutions before this Council whenever an additional series of debentures is going to be issued. That is a great point which, I think, has been gained after the Bill left the Select Committee. There is also another provision against which I took objection, namely, the question of the power of distraint given to the Land Mortgage Bank. I do think that this power of distraint is likely to harm the interests and position of the mortgagor, as it is likely to bring down his power of raising money elsewhere. But all the same, the reason why I am able to give my unqualified support to this Bill at present is this: in the provisions of the law, as it at present stands, if a default has been made, a suit can be filed before the Registrar, or rather an application can be filed before him; and when such an application is put in, the party has got the right of securing an order for attachment of property before judgment. Such being the case, the procedure that is going to be followed is practically the same as in the ordinary cases of default. But there is this difference between the two. In case a suit has to be filed in the ordinary way, the suit will have to be filed for the whole amount; and that, needless to say, will be a bad thing for the mortgagor. So the present provision has got all the safeguards for the bank, inasmuch as it provides for the attachment of property before judgment, and at the same time it helps the defaulter in his not being asked to pay the whole amount and thus it saves the property from being brought to sale. But for the introduction of this provision, I would be of the same opinion as regards this Bill as I was when it was first introduced. Of course I do not see eye to eye in this matter with the hon. Expert Member, even though he is the President and I am the Vice-President of the Madras Central Land Mortgage Bank. I do not think this power of distraint is at all necessary. I think without that power we can go on, as we have been doing all along. He seems to be of opinion, that but for this power we would have to default in our payment of debenture interest. I do not think that would be necessary. What we want is that we should have some surplus fund, or some reserve fund resource, so that in case there has been a default we can fall back upon that fund. I think it is possible. So I do not think that the danger which he mentioned in this House a few minutes back is a real danger. Probably according to the view which he takes, nobody will take debentures, because in several cases there will be default on account of failure of crops or loss owing to cyclone or other causes like that. I do not think the position of the central bank is so very bad that the moment there are some defaulters, the central bank will fail. I think the bank will have enough funds to meet such contingencies. In cases where defaults are made by primary banks, I think we have enough provision for the payment of our dues. If there is no provision, it is high time that we made such a provision. I am not supporting the Bill on the grounds mentioned by the Expert Member but I am supporting it on other grounds. The provision with

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regard to filing of application in case of default and asking for attachment before judgment has been modified. The amended provision is better than what it was before. I may also state that the Townsend Committee also did not recommend that power of distraint should be given to land mortgage banks but they recommended only that certain other facilities should be given. But the power of distraint is given to banks of a similar nature in some other countries but not in all. In any case I may say that the practice is not uniform throughout. Taking the Bill as it stands, there is not going to be any danger as my hon. Friend, Mr. Muniswami Nayudu, felt. The power of filing a suit for arrears and attaching one's property is found even in the case of Co-operative Societies Act.

"Then, Sir, with reference to the power of sale that has been given, that is the feature with all the banks and that has been recommended by all the committees. I do not think, especially when we have the intercession of a Government officer, there is going to be any trouble.

"My hon. Friend, Mr. Ramachandra Rao, said that we have to choose between giving power to the non-officials who are managing these institutions and the Government. I have been saying always that this is a matter in which we will have to work together. I do not think we can be talking of people being on one side and the Government on the other. It is not a matter in which the interests of the department and those of the members of the bank are different or conflicting. It is a matter in which there ought to be absolute co-operation. The department is intended for the proper working and management of the society. I do not think I can contemplate anything like a conflict between the interests of the department and those of the societies. There have been various matters in which there has been difference of opinion in this Province and I have always stated that our attitude should not be one of encouraging antagonism between the department and the non-officials. This attitude, I am glad to note, has been accepted by most of the Members of this House.

"Then, Sir, with reference to other facilities that have been given to the banks, viz., the right of sale, etc., references were made, by my hon. Friend, Mr. Muniswami Nayudu, to some provisions and he said that there would be some trouble. I do admit there will be some trouble, but I do not know how we can get over such trouble. For instance in confirming the sale, my hon. Friend, Mr. Muniswami Nayudu asked 'Supposing there is an irregularity, what are we going to do?' Of course in such cases, it is the mortgage banks that will suffer, because there is the right of suit for the party who has suffered for damages against the bank. So if anybody is to complain against such a provision it is the bank. Unless there is some speedy sale there is no possibility of realizing money promptly. If we allow the property to be sold in auction, and allow the man to go and fight in court,

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I think it will be very difficult to realize the money. The difficulty has to be solved in some manner or other. As my hon. Friend Mr. Muniswami Nayudu, said rules will have to be framed for the successful working of the Act. Any rules will be difficult to work if we take extreme cases. It is from the way in which we work the Act and the spirit in which we work it, that we can surmount these difficulties. That is the only thing I can say about this provision. If we take extreme cases there will always be difficulty, and such cases do not occur. At this stage I appeal to the Government to realize their responsibility in this matter. They have armed the bank with very large powers which my hon. Friend, Mr. Muniswami Nayudu, has remarked, are likely to be abused. So it is the duty of the Government to see that such abuse does not occur. The whole working of the Act depends upon two things, viz., (1) proper scrutiny of title and (2) proper valuation of properties. If the preliminary valuation is made by the society there is the final valuation which is made by an officer of the Government. Unless there is a person to check this valuation who is independent of the society and who can be relied upon, the whole thing may collapse. Secondly much depends upon the title. People lend money only when the title is absolutely proved. For scrutiny of title also distinct provision will have to be made. I now appeal to the Government, having passed the Bill into law, that they must now provide for an agency for this purpose. Already the number of banks is increasing. Unless the Government appoint a proper agency for valuing the properties, it will become very difficult for those banks to work.

"Then, Sir, with regard to going into titles, the present system is not satisfactory. Each society has its own vakil. It can nominate whomsoever it likes. I would insist upon the Government or the central bank to appoint a proper person to go into the titles. I would also ask the Government to see that some persons are trained in the way of scrutinizing the titles, and also in checking the documents.

"I have only to congratulate the Hon. the Minister for the tenacious way in which he has carried forward this Bill through its various stages. When the Bill came out first, there were provisions of a doubtful character. He has, Sir, managed to avoid all the difficulties. Those that still remain are those that cannot be helped. So, I congratulate him on the way in which he has carried forward this Bill and on the way in which he has shaped it in the Select Committee, although originally it was thought that it was not properly framed."

* The Hon. Mr. P. T. RAJAN:—"Sir, whatever may be the opinions on some sections of this Bill, there is this fact which I have noted: the House has accepted that there is a necessity for a Bill of this type and that it is in the interests of the agriculturists. I listened with great attention to the speech of my hon. Friend, Mr. Muniswami Nayudu, and, as far as I could gather, all his objections centred round

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the clauses which deal with distraint and sale of properties. Of course as a lawyer—there are a number of leading lawyers in this House—he wants to safeguard personal and property rights, and where these rights are involved, he wants to stand as a zealous guardian of individual liberty. If it is purely an academic question, I would certainly agree with my hon. Friend, Mr. Muniswami Nayudu, and those of his way of thinking. But one has to take into consideration that the land mortgage bank is going to be a semi public institution and it is going to be worked without any profit and in the interests of the agriculturists. Secondly Government guarantee not only the interest but also the principal. As suggested already, you will have to give some sort of power to the bank to realize their money which has been lent to people. If it is agreed that some summary powers should be given to the bank, all that one can see is whether necessary safeguards can be introduced so that these powers are not abused.

"As I pointed out this morning, the Bill, as it emerged from the 4-30 P.M. Select Committee, has undergone a great deal of change, so far as distraint of movable and sale of immovable property is concerned. I may say that the power of distraint will not be unnecessarily exercised. I hope the bank will manage their affairs in such a way that there may not be any necessity to resort to power of distraint or sale. Mr. Muniswami Nayudu wanted to see that the officers who are going to distrain property or conduct the sale of immovable property are men of certain status, so that they may not commit mistakes or misuse the powers. I can assure my hon. Friend that officers of the status of Sub-Deputy Registrars and above will be deputed to conduct the sale, etc., and that the Registrar will keep a strict watch over these men.

"Some of the points raised by hon. Members have already been answered by my hon. Friends, Mr. Ramalingam Chettiyar and Mr. Ramachandra Rao, and I do not think I need detain the House in making any further remarks. I may say, Sir, that this central bank is the first of its kind in India and I believe other provinces are looking forward to this Province to copy our system. I am quite sure that the directors and those who have anything to do with the bank will conduct the affairs of the bank in such a way that they will justify the existence of the bank and make it a very useful institution to the people. I am indeed thankful to my hon. Friend, Diwan Bahadur Muniswami Nayudu, for his good wishes, and I am only sorry that on account of his ill-health he was not able to give that amount of help which he is certainly in a position to give as he is connected fairly intimately with the co-operative movement. I will once more assure my hon. Friends that so far as the Government are concerned, they will see that the summary powers given to the bank are used not merely in the interests of the bank but more in the interests of the agriculturists. I do hope that hon. Members here and the people outside will take a greater interest in the working of this

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bank and make the bank a greater success and make it more useful to the agriculturists. I am sure that when this Bill is passed into law, it will to a great extent serve the interests of the public. I may also add that, if in course of time, as a result of our experience it is found that the Act requires any change, I am quite sure that either myself or those who follow me will introduce the necessary amendments.

"I once more thank the House for their readiness and willingness to spare time for considering this Bill and for all the help they gave to facilitate the passage of the Bill."

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

III.—A BILL FURTHER TO AMEND THE ESTATES LAND ACT, 1908
(BILL NO. 12 OF 1931).

* The Hon. Sir MAHOMED USMAN:—"Mr. President, Sir, the reconsideration of the Bill further to amend the Estates Land Act has been put on the agenda for to-morrow in accordance with the desire of the Leaders of various Groups, and His Excellency has agreed to allow the Council to consider the subject to-morrow. After this subject is considered, the rest of the time will be taken up for Budget discussion, which will come to a close to-morrow evening."

Mr. SAMI VENKATACHALAM CHETTI:—"May I ask if it is to suit the convenience of the Leaders of groups that the reconsideration of the subject has been postponed to to-morrow?"

* The Hon. Sir MAHOMED USMAN:—"I discussed this matter with the Leaders of groups both day-before yesterday and to-day and it was agreed that this Bill might be taken up to-morrow."

Mr. SAMI VENKATACHALAM CHETTI:—"I submit, the House is entitled to know why the Bill has not been taken up to-day."

* The Hon. Sir MAHOMED USMAN:—"We have very little time left to-day to consider it."

Mr. SAMI VENKATACHALAM CHETTI:—"What I ask is whether this subject is postponed to to-morrow in order to suit the convenience of the Members of the House."

* The Hon. Sir MAHOMED USMAN:—"Perhaps to suit the convenience of Government."

Mr. SAMI VENKATACHALAM CHETTI:—"Is it only perhaps or definite?"

* The Hon. Sir MAHOMED USMAN:—"I am unable to say anything further."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know if His Excellency the Viceroy's sanction has been given to the changes proposed in the Bill?"

* The Hon. Sir MAHOMED USMAN:—"The Hon. the Revenue Member will throw light on the subject to-morrow."

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Dr. P. SUBBARAYAN:—"Mr. President, Sir, I think it is but right that I should make a statement, because there is a feeling, at least among people who sit on this side of the House, that I have been easily agreeing to time being taken away from the discussion of Budget grants. It was about three or four days ago that the Hon. the Leader of the House called a conference of myself, Diwan Bahadur Muniswami Nayudu and the Hon. the Chief Minister and told us that it was necessary that this Estates Land Bill, as returned by His Excellency the Governor, should be considered by the House. As there was not much time left for the consideration of this measure at a future date and as the Government wanted facilities for the consideration of this measure during this session, both my hon. Friend, Mr. Muniswami Nayudu, and I felt that we might give them the necessary facilities for the passing of this measure. At that time I did not realize the difficulties that may be met with. I took it for granted that the Bill might be considered either this afternoon or to-morrow morning. I should like to point out to the hon. the Leader of the House that, unless we are able to consider this Bill to-morrow morning, it will be impossible to go on extending the time from not only day to day but hour to hour. It has been somehow the misfortune of the Estates Land Act, that in spite of the trouble that has been taken for having this measure amended and the amending Bill passed into law, whenever this Bill is taken up, there seems to be some evil genius which comes across and postpones the measure from hour to hour. We have had amendments sprung on us not only from day to day but from hour to hour and minute to minute, as it happened last time when the Bill was under consideration. I hope, at least the Hon. the Leader of the House and the Hon. the Revenue Member who is in charge of the Bill, will realize that there is some sanctity about legislation and that there is no use hurrying measures if it is not possible to get the requisite sanction in time. I would plead with both my hon. Friends that, if they cannot get the sanction by to-morrow morning, they might make up their minds to have the measure considered at the next session of the Council when we shall also have the considered Bill of the Government which has been promised in His Excellency's Message."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Mr. President, may I say a word with reference to the understanding arrived at in the conference of the Leaders of groups? I, at any rate, felt as representing the people who would be affected by the Estates Land Act Amending Bill that this Bill should be passed and receive the Governor's sanction in some form or other, as early as possible. Sir, the demand for an amendment of this Bill has been existing for the last more than twenty years. The Government have taken all possible steps from time to time to constitute committees to consider the various provisions of the Bill. This House also has constituted a number of committees to consider these amendments. Therefore, I do not agree

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with the statement of the hon. the Leader of the Opposition that amendments were sprung on the House at the last moment. I think, Sir, there has been sufficient discussion on the floor of the House with regard to the various amendments. In view of the fact that the Message of His Excellency wants only certain provisions to be considered, I think, Sir, it will be in the interests of the people concerned and in the interests of this House, if we see that the time that has been spent over this Bill is not at all wasted and that the Bill becomes law as early as possible. It is from that point of view that I consented to give the necessary facilities for the consideration of this Bill as early as possible. I cannot really agree with my hon. Friend, the Leader of the Opposition, when he says that the consideration of this Bill might be put off for the next session of the Council in July or August. It will only mean—I do not know why the Hon. the Leader of the Opposition is anxious to postpone it—it will only mean the Bill lapsing for some reason or other. For we do not know exactly what will happen so far as this Council is concerned. We cannot say for certain whether this Council will continue or not. If it continues, it will be all right; otherwise there will be no chance of reconsidering this Bill and the Message of His Excellency, unless some opportunity is given in this session itself. I strongly appeal to the House that, in the interests of those who will be affected by this Bill, it should be considered as early as possible if all our efforts should be of any use. Therefore, if the sanction of His Excellency the Viceroy is not received to-morrow, I, for one, would urge on the House to consent to sit if necessary for a day more as early as possible and see that the Bill is passed as early as possible.”

* The Hon. the RAJA OF BOBBILI:—“ Mr. President, Sir, I wish to say a few words. I must say at the outset that I do not quite follow the argument of the hon. the Leader of the Opposition. No doubt, His Excellency has decided to remit the Bill to this House for making certain amendments. But before the date and time for the consideration of this Bill was fixed, all the Leaders of the Parties were consulted and with their consent a particular date was fixed during the days allotted for the Budget discussion. In this connexion, the hon. the Leader of Opposition has mentioned that amendments have been sprung upon the House without any notice by the Government and other Members of this House. As far as the official amendments are concerned, rough drafts were prepared yesterday evening when the Leader of the Opposition himself was present. And he has also stated that the members of his Party have taken objection to his readily consenting to the proposals of Government. I am afraid he has not shown how the time of the House has been wasted by putting off the consideration of the Bill. Because, after postponing the consideration of this Bill, the House has proceeded with the remaining business on the agenda. He has also stated that he will be agreeable if the business of the Estates Land Act is taken up the first thing to-morrow morning and

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that if it is not so taken up and if it is to be taken up later on in the day, he will have some objection. On that point, I am afraid I do not follow him. If he considers that it is important that hon. Members should have the opportunity of discussing further Demands, I do not see how that objection will disappear if this work is taken up as the first item in the agenda instead of later on. During all the stages of this Bill, both yesterday and to-day, I believe all the Leaders of Parties have been consulted by the Government and I do not see how on this score any of the Leaders of the Parties could have any grievance.”

* The Hon. Sir MAHOMED USMAN:—“ Sir, as the Leader of the House, my only concern is to see that this business is put on the agenda for to-morrow. As no objection has been taken to this step by the Leaders of Groups, I have nothing further to say in the matter.”

Dr. P. SUBBARAYAN:—“ On a point of personal explanation, Mr. President, I think hon. Members who have spoken after me have misunderstood what I said. I stand by my consent that this measure may be taken up even to-morrow afternoon if necessary as long as we are going to consider it to-morrow. My point was that we cannot sit for a day longer afterwards and if the Bill is not considered to-morrow some other arrangements should be made for the consideration of the Bill. At the conference of Leaders of Parties, the Hon. the Leader of the House suggested that the Bill might be considered, if necessary on the 27th. Hon. Members who were present there would remember—I do not know whether Diwan Bahadur Muniswami Nayudu was there at that time when this was mentioned, but I think the Hon. the Revenue Member will bear me out—that I said that 27th would not be suitable as already Members have stayed for a long time and as they thought they might not be able to be present any longer.”

The Hon. the PRESIDENT:—“ The House will now adjourn and meet again at 11 a.m. to-morrow.”

VII.—PAPER LAID ON THE TABLE OF THE HOUSE.

* *Public Works and Labour Department U.O. Note No. 3106-D/34-5, dated 27th February 1934, with reference to question No. 587, answered on 1st February 1934.*

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

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APPENDIX I.

[Vide answer to question No. 832 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 23rd March 1934, page 675 supra.]

Statement showing the number of L.I.Ms. who passed out of the Indian Medical School during each year since it was started.

Year.							Number of students who passed out of the school.
1928	...	...	...	...	...	...	83
1929	...	...	...	...	...	...	4
1930	...	...	...	...	...	...	52
1931	...	...	...	...	...	...	70
1932	...	...	...	...	...	...	38
1933	...	...	...	...	...	...	48

APPENDIX II.

[Vide answer to question No. 833 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 23rd March 1934, page 675 supra.]

G.O. No. 1467 [50 (S)], P.H., dated 30th June 1933.

READ—the following paper:—

Letter from Lt.-Col. J. R. D. WEBB, O.B.E., I.M.S., Officiating Director of Public Health, to the Secretary to Government, Local Self-Government (Public Health) Department, dated Ootacamund, the 25th May 1933, T. No. 16 P.H.

I have the honour to forward herewith for favour of approval of the Government, the proposed Rural Development Scheme for the Tiruvallur taluk of Chingleput district. The scheme is an attempt to co-ordinate all type of rural work on one selected area and to learn methods which could be adopted for other areas of the Madras Presidency. The detailed scheme enclosed herewith shows the method for introducing and continuing the work. It will be noticed that no extra expenditure will be incurred by Government over and above that which is already spent under the existing budgets.

From the public health and medical aspects of this scheme, Dr. Victor G. Heiser who represents the Public Health and Medical section of the Rockefeller Foundation, during his visit to Madras in March

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1933 has had a detailed examination of this scheme. As a result of this examination, it is hoped that the Rockefeller Foundation will be prepared to consider the grant of a recurring expenditure of approximately Rs. 29,000 per year, for three years on this scheme, provided Government approve of the scheme, and provided further that after the lapse of three years, they will consider the taking over of the scheme, should it prove successful. The Government has already requested the Rockefeller Foundation of America through the Government of India to permit Dr. Kendrick of the Foundation to join this Presidency for this work at an early date.

With a view to obtain this amount of Rs. 29,000, it is necessary to forward the approval of Government of this scheme together with the detailed budget for consideration by the Foundation by July 1933. If they accept this proposal, the sum of Rs. 29,000 will become available by January 1934.

Under these circumstances, I request that Government may be pleased to approve of the scheme as early as possible, as otherwise, the Rockefeller Foundation cannot include this scheme for their next year's budget provision, and we shall not be able to establish this valuable work, as anticipated, by January 1934.

ENCLOSURE

RURAL DEVELOPMENT SCHEME FOR THE TIRUVALLUR
TALUK OF CHINGLEPUT DISTRICT.

During the last fifteen years or more rural life in India has engaged the attention of many and we know of the several attempts which have been made by both officials and non-officials to improve the villager's lot. In reviewing the situation, we are faced with an immense social problem, the solution of which is not an easy task. The attempts made in India so far fall short of the ideal for many reasons, but the principles of these are:—

(1) The inability of organizers to appreciate fully, the outlook of the villager himself thus interfering with the stability of any work started;

(2) finance; and

(3) existing methods of work with lack of co-ordination.

Most attempts so far made, presuppose that the villager is an ignorant human being on whom knowledge can and must be super-imposed. Any effort made only in this way is doomed to failure at the very outset and certainly cannot be made permanent.

A concerted action is desirable by all Government departments, together with local bodies, and voluntary agencies, in a joint effort for rural improvement. If this is accepted, namely, that co-ordination of

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work is required, how can this be achieved? During the last year, I have had the pleasure of making unofficial verbal suggestions to heads of departments, local bodies and voluntary agencies and have obtained individual verbal agreement on all sides that an effort should be made towards a co-ordinated rural village development scheme in this Presidency.

(1) *The objects of a rural development scheme.*—(a) To form a demonstration of real rural development and how it should be worked. By this demonstration, knowledge will rapidly radiate to others who may be attempting similar work elsewhere in this Presidency or in India.

(b) To constitute a field of rural research into administrative as well as technical matters for to-day, we are groping in the dark in so far as the real solution for the many rural problems in India is concerned. Such a research may even lead to many valuable changes of present work, with considerable financial savings.

(c) At a later stage, to form a rural training ground for workers of all departments.

(2) *The section of area.*—Previous efforts for rural work have either been scattered throughout a district or localized to a few villages. Any new proposals should be based on past experiences. It is generally accepted that scattered work is not complete and cannot be convincing. A midway field of work is desirable, namely, an area which is not too big and yet not too small. This area should be about one-third of one taluk of a district. It should be typical of the Presidency, as a whole, and should, therefore, conform to the requirements of all branches of work. It should be sufficiently near to the capital of the Presidency (Madras City), so that those concerned can visit, direct and guide the work as it proceeds. Proximity to Madras City should facilitate frequent visits by all interested in this rural development for demonstration purposes. The area should not be so near to the City that it will receive City influence. In other words, it must be a true typical rural picture. The area should, if possible, contain work which has already been started and is progressing satisfactorily. And lastly, it should be an area where the villager himself is likely to accept, although possibly with difficulty, the teachings and preachings of those who are offering him modern twentieth century principles for his advancement. The area now selected, therefore, is approximately the central one-third of the Tiruvallur taluk of the Chingleput district and all have unofficially agreed upon the suitability of this area. It is about 90 square miles in extent, has 100 villages and hamlets, with a population of about 69,000 men, women and children. It is bounded on the north by the river Korttalaiyar, on the south by the river Virdhaksha, on the west by the artificial district boundary between the Chingleput and Chittoor districts and on the east by the artificial taluk boundary between Tiruvallur and Saidapet taluks. In the centre of the area lies the important festival union town of Tiruvallur accessible from Madras, by rail or road, the distance being 26 miles. In this area, two important

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missionary works already exist; that at Ikkadu under the Methodist Mission and that at Pandur under the German Lutheran Mission. The former is a rural weaving industry of importance with a hospital and schools, the latter is a rural agricultural endeavour which is well established. For ready reference, a printed map * of this area is attached (scale one inch to the mile).

(3) *Programme of work.*—It is desirable for each Government department and other agency to join hands in a joint co-ordinated effort. In this way, each effort should be directed at the solution of the rural problems of India. In doing so, however, each department should go into the field of work with an open mind and with a desire to forget temporarily the details of the present twentieth century methods which have grown up in India. In fact, it would be necessary to take these modern methods, and work out a new system, which in each case would be acceptable to the villager on the one hand and on the other, would fit in with the requirements of all other departmental works aimed at true rural development, thus forming the true zig-saw puzzle picture. This suggestion may seem at first to be impossible, and many may say that time honoured systems cannot be changed without a change in the existing statutory laws of the country. To hope for a change in statutory laws at the outset of such an experiment is impossible to contemplate and unless there exists proof of the desirability for certain changes.

For these reasons, and in consultation with my colleagues of all departments, it seems possible for a joint effort to be made by each department from the existing resources (budgets) at their disposal. Nearly every department has already various experiments in progress in some part of this Presidency. These works are scattered and are in no way linked with other departmental activities. It seems possible for each department to concentrate attention in one area for a joint effort. This appears to be a logical suggestion.

(4) *Diagrammatic representation of the scheme.*—Reference should now be made to the attached * diagrammatic representation for the working of such a proposal. One of the first steps seems to be the formation of a working committee in the area chosen. To avoid a change in policy, it has been suggested that such a committee should be headed by the Collector as Chairman, but that the frequent local meetings should be headed by a Vice-Chairman who should be the Revenue Divisional Officer of the area. The present Collector of Chingleput has agreed to this suggestion. The members of this Committee should be the representatives of all those who are actually and actively taking part in the scheme, namely, the district board, taluk board, village panchayats, district educational council, all departmental subordinates working in the area, who would represent the wishes of their respective departmental heads and any other voluntary agencies in this area. As organizing Secretary of this local committee, it has been suggested and agreed upon by all, that a first-class Health Officer should be placed on the area entirely for this work. It must be mentioned here that the

* Not printed.

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work of this first-class Health Officer would not be to promote health work only. To this proposal Government has already officially agreed and this officer has been doing a great deal of preliminary work during the past two months in this area. Examining the diagrammatic sketch, the committee lies within a circle, while radiating outwards and inwards from this inner circle are a series of spokes to the wheel of the outer circle, on which departmental heads are shown diagrammatically. The inward arrows represent the staff, knowledge and effort which each head of each department would deflect into such an experimental area. But in so doing this each head of each department should realize that as he puts his work and ideas into the area, the central working committee would take these and see how best they could be made to fit into the scheme. The wishes of the respective departmental head and his local subordinate representative would naturally be carefully followed. A sure policy of give and take should be established in each case and between all workers. The outward arrows indicate that each head of each department would possess and control his particular branch of work, with opportunity for frequent visits, either alone or jointly with other heads of departments, and examine from time to time how the work progresses. A last look at the diagram will show two arrows from the Public Health Department on the outer circle. This represents diagrammatically a desire for my moving round and round this outer circle on purely unofficial terms, meeting and discussing with departmental heads the many difficulties and seeing how these difficulties could be adjusted. This would be purely unofficial work and would be based on entirely friendly terms. In fact, I have done this during the last two months and departments have agreed with this method of approach.

The spirit of co-ordination and co-operation must exist to its fullest extent both in the diagrammatic outer circle and the inner circle.

(5) *Proposed methods for starting the scheme.*—There are several important points in starting a scheme of this kind. These are:—

- (i) The preparation of the local villagers to receive such a proposal.
- (ii) The preparation of socio-economic survey which will form the base line of start.
- (iii) The careful preparation and application of work by each departmental head.
- (iv) The desirability of going slowly and cautiously towards the goal of successful rural development.

Let us examine each—

(i) *The preparation of the local villagers to receive ideas.*—No scheme can be successful unless the villager is made to believe that he is the originator of the work, and that the work done is his work. If this object is not kept in view no scheme of this kind will be successful nor will it remain once the driving influence is removed. To avoid such a calamity, at least six months should be spent on this preparatory work. Departmental heads have agreed and have deflected reliable subordinates

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to this area for work. Each departmental head has stated the line of preparatory work he proposes, prior to the introduction of any actual active work. For instance, it has already been agreed to, by the Inspector of Municipal Councils and Local Boards that one of the most important preparatory works will be the formation of village panchayats, for all effort must be directed at the village unit. This work is in progress now. Instead of improvements being super-imposed from above, they should grow slowly and steadily from below upwards hence the necessity for this preliminary work. By such preliminary work, each departmental head would be able to study and advise the central working committee concerning his own line of work. This preliminary work has started and the following departments have already placed their workers on this area, from their existing budgets and without any additional expenditure to Government:—

Agriculture.

Industries.

Medical.

Educational.

Engineering.

Veterinary.

Co-operative societies.

Panchayat formation.

Non-officials.

Normal Revenue staff.

Red-Cross and other voluntary agencies.

Public Health.

(ii) *The Socio-Economic Survey.*—As the preparatory work amongst the villagers' proceeds, each department will wish for a survey of existing conditions in his own line of work. To start work in a rural area without knowing every existing condition would appear unscientific apart from being impractical. Attached as an appendix is the proposed Socio-Economic Survey. The Madras University Professor of Economics has agreed to lead this survey without any extra expenditure to Government. The survey is on the point of being started and the Economics representative has taken up his position on the field for this work. This survey will be completed by December 1933. Such a complete and efficient survey has never been attempted yet for rural India.

(iii) *The preparation and application of works.*—As a result of the preparation of the local villagers and socio-economic survey, each department would have the necessary details to formulate a plan of work for rural life in his own sphere. No one man or woman could possibly have the necessary departmental knowledge to formulate such a plan of work in all directions. It should be a joint effort prepared by each head of each department and discussed and agreed upon by the Central Committee representing all shades of opinion. The plan of work for each department should (a) be acceptable to the villager and (b) fit in with all other activities in the area.

(iv) The necessity for going slowly and cautiously goes without saying, for any work hastened will end in disaster.

Financial considerations.—The scheme now disclosed is the outcome of personal experience of rural work in India and also of careful observations on similar work in other parts of India and Ceylon. For

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the last two years, I have considered how best rural development work could be introduced in spite of the present financial crisis.

In consultation with heads of departments, the suggestion was made that such a scheme could be started from existing budget allotments by a re-adjustment of staff to the area and the concentration of experimental work on the area instead of the scattered work which exists throughout this Presidency. In March 1933, Dr. Victor G. Heiser, the representative of the Public Health Section of the Rockefeller Foundation of America visited the Madras Presidency, and it was with his encouragement that I finally proceeded to formulate this scheme. Dr. Heiser believed that if such a scheme could be started, the foundation would be prepared to view favourably such work and assist it financially. Six weeks later, Dr. Heiser again visited the Presidency and saw what preliminary work had been started. As a representative of the Public Health Section of the Foundation, he said he would like a careful estimate prepared and he telegraphed for Dr. Kendrick to meet him and later visit Madras for this purpose in collaboration with me. The finances for such a scheme must be divided into recurring and non-recurring expenditure.

Recurring expenditure.—All departments were asked unofficially by me what measures they could adopt to deal with this scheme, and all expressed their willingness to start the scheme. Only the Agricultural, Fisheries and Educational Departments replied that some extra expenditure would be necessary over and above their present budget allotments for recurring expenditure. The Agricultural Department suggested the necessity for ten rural guides, who would be trained in all branches of work. This proposal has been budgeted for under Public Health to be paid by the Rockefeller Foundation (see later). The Fisheries Department wished to make a survey on lines already started in the Chingleput district and this requirement will probably be secured from the All-India Agricultural Research Council. The Educational Department desired a woman worker. This was budgeted for by the district board; while the district board also budgeted for one Engineer (overseer) to work in the area. All other departments implied that they could enter the scheme on their existing budget allotments and as above described.

In May, Dr. Kendrick of the Rockefeller Foundation visited Madras and together we went into the problem of a budget for the Medical, Research Medical, and Public Health departments. Government has already officially asked for the services of Dr. Kendrick for this rural work and he will join in early July 1933.

The budget which Dr. Kendrick framed shows an annual recurring expenditure of approximately Rs. 29,000 on the part of the Foundation for this scheme and as a set-off against the cost of staff and equipment which can be diverted by Government to this area from the existing budgets under Public Health, Medical and Research Medical. The details of this budget are submitted herewith. The proposal is that the Rockefeller Foundation of America will consider the payment of this sum of Rs. 29,000 annually for a period of three years excluding the

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cost of the services of Dr. Kendrick himself. One of the conditions of the Rockefeller Foundation is that Government should be prepared to accept the introduction of this scheme on the moral understanding that should this scheme prove successful after a period of three years, Government will continue it. Government, of course, will be the judge to decide whether or not the scheme is successful and is worthy of further expenditure of money after the lapse of this three years' period.

Dr. Heiser made it clear on his second visit to Madras that he was the representative of the Public Health and Medical Section of the Foundation, and that he could not speak for the other departments of the Rockefeller Foundation. He did say that a Sociological representative of the Foundation would be visiting India in the near future and that if this co-ordinated scheme could be started at once, this Foundation representative would be in a position to see it and express his opinion on the desirability of financial help to other departments if required. Hence the desirability of starting this scheme as soon as possible. From the above, it will be seen clearly that Government will not be expected to bear any extra recurring cost within the next three years other than that which is already budgeted for, under the existing respective departments.

With regard to non-recurring finance.—In the first instance, it would be necessary to establish village panchayats. With formation of these panchayats, each village would be basic unit from which permanent works would start. The Inspector of Municipal Councils and Local Boards has informed me that he has annual grants, from which he can assist these panchayats in accordance with the existing rules. Permanent work carried out by panchayats is most desirable, because the villager will take part and he will then feel that the work is his own. This is the true spirit to be inculcated for the success of such a rural development scheme.

The District Educational Council of Chingleput receives annual grants from Government for educational work and it would be necessary for this Council to pay special attention to the growth of educational work on the new lines indicated by the Educational Department. The District Board of Chingleput reserve annual grants for rural development work. If these grants are spent wisely in the area, it will be a financial source for permanent works in this area. The District Board President has agreed to this point. The Local Government, in the usual course, gives annual grants towards works for water-supplies, drainage schemes, irrigation projects, agricultural schemes, industrial schemes and the like, throughout this Presidency. From time to time such grants would come to Tiruvallur taluk. For instance, a water-supply scheme is already in contemplation for Tiruvallur town and is now with Government. The All-India Agricultural Research Council is a body which partially finances rural schemes of this kind. For permanent works, therefore, finance though possibly small at first would, I feel, be forthcoming and would grow in amount once the scheme was established and was shown to be a growing practical and business-like concern.

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The rural training ground for workers.—It has been stated that the third initial object of such a scheme would be the formation of a rural training ground for workers of all departments. This proposal would naturally take place only after the scheme was established. However, let us examine this point briefly. At present the training of both subordinates and senior grade students in most, if not all, walks of life in India to-day is essentially theoretical and is not directed at the real practical problems of rural India. So theoretical is most of this training that although the qualifying students may be full of "book knowledge" their application of this knowledge in the field is impossible and impractical. Take, for instance, my own department of Public Health. Annually 90 Sanitary Inspectors are trained at the Medical College. Their course of instruction lasts for one year and is conducted entirely in Madras City. They have a high class theoretical course and receive some practical training in the Corporation of Madras. At the conclusion of their course, they have not spent "one hour" on the real practice of the subject on which they will be employed later, namely, work in rural India. Can it be regarded as their fault, that when they are qualified and engaged as Health Inspectors, they are almost as useless as if they had never undergone any technical training at all. Their training should comprise a very large share of real practical application of their book knowledge together with the use of their hands in its truest sense. This can only be achieved if a rural training ground existed near to Madras City. To attain this point alone, a rural development scheme appears desirable. A similar state of affairs exists for the special training of Health Officers. I feel confident that my own departmental case, cited above, equally applies to all other departments.

I visualize at a later date, training camps in the development rural area where students in all branches of work would be housed and would be made to practise their field work. This step would incidentally produce extra man-power to work the development of this experimental area to a high degree of efficiency and at no extra cost; for these students would not be paid employees in the area.

Conclusion.—To summarize this rural development scheme for the Tiruvallur taluk of Chingleput district, Madras Presidency—

- (1) The spirit of co-ordination and co-operation should be all important.
- (2) The villager should be the ultimate objective. For it is he for whom we strive. He should be helped to become a good citizen and a successful agriculturist or industrialist.
- (3) If this object is to be attained the villager must be made to feel that he is taking part in the scheme, if even this takes time.
- (4) No work must be superimposed upon him without his showing signs of wanting it and without his playing an active part in initiating the work.

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- (5) All departments, local bodies, and voluntary agencies should join hands in this effort.
- (6) The objects of this rural scheme should be clearly understood by all, namely, (i) demonstration, (ii) research and (iii) training ground for students.
- (7) The necessity for Government to accept this scheme officially.
- (8) The desirability of informing the Rockefeller Foundation representative of Government's acceptance of the scheme on the moral understanding that if after a lapse of three years Government consider the scheme to be a success, they will take over this scheme.

(1)

SOCIO-ECONOMIC SURVEY OF TIRUVALLUR.

GENERAL NOTE.

The scheme of survey is now ready, and is enclosed herewith for information.

The following points arise:—

1. Enclosed * is a diagrammatic key to the survey, which shows that the Economics department under the Professor of Economics of the Madras University, becomes the co-ordinating agent. Radiating out from the centre are the main headings dealing with the several aspects of rural life. On the outer circle, the heads of departments dealing with the several problems are indicated.
2. The scheme submitted is a provisional outline, which is subject to alteration as new facts and problems come to light during the course of enquiry.
3. In the last heading of the scheme will be seen the title 'appendices'; under this heading departmental heads will observe that special and technical aspects have been grouped. Heads of departments may, if they wish, undertake special surveys of technical problems. This would be incorporated as appendices to the final survey, and from which the economic expert will extract their bearing on rural life, in consultation with the heads of departments.
4. From the above it will be seen that heads of departments are invited to send their suggestions with regard to the scheme. In offering these suggestions, will the heads of departments be good enough to group them under (1) general, (2) technical? This will facilitate the enquiry. If this is done, it will ensure that the survey is more comprehensive and useful than any which has been carried on in India so far.

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5. *Method of enquiry*—

- (1) During the month of May, each departmental subordinate on the area will get into touch with each other in informal meetings, and will demonstrate each to each, their work with special reference to the scheme of survey.
- (2) The next stage will be the survey, which will be split up into three parts:—
 - (a) The general survey of the whole region.
 - (b) Intensive investigation in selected areas.
 - (c) Enquiries into the special problems of the region.

(2)

PROVISIONAL OUTLINE FOR A GENERAL SURVEY OF THE REGION.

- Section I.*—Physical features.
Section II.—Population, caste and occupation.
Section III.—Land revenue and tenures.
Section IV.—Holdings.
Section V.—Irrigation and rainfall.
Section VI.—Crops and vegetation.
Section VII.—Agricultural methods and practice.
Section VIII.—Cattle and agricultural stock.
Section IX.—Rural labour.
Section X.—Expenses of cultivation: Yield and price of land.
Section XI.—Agricultural finance and rural indebtedness.
Section XII.—Marketing, communications and transport.
Section XIII.—Rural industries and subsidiary occupation.
Section XIV.—Standard of living and rural prosperity.
Section XV.—Defects in the economic organization of Tiruvallur, and avenues of reform.
Section XVI.—Appendices.

I.—Physical features.

Physical features and their economic significance.
 Situation and boundaries—Area, extent, etc.
 Topography.
 Geological characteristics.
 Soils and subsoils.
 Water and drainage.
 Mines and mineral wealth.
 Climate and temperature—Relation to crops.

II.—Population, Caste and Occupation.

1. Total population—Number of inhabited houses—Size of the family—Growth: Birth and death rates—Increase or decrease—Economic effects.

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2. Pressure of population on the soil—Rate of increase—Density of population—Whole area—In certain villages—Population per acre of occupied and cultivated land: Variations—Causes.
3. Urban and rural population—Number of towns and villages—Classification of villages according to population—Urban migration.
4. Population according to age and sex—Total able-bodied workers—Males and females.
5. Population and castes—Classification.
6. Population and occupation (with special reference to their degree of dependence on agriculture)—Non-agricultural.
 Agricultural—Landed families—Chief castes.
 Landless families—Chief castes—Tenants—Distribution of 1,000 actual workers in agriculture—Growth of absenteeism—Increase in the number of tenants, etc.

III.—Land, Revenue and Tenures.

1. Total number of villages and area—Classification according to tenure: Ryotwari—Inam—Zamindari.
2. Total area of the region—
 Poramboke—Forest—Arable area—Cultivated area—Manavari—Fallows.
 • Dry—Wet.
 Scope for extension of cultivation—Profitability.
3. Existing system of land revenue assessment and collection.
 Total land revenue assessment of the region—At previous settlements.
4. Rate of assessment for each class of land—Wet, dry, manavari.
 Highest and the lowest rates—Compounded rates—baling remissions—Area under each rate or 'Taram.'
5. Incidence of land revenue—Inequality in the incidence of land revenue between localities and individuals—Land revenue as an accurate index of the fertility of the soil.
6. Collecting season and instalments—Difficulties caused, if any; sources of payment.
7. Land revenue remissions: total amount remitted during the past several years—How far an index to the nature of the harvests.
8. Mirasi villages—Number—Chief features—Effect upon holdings and cultivation—Proportion of land revenue to the yield from land—Zamindari rents in the area.

IV.—Holdings.

1. Size—Total number of holdings at present—Previous years—Average size of the holding—During the last several years—Extent of wet and dry land per holding—Average size in different localities.

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2. Average assessment per holding—At present—Previous years—In different localities.

3. Subdivision—Rapidly of subdivision during the last 50 years—Causes—Nature—Extent, evil effects—Possible remedies.

4. Fragmentation—Its real nature—Causes—Nature—Effects.

5. Cultivators' holding and owners' holding—Difference—Average area of cultivators' holding in some villages—How the evil effects of subdivision and fragmentation affect "cultivators' holding."

6. Absentee pattadars—Growth—Causes—Caste or class affected most by it—Villages where absenteeism is a marked feature—Causes—Effects of absentee landlordism—Remedies.

7. The minimum holding—Ideas about 'economic holding'—Ideas about 'economic holding'—The difficulty of determining an 'economic holding'—The size of the minimum holding—Difficulty and defect in estimating an average or minimum holding.

8. Reform:—

(i) Consolidation—Obstacles in the way—Legal—Administrative, etc.

(ii) Other reforms—Co-operative, farming, etc.

V.—Irrigation, Rainfall and Seasons.

1. *Irrigation*.—Chief source of irrigation in this area—Number of tanks—Wells—Kinds—Capacity to hold water—Area under each source—Dependability of the sources of irrigation—Average area grown annually with two crops—Total area protected in all seasons—Area protected in ordinary years—Chief defects—Insufficiency of irrigation sources.

2. *Rainfall*.—Statistics of rainfall for the last thirty years—Nearest rain-gauge—Rainfall by months for the past ten years—Distribution of rainfall over the region—Seasons—North-east and south-west monsoons—How it affects cultivation.

3. *Seasons*.—Worst years during the last three decades—Famines and distress—Frequency—Duration of famines—Intensity—Extent affected—Relief measures—Classes most affected—Precariousness of rainfall.

4. Methods for combating this evil—Irrigation projects—Dry farming—Tube wells, etc.

VI.—Crops and Vegetation.

1. Area cropped—Total area cropped during the last twenty years—Net area cropped (cultivated) annually—Total double crop area—Fluctuations—Causes—Area laid fallow annually—Causes—Land revenue on fallows.

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2. Crops grown in 1932-33—Area under each crop—Crops in a few previous years—Changes—Causes—Food crops and commercial crops—Garden crops and vegetables—Chief villages—Total area—Possibility for improvement—Indigo—Causes of decay—Possibility of growing other crops—Sugarcane—Betel—Plantain, etc.

VII.—Agricultural methods and practice.

1. Mode of cultivation adopted—Traditional methods and implements—For paddy—The 'irrigated' and 'unirrigated' methods—Total area under each—First crop and second crop—For other crops—Cultivating seasons—Area cropped, sowing seasons and the timeliness of the rains.

2. Manures and manuring—Kinds used—Green leaf, etc.—Chemical manures—Approximate total quantity used annually in the region. Distributing centres—Effects of chemical manures on the soil—Popularity—Estimated cost of the different varieties per acre—Preservation of manure and manure pits.

3. Rotation of crops—Practice followed—First and second crops—Agricultural improvement—Scope and extent—Better seeds and new varieties—Agricultural department and its work in the area.

4. Chief crop pests prevalent—Virulence—Frequency of attack—External and internal pests—Crop protection.

5. Tenancy—Leasing out lands to tenants—Number of non-cultivating landlords in the region—Total area owned by absentee landlords—Varam and kuttagai—The common way—Share in each case to the landlord—Kuttagai for different kinds of lands—Total area and percentage of the total 'occupied' area leased out in some typical villages—Registration of lease deeds—Lease amounts—Rack renting—Relationship between landlords and tenants.

VIII.—Cattle and Agricultural Stock.

Agricultural implements—In use—Short description—Statistics during the last few years—At present—New ploughs or improved varieties in use—Cost of the several implements—Repairing charges—Payment in kind, etc.—Duration of life of these implements—Total area per plough.

1. Cattle and livestock—Statistics (1932-33) in the previous years—Changes—Causes—Rate of increase in plough bullocks (Cf. increase in arable and occupied area)—Kinds—Sources of supply—Purchasing centres—Price for the different varieties—Cost of maintaining a pair of bullocks.

2. Cows and she-buffaloes—Milk-supply—Demand from Madras—As a source of subsidiary income to ryots—Sheep and goats—Mutton-supply, etc.

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3. Nearest breeding station—Improvement of breeds—The several breeds in use—Capacity to work.

4. Fodder supply and fodder used—Fodder grown—Grazing resources—Adequacy—Total fodder needed—Reserved forests—Silage, etc.—Methods adopted by the ryots for preserving hay—Influence of Madras on local fodder-supply.

5. Cattle sheds—Methods and conditions—Sanitary aspect—Economizing fodder—Preserving manure, etc.—Suitability of planned and improved sheds.

6. Cattle disease—Frequency—Approximate total mortality due to epidemics per year in this region—Methods of control—Veterinary department.

7. Improvements required—Better breeding, fodder and housing control of epidemics—The problem of useless cattle.

IX.—Rural Labour.

1. Kinds of labourers—Non-agricultural—Agricultural—Village artisans—Industrial labourers—Chief occupations—Agricultural labour—Casual and permanent—Number of padials in each village—Method of securing them—Conditions of employment.

2. Quantity of labour—Chief castes that supply labour—Total labour force of the region—Males—Females—Demand for labour—Conditions affecting demand—Seasonal stress—Labour disputes and strikes—Emigration—Effects—Total area cropped annually—Approximate total labour required.

3. Quality of labour—General condition of labourers—Hours of work—Different kinds of work—Skill of the labourers—Efficiency—Need for training—Vocational training.

4. Wages—Paid to different kinds of work—Labourers—Localities and seasons—Factors that influence the rates—Method of payment—Kind of payment—Grain, money, etc.—Extra payments—Wage rates between 1910 to 1930—Rise or fall—Effect upon the labouring classes.

5. Standard of life of labourers—Family budgets of agricultural labourers—Casual and permanent—In typical areas—Average annual income per family (of labourers)—Health and general efficiency—Prevailing diseases—Duration of illness—Unemployment—Effects—Actual receipt of wages of a few labouring families—In a year—Seasons of unemployment—Its duration—Spare time at the cultivators' disposal—Unemployment and under employment—Mobility of labour—Between localities and occupations—Caste and other barriers.

X.—Expenses of cultivation—Yield and price of land.

1. Expenses of cultivation—Difficulty of obtaining accurate data—The several stages of cultivation—Expenses for each—Conditions

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affecting the cost of each stage—Cultivation schedules—Cost of cultivation and yield per acre of land (i) single crop, irrigated and unirrigated paddy—(ii) Double crop paddy—(iii) other crops—In different localities—Expenses of cultivation and yield of some pattadars in the region—Profits of cultivation or percentage of profit from agricultural investment—Increase in the expenses of production in recent years—Effects.

2. Yield—For different kinds of land and crops—“Standard outturns”—Gross produce—According to Ryots' accounts—Lease deeds—Resettlement party—Prevailing kuthagai or varam.

3. Price of land—For different kinds—Different localities—Methods of sale—Factors that influence the price of land—Rise in land values—Causes and effects.

XI.—Agricultural Finance and Rural Indebtedness.

1. Extent of indebtedness—Its incidence per family, acre, land revenue, etc.—Percentage of families in debt—Variation between villages—Factors that influence the volume.

2. Centres of rural finance—Sources of credit—Geographical distribution—The most important source—A critical account of each source—Money-lenders of the locality—Co-operative credit.

3. Borrowing seasons—What is borrowed—Quantity of grain loans in certain villages—Size of loans.

4. Securities offered—Movables and immovables—Amount of indebtedness against each, in typical villages.

5. Methods—Mortgages—Simple and usufructuary—Total area mortgaged each year—Pro-notes and bonds—Pledge loans—Jewels—Crops, etc.—Hand loans “khata” accounts—Amount under each head—Growth of debt of a normal ryot.

6. Purposes for which the ryot needs credit—Total credit—Needs of the agriculturists—A rough estimate—Purposes for which the existing debt was incurred—Purposes of loans and causes of indebtedness.

7. Prevailing rates of interest—Amount under each rate—How rates are determined—The price of credit and the cost of credit—Variety of rates—Average rate—Grain rates and money rates—Rate of interest, rise or fall, causes.

8. Duration of loans and duration of debt—Mortgage loans—Stated “term” and actual “duration”—Causes.

9. Repayment of loans—Are they made with ease—Sources of repayment—Causes for non-repayment—Effects—Land transfers—Dangers—Area annually transferred.

10. Effects of indebtedness upon incentive to work—“Tying clauses,” etc.—Causes of indebtedness—Remedies—Existing ones—Real remedy—Credit reform—Creation of saving facilities—Post office savings bank—Co-operative banks—Provision of credit.

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XII.—Marketing and communications.

1. Roads and railways—Total mileage—Quality—Centres connected—Number of villages without roads and paths—Transport facilities—Bandies—Number of carts in the region—Motor lorries and buses—Cost of transport.

2. Marketing—Chief articles sold—Market centres—Geographical distribution—Shadies and fairs—Cattle-fairs—Other fairs.

3. The process of marketing—General method—(1) For paddy, (2) vegetables and (3) other things—Middle men—Petty traders—Cartmen, mandy merchants, etc.—Commissions paid—Marketing costs—Examples—The crux of the problem—Deceit and fraud—Played—Adulteration—False weights and measures—Exploitation of the ryots—Forced sale of produce—Weights and measures—Varieties in use—Effects—Advantages of standardization.

4. Defects in the existing marketing system.

XIII.—Rural industries and subsidiary occupations.

1. Sources of subsidiary income—Non-agricultural occupations in the locality—Occupation subsidiary to agriculture—Cottage industries—Kinds—Weaving—Pottery, etc., brief description—Cottage industries that might be developed.

2. Village artisans—Method of payment—Payments in kind—Annual earnings.

3. Means for developing cottage industries—How far they fit in with agricultural work—Chief classes and castes that get subsidiary income.

XIV.—Standard of life and rural prosperity.

1. Standard of life of the rural population—Variations—Factors—Locality, caste, economic status and occupation—Per capita annual income of an average family in the locality—Method of assessing income—Family budgets of typical families—Cost of maintaining a normal peasant's family.

2. Articles of consumption in the locality—Necessaries and comforts:—

- (i) Food—Daily routine meal or menu of the average ryot—Nutritional value, etc.
- (ii) Clothing and jewellery—Dressing and apparel—Different kinds—Number of tailors in the region—Number of goldsmiths—Jewellery and ornaments—Kinds used.
- (iii) Housing and house-sites—Village-site and area—Nature and extent of housing accommodation—Description of a typical house—Total number of houses and number of families in some typical villages—Adequacy of housing accommodation—Example from typical villages—Number of huts—Number of tiled houses—Terraced ones—Percentage.

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(iv) Furniture and other articles of comfort—Domestic utensils

(v) Luxuries and vices in vogue—Drink habit—Number of toddy shops in the locality—Other narcotics—Total excise revenue—For the last ten years.

3. Social customs of agriculturists—The daily routine of the villager—Amusements—Rural sports and recreations—Old and new—Fairs and festivals—Pilgrimage and travel.

4. Education and literacy—Number of schools—School children—Percentage—Boys and girls—Level of education—Quality, etc.

5. Sanitation and Public health—Public health and economic welfare—Drainage and water-supply—Drinking water—Common diseases in the locality—Mortality statistics—Agencies for prevention and cure—Medical aid—Cost and accessibility, etc.

6. Rise of prices and its effect on the standard of life and rural prosperity—Change in the standard of living during the last 30 years—Increase in the prosperity of the masses—Methods of assessing the increase.

7. Village budgets—Rural social life—Decay—Civilizing influences—Urban influence—New ideas, habits and customs—Effect upon rural life and prosperity.

XV.—Defects in the Economic organization of the region and remedies.

1. Resumé of the chief economic features of the region—Peculiarities—e.g., urban influence—demand for labour from railway workshop—Uneconomic nature of the present system of agriculture—Insufficiency of irrigation sources, etc.

2. Maladjustment between the several factors of agricultural production.

3. Remedies.—(a) Land, ways of economizing it: larger product per acre, etc.

(b) Labour—Measures to check seasonal waste and unemployment—Unemployment of women.

(c) Agriculture stock—Cattle and implements, improvement and economy.

(d) Others—Better farming—Improved marketing—Sufficient credit, etc.

(e) General—Education and training.

XVI.—Appendices.

- 1. Mortgage debt.
- 2. The Co-operative movement—Its achievements.
- 3. Rural sanitation and housing.
- 4. The state of education and literacy.
- 5. The cattle of the area.
- 6. Local boards and panchayats.

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7. Missionary efforts at improvement—Results.
8. Agricultural improvement.
9. Rural pisciculture—Scope and prospects.
10. Cottage industries—Methods of development.
11. Crime statistics.
12. Excise statistics.

RURAL DEVELOPMENT SCHEME (TIRUVALLUR TALUK).

Budget Estimate.

Items of expenditure.	Rockefeller Foundation.	From Government existing sanctioned budgets.
RS. A. P.	RS. A. P.	
A. Pay of officers—		
One first-class Health officer (Secretary and Leader) Rs. 250—600 (average Rs. 450 per mensem) ...	...	5,400 0 0
One Research officer, Rs. 300—15—450—20—650 (average Rs. 450 per mensem) ...	...	5,400 0 0
One second-class Health officer, trained as first-class Health officer, Rs. 100—300 (average Rs. 200 per mensem) ...	...	2,400 0 0
One second-class Health officer, Rs. 100—300 (average Rs. 200 per mensem) ...	...	2,400 0 0
One Sub-Assistant Surgeon—Hospital—English qualification for Tiruvallur Dispensary (average Rs. 200 per mensem) ...	...	2,400 0 0
Total ...	...	18,000 0 0
B. Pay of establishment—		
Five Sanitary Inspectors, Rs. 60—120 each (average Rs. 90); total Rs. 450 per mensem.	...	5,400 0 0
Four Health visitors at Rs. 95 each, monthly Rs. 380 ...	4,560 0 0	...
One Sanitary Overseer, Rs. 80 per mensem ...	...	960 0 0
One compounder (Hookworm) and cinema operator, Rs. 40 per mensem ...	...	480 0 0
Two clerks, one on Rs. 45 and one on Rs. 35, total Rs. 80 per mensem ...	960 0 0	...
Eight midwives at Rs. 30 each, total Rs. 240 per mensem ...	2,880 0 0	...
One Laboratory attendant, second grade, Rs. 23—35 (average Rs. 30 per mensem) ...	...	360 0 0
Ten S.S.L.C. men as village guides at Rs. 20 each—(No travelling allowance), total Rs. 200 per mensem ...	2,400 0 0	...
Five peons, each Rs. 12—18 (average Rs. 15), total Rs. 75 per mensem ...	...	900 0 0
Three peons for Health officers and one peon for Sanitary Inspector at Rs. 12, total Rs. 48 per mensem ...	576 0 0	...
Four peons for four Health visitors at Rs. 12 each, total Rs. 48 per mensem ...	576 0 0	...
Eight female attendants for eight midwives at Rs. 7 each, total Rs. 56 per mensem ...	672 0 0	...
Total ...	12,624 0 0	8,100 0 0
Total pay ...	12,624 0 0	26,100 0 0

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RURAL DEVELOPMENT SCHEME (TIRUVALLUR TALUK)—cont.

Budget Estimate—cont.

Items of expenditure.	Rockefeller Foundation.	From Government existing sanctioned budgets.
RS. A. P.	RS. A. P.	
C. Travelling allowances—		
Travelling allowance fixed, first-class Health officer, Rs. 125 per mensem ...	1,500 0 0	...
Travelling allowance fixed, two second-class Health officers at Rs. 50 each, Rs. 100 per mensem ...	1,200 0 0	...
Travelling allowances fixed for five Sanitary Inspectors at Rs. 20 each (Rs. 15 plus Rs. 5 house-rent), total Rs. 100 per mensem ...	1,200 0 0	...
Travelling allowance fixed for thirteen peons at Rs. 4 each, total Rs. 52 per mensem ...	624 0 0	...
Travelling allowance fixed for four Health visitors at Rs. 35 each (Rs. 30 plus Rs. 5 house-rent), total Rs. 140 per mensem ...	1,680 0 0	...
Total, Travelling Allowance ...	6,204 0 0	...
D. Contingencies—		
Rent of office building and laboratory (or Rs. 1,800 for building) rent Rs. 50 per mensem ...	600 0 0	...
Stationery, stamps and printing ...	1,200 0 0	1,000 0 0
Furniture ...	1,600 0 0	250 0 0
One lorry (non-recurring) ...	3,500 0 0	...
Running charges for the lorry, Rs. 100 per mensem ...	1,200 0 0	...
Drugs and equipment ...	2,000 0 0	300 0 0
Cinema equipment ...	...	2,000 0 0
Films ...	...	1,000 0 0
Five lanterns, each Rs. 250 ...	...	1,250 0 0
Working charges, cinema and lanterns ...	...	700 0 0
Preparation of films and lantern slides ...	...	500 0 0
Two cameras ...	...	200 0 0
Two boring equipments ...	...	280 0 0
One typewriter used ...	...	100 0 0
Equipment for Welfare Centre ...	...	500 0 0
Eight equipments for eight midwives ...	...	200 0 0
Three tents ...	...	200 0 0
One calculating machine ...	...	500 0 0
Contingencies (Miscellaneous expenditure). ...	1,500 0 0	...
Well-boring equipment ...	...	1,000 0 0
Laboratory equipments ...	...	1,000 0 0
Research Laboratory from King Institute ...	...	500 0 0
Total, Contingencies ...	11,000 0 0	11,480 0 0
Grand total ...	29,828 0 0	37,580 0 0

Order—No. 1467 [50 (S)], P.H., dated 30th June 1933.

The Director of Public Health has submitted to the Government his proposals for a co-ordinated Rural Village Development Scheme in an area of the Tiruvallur taluk, comprising approximately the central one-third of that taluk, about 90 square miles in extent and including 100

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villages and hamlets with a population of 69,000 in all. The panchayat town of Tiruvallur forms the centre of the area.

2. The general objects of this Rural Development Scheme have been formulated as follows:—

- (a) To form a demonstration of real rural development and how it should be worked.
- (b) To constitute a field of rural research into administrative as well as technical matters.
- (c) At a later stage, to form a rural training ground for workers of all departments.

3. The scheme has been examined in its public health and medical aspects by Dr. Victor G. Heiser who represents the Public Health and Medical section of the Rockefeller Foundation, and it is stated, that, as a result of this examination, it is hoped that the Rockefeller Foundation will be prepared to consider the grant of a recurring expenditure of approximately Rs. 29,000 per annum for three years on this scheme, provided Government approve of the scheme and provided further that after the lapse of three years they will consider taking over the scheme, should it prove successful. It, however, appears that with a view to obtain this grant of Rs. 29,000 from the Rockefeller Foundation, it is necessary to forward the approval of Government of this scheme, together with the detailed budget, for consideration by the Foundation by July 1933, and that the grant, if made, would be available from January 1934.

4. It appears from the detailed budget submitted for the public health and medical aspects of the scheme by the Director of Public Health that the proposal implies that, in the area in question, a total sum of Rs. 67,408 is to be spent yearly on this special experiment, of which the Government will spend Rs. 37,580 and the Rockefeller foundation Rs. 29,828. No indication has been given by the Director of Public Health, in respect of the Government's share, as to how far the proposals imply the employment in the area of additional establishments for the incurring of additional expenditure over and above the establishments employed or the expenditure incurred at present in that area. But the Director has assured the Government that he can find the necessary funds of Rs. 37,580 from his existing budget which is drawn for the year 1933-34. It appears to be assumed by him that for the next three years the allotments to the Public Health budget will not be less than those which have been given in the current year.

5. As regards the co-operation of other departments, no details of any kind have been worked out, but, with the exception of one or two, the discussions between the Director of Public Health and the departmental heads appear to have been entirely verbal and general. The Government gather from the report of the Director of Public Health that the departmental heads have similarly expressed their readiness to co-operate, but on the basis of their existing budget allotments and without

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the provision of additional staff at the expense of Government. In other words the underlying assumption here also is that the budget allotments of these departments will not also be less, during the next three years, than those given in the current year. The Government must make it clear from the outset that no assurance can be given, either explicitly or by implication, to warrant this assumption. The financial position and prospects of the Government are such that they cannot bind themselves for the next three years to continue in any department the scale of expenditure that they have been able to provide in the budget for 1933-34. If, therefore, the adoption of the scheme necessitates any increased expenditure in this area in any department, provision must be found for it from such grants as the Government may be in a position to make from year to year, even though this might mean the diversion of expenditure from other parts of the Presidency for the purpose of this intensive scheme of Rural Development in Tiruvallur. The Government desire to make this point clear at the outset to all concerned including the Rockefeller Foundation, from whom the grant is to be obtained, namely, that they must retain complete freedom in respect of the future allocation of funds for the activities of all departments, whether it be the Department of Public Health or any other.

6. As regards the proposed condition of the grant from the Rockefeller Foundation, what appears to be asked for from the Government is a promise that, if after three years from the date of its inception the scheme is 'successful,' the Government will consider taking over the scheme, and presumably the continuing of it fully at Government expense. Here also, the Government desire to make their position clear. While the Government are not prepared to subscribe to the position, from which the scheme appears to proceed, that their officers are or have been without information as to social or economic conditions in the villages, yet they are in sympathy with the general objects of the scheme which appear to them to be laudable and to promise possibly valuable results. But they must reserve to themselves entirely the right to decide as to whether the scheme has been successful and is worth continuing, and to decide also, if the scheme is to be continued, how far, in what shape, on what scale and at what cost it shall be continued, if at all. Furthermore, their undertaking is subject to the proviso that the finances of the Government at that time permit them to continue the experiment, and that the Legislative Council votes the necessary funds.

7. It appears to be intended that the general direction or control over this 'experiment' is to be in the hands of a committee presided over by the Collector as President with the Revenue Divisional Officer as Vice-President, the employees or the principal employee of the co-operating departments working in the area, being members of the committee together with representatives of local bodies or other interests. The scheme as framed by the Director of Public Health makes no attempt to define the functions or the authority of this committee. Actually its functions will be of an advisory character with the object of co-ordinating all the measures adopted by the various co-operating departments, and

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its duties will be to move the various departmental heads in respect of their respective activities. It will be understood, however, that any action that has to be taken or expenditure incurred in any co-operating department, will be done by the head of the department, if within his own normal powers; and if in excess of his normal powers, the orders and sanction of the Government must be obtained. Heads of departments must bear in mind, in this connexion, what has been set forth in paragraphs 4, 5 and 6 above. The Collector and his Board, as such, will have no financial or administrative authority.

8. Subject to the foregoing remarks and stipulations, the Government are pleased to approve of the scheme submitted to them and authorize the Director of Public Health to move the authorities of the Rockefeller Foundation for the proposed grant. In doing so, he will communicate to them a copy of this order for their consideration.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the Director of Public Health.

.. the Surgeon-General.

.. all Heads of Departments.

Copy to the Accountant-General and to all Departments of the Secretariat (all sections).

.. President, Panchayat Board, Tiruvallur, through the President, Taluk Board.

.. President, Taluk Board, Tiruvallur.

.. President, District Board, Chingleput.

.. Collector, Chingleput.

.. Examiner of Local Fund Accounts.

.. Sanitary Engineer to Government.

APPENDIX III.

[Vide answer to question No. 844 asked by Rai Sahib C. Kolanda Reddi at the meeting of the Legislative Council held on the 23rd March 1934, page 684 supra.]

Sisters who resigned their appointments and the reasons for their resignation.

1. King George Hospital, Vizagapatam—

(1) S. Bicknell—Resigned for reasons of health.

2. Headquarters Hospital, Masulipatam—

(1) Rose Mary—Resigned on account of ill-health.

(2) Lucas Sopranatty—Resigned on administrative grounds.

(3) Mary M. Kollar—Resigned for working up a dispensary for the poor opened by the Superior General.

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3. Headquarters Hospital, Kurnool—

(1) Sister Yonette and (2) Sister Joseta—Resigned as both of them were not granted leave at the same time.

4. Headquarters Hospital, Guntur—

(1) Sister Anselma, (2) Sister Angelina and (3) Sister Reinera Verhoeven—The sisters were not willing to take night duty like other nurses and hence they resigned.

APPENDIX IV.

[Vide item V at page 701 supra.]

To

THE HONOURABLE MEMBERS OF THE
MADRAS LEGISLATIVE COUNCIL.

We, the undersigned Members of the Select Committee appointed to report on an amendment to Standing Order No. 80 of the Council moved by the Hon. the Leader of the House at the meeting of the Legislative Council held on the 1st March 1934, have the honour to report that we have met to-day to consider the amendment and that we approve of the same. We recommend that it be passed in the following form:—

AMENDMENT AS PASSED BY THE SELECT COMMITTEE.

'Insert the words "the member giving notice of the amendments and in case he is a non-official member, the Member of Government concerned also" before the words "and a Chairman of the Council to be nominated by the President", occurring in the first sentence of the Standing Order.'

B. RAMACHANDRA REDDI (*Chairman*).

MD. USMAN.

M. A. MUTHIAH CHETTIYAR.

C. NATESAN.

J. K. METHERELL.

P. SUBBARAYAN.

R. RANGA RAO (*Hon. the Raja of Bobbili*).

K. P. RAMAN MENON.

A. KRISHNASWAMI.

G. JAGANNADHA RAJU.

9th March 1934.

[23rd March 1934]

APPENDIX V.

[Vide item VII at page 731 supra.]

PUBLIC WORKS AND LABOUR DEPARTMENT.

U.O. NOTE No. 3106 D/34-5, DATED 27TH FEBRUARY 1934.

COMMUNICATION TO THE LEGISLATIVE COUNCIL.

With reference to question No. 587 answered on 1st February 1934 (execution of drainage schemes recommended by the Settlement Officer, Guntur district), the Chief Engineer's report which has been since received is laid on the table of the House.

N. GOPALASWAMI—23-2-34.

To the Secretary, Legislative Council, with 175 copies.

23rd March 1934]

Annexure.

Letter from M.R.Ry. Rao Bahadur R. NARASIMHA AYYANGAR Avargal, B.A., B.E., Officiating Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated Madras, the 22nd January 1934, No. 1894/33 C-3.

[Drains—Kistna Western Division—Guntur district—Drainage schemes—
Submersion in Bapatla taluk.]

I forward herewith a list of drainage works carried out during the last 30 years, furnished by the Superintending Engineer, Bezwada. It will be seen that the report of the last resettlement divides the area into three drainage systems and contains only a general description of the drainage difficulties in them and it contains no suggestions regarding works to be carried out. In the list now submitted, column (5) refers to the drainage systems mentioned by the Resettlement Officer.

[Annexure]

Kistna Western Division—Drainage improvements carried out during the last thirty years in Kistna Western Delta.

Item number and name of work.	Brief description of the object.	Amount of the estimate.	Actual outlay.	Block number.	How far the object of the work has been realized.
(1)	(2)	(3)	(4)	(5)	(6)
1 Excavating the Poondla drain.	To take the drainage of the Naktavagu over the Garikapad outlet at 24 miles 1 furlong by converting the then existing Poondla channel into a drain up to 2 miles 6 furlongs and thence via the drainage course running parallel to the Poondla channel into the Nallamada drain. For the full development of the delta system.	RS. 19,800	Not available.	III	As the surplus sluice at the head of the drain (from Commamur canal) was not frequently operated, the drain got silted up. Due to lack of funds silt clearance has not been done. The drain seems to relieve the Commamur canal of its excess water.
2 Excavation and improvements to the Repalle drain.		17,000	Do.	I	Object fully realized. Further improvements also executed in 1933.
3 Excavating Moparru affluent.	To drain 1.8 square miles between Bodapadu and Moparru channel and thereby make it possible to harvest the crop in December.	1,820	Do.	II	It is working satisfactorily and the object of the work is realized.
4 Draining the Bapatla East swamp.	To relieve 2,338 acres of wet land in the Bapatla tank-bed from drainage.	17,660	17,207	III	Object realized inasmuch as relief is felt in low floods.
5 Extending the Rayakampadu affluent.	To drain the lands between Varahapuram Kollur side channels.	1,602	Not available.	I	There are no drainage complaints and this comes under Block No. 1.
6 Improvements to Suripalli drain.	For giving the drain a suitable section in each reach and straightening those portions of the drain which are particularly tortuous.	740	Do.	I	This is a minor improvement.
7 Appapuram Project drainage scheme.	To improve the drainage conditions.	2,85,749	2,99,500	West of Commamur canal.	The improvement has been considerable and the submersion on the right of Commamur canal considerably relieved.

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8 Excavating Poparru drain, West side channel.	To drain lands in the Poparru village into Temali drain.	490	459	II	It is working satisfactorily. The object of the work is realized.
9 Improvements to Vellatur affluent.	Not available	470	Not available.	III	This is a minor improvement.
10 Compensation for land for excavating a drainage channel for Inagarthipad lands to meet Appikatta drain.	Do.	430	363	III	Do.
11 Excavating a drainage channel along donka in rear of Nidubrole drainage sluice.	Do.	420	381	II	Do.
12 Excavating a drainage channel in Modukur village.	To relieve about 50 acres of wet lands from submersion.	160	164	II	Object realized.
13 Excavating Kuchellapad drain.	Not available	640	537	I	This is a minor improvement and it has improved condition.
14 Excavating side drain by raising Morthotaparran channel.	To give relief to 1.37 square miles on the right side of Morthotaparran channel and to save the right bank of the channel from being breached by the drainage water.	480	395	I	Object realized.
15 Excavating Karumur Palliconna drain.	To give relief to the land north of the new Palliconna branch channel and West of Bethapudy channel.	220	169	I	Do.
16 Excavating Doppalapudi affluent.	To relieve the land between Gopi tank channel and Ponnur channel.	4,570	Not available.	II	Has given some relief but there are other difficulties in draining the area to be dealt with.
17 Excavating a minor drain in Peravali village.	To relieve from submersion 380 acres of land lying between the Kollipara channel itself and Peravali old branch of Kollipara channel.	510	262	I	There is no drainage complaint.
18 Improvements to Marripudy drain.	To provide drainage facility to the tract of country bounded by Appikatta channel, Itharu channel and West Ponnur channel.	500	521	III	Relief partial due to the area being complicated and other causes.

Kistna Western Division—Drainage improvements carried out during the last thirty years in Kistna Western Delta—*cont.*

Item number and name of work.	Brief description of the object.	Amount of the estimate.	Actual outlay.	Block number.	How far the object of the work has been realized.
(1)	(2)	(3)	(4)	(5)	(6)
19 Excavating Polarayagunta drain.	To afford relief to an extent of 1,000 acres in Nandur and Vallabharaopalem villages.	RS. 4,000	RS. 3,107	III	Object realized.
20 Excavating Nadimpalli drain.	To give drainage facilities for a large area of land between Lanjagunta channel on the east and Gulapalli channel on the west.	10,810	Not available.	II	The ryots say there has been no submersion at all after the drain was excavated. Some repairs are required now.
21 Improvements to Pollards channel for converting the Tenali-Zampani channel into a drain.	Vide remarks column	3,500	3,102	II	Old Tenali-Zampalli channel was an irrigation channel. The ayacut under this was transferred to Pollards channel and necessary improvements were carried out for irrigation. The old Tenali-Zampani channel was handed over to the Tenali Municipality for improving the same for effective drainage of the Tenali town. It was not sanctioned as a drainage scheme and the municipality has not improved the drain till now.
22 Improving the Bhattiprolu drain from 12-0 to 16-6-410.	To relieve the submergence of wet lands under Isukapalli channel above Isukapalli aqueduct.	24,000	36,827	I	The improvements carried out did not appreciably improve the state of affairs that existed before and another estimate was therefore sanctioned (vide item No. 30 below).

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Item number and name of work.	Brief description of the object.	Amount of the estimate.	Actual outlay.	Block number.	How far the object of the work has been realized.
(1)	(2)	(3)	(4)	(5)	(6)
23 Excavating straight cut for the Tungabhadra drain near Kattempudi village.	To safeguard the house-sites in the village from erosion due to the tortuous course of the drain and also to increase the fall of the drain.	2,850	2,423	II	Object realized.
24 (i) Donepudy affluent (ii) Kollur affluent (iii) China Pulivaru drain ..	To avoid accumulation of water in the depression on the East of China Pulivaru village.	1,338 } Not separately booked 387 } being part 2,400 } of a scheme.		I	Do.
25 (1) Excavating affluents— (2) Improving Gollamudi drain.	Zupudi Not available Gollamudi	7,565 } 1,555 }	Do.	III	Full information is not available. They are functioning now, though the area is still having some drainage difficulties.
26 Excavating Paruchuru vagu drain.	To provide drainage facilities for lands irrigated under Karenchedu block and relieve them from submersion due to the floods in Parachur vagu.	5,900	Not available.	III	Object realized.
27 Improvements to the drainage of Marukondapadu block.	To give relief to the lands irrigated by the Bapatla tank west branch of Kankatapalem, Narasayapalem side channel, Cherukuru tank channel, Murukondapadu channel, and its branch the Nadimi channel.	11,800	Do.	III	Do.
28 Excavating a drain on the right side of Commamur channel from 55-0 to aqueduct at 55-7.	To relieve the submergence of Swarna village.	620	603	III	Relief partial.
29 Excavating side drains along the left outer toe of Bank canal from 10-2-14-2.	Information not available ..	2,000	1,797	I	Object realized. There is no drainage complaint.

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Kistna Western Division—Drainage improvements carried out during the last thirty years in Kistna Western Delta—cont.

Item number and name of work.	Brief description of the object.	Amount of the estimate.	Actual outlay.	Block number.	How far the object of the work has been realized.
(1)	(2)	(3)	(4)	(5)	(6)
30 Excavating a straight cut to Bhattiprolu drain from 16-4 — 270 to 18-5 — 360. channel above Isukapalli aqueduct.	To relieve the submergence of wet lands under Isukapalli channel above Isukapalli aqueduct.	Rs. 14,360	Rs. 34,129	I	Relief in the area is noticeable but further improvements are necessary. The bridge needs extension of vent ways or a road dam must be added on the site.
31 Excavating Allur drain in Bhattiprolu limits.	A portion of the original drain having been assigned to the depressed classes it was found necessary to excavate a regular drain for the drainage of the lands on the western side of the drain. To reduce the strain on the Tungabhadra drain due to the entering of the Kollimerla and Nallamada drains into it.	2,350	1,739	I	Object realized.
32 Diversion of Nallamada drain.	To reduce the damages to Malapalli by floods.	10,18,000	9,23,391	II	Relief marked.
33 Excavating the straight cut in Bhattiprolu drain above railway bridge.	To reduce the damages to Malapalli by floods.	380	207	I	Object realized.
34 Extending Repalle main drain straight cut.	Relief to tail-end lands of Idupalli and Muthupalli.	22,570	..	I	Object realized as seen during last floods. Work nearly completed.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Saturday, the 24th March 1934.

The House met at eleven of the clock, A.M. 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 Hepetoun. 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 Maeran Sahib Bahadur, A. M. Alamelumangathayaramma, Mrs. K. Annamalai Chettiyar, Mr. S. A. A. Appadurai Pillai, Diwan Bahadur A. Arasu, Mr. V. T. Ari Sowder, Mr. H. B. Basheer Ahmed Sayeed Sahib Bahadur. Basu Dev, Mr. C. Bayappa Reddi, Mr. P. Bhanaji Rao, Mr. A. V. Birley, Mr. F. Devedas, Mr. M. Dharmalingam Pillai, Rao Sahib V. Duraiswami Reddiyar, Mr. K. M. Penker, Mr. B. Gopalaswami Mudaliyar, Diwan Bahadur M. Gopalaswami Ayyangar, Diwan Bahadur N. Hood, I.C.S., Mr. H. M. Indragya, Mr. C. Jagannatham, Mr. H. M. Jayaram Nayudu, Rao Sahib C. Kesavaramamurti Nayudu, Mr. K. Kalanda Reddi, Rai Sahib, C. Koti Reddi, Mr. K. Krishnayya Choudari, Mr. P. V. Krishnamurti, Rao Bahadur D. Krishnan, Mr. C. Krishnaswami Ayyar, Diwan Bahadur Sir Anadi. Kumaraswami of Venkatagiri, The. Laddu, Mr. W. W. Lakshmana Reddi, Mr. G. Langley, Mr. W. K. M. Madanapalayam Nayudu, Mr. B. Mahara of Venkatagiri, The. Manikavolu Nayakar, Mr. M. A. Metherell, Mr. J. K.

Moses, Mr. P. C. Muniswami Nayudu, Diwan Bahadur B. Muniswami Pillai, Rao Sahib V. I. Muthiah Chettiyar, Mr. M. A. Muthu Chettiyar, Rao Bahadur P. C. Nanjappa Bahadur, Subadar-Major S. A. Narasa Reddi, Mr. T. Narasimhaswami, Rao Sahib D. V. Natesa Mudaliyar, Rao Bahadur C. Palat, Mr. R. M. Pannirselvam, Rao Bahadur A. T. Parthasarathi Ayyangar, Mr. C. R. Patnaik Mahasago, Sriman M. G. Patro, Kt., Rao Bahadur Sir A. P. Pattabhiramayya, Mr. K. Pattagar of Palayakottai, The. Peddiraju, Mr. P. Pocker Sahib Bahadur, B. Premayya, Mr. G. R. Rajagopala Pillai, Mr. P. V. Ramachandra Padayachi, Mr. P. M. Ramakrishna Reddi, Mr. A. Ramalingam Chettiyar, Rao Bahadur T. A. Ramamurti, Rao Sahib Pandit Ganala. Raman Menon, Mr. K. P. Ramaswami Ayyar, Mr. T. S. Ramaswami Mudaliyar, Mr. V. M. Ranganatha Mudaliyar, Mr. A. Ranganatha Mudaliyar, Mr. G. Ranganatha Mudaliyar, Mr. M. D. T. Rangaswami Reddi, Mr. M. B. Ratnasabhapati Mudaliyar, Diwan Bahadur C. S. Sahajanandam, Swami A. S. Sami Venkatachalam Chetti, Mr. 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.

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PRESENT—cont.

Thangal, Mr. P. M.
 Thorne, C.I.E., I.C.S., Mr. J. A.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venkatarama Ayyar, Mr. K. R.
 Venugopal Nayudu, Rao Bahadur R. K.

Viswanatha Rao, Diwan Bahadur V. N.
 Yahya Ali Sahib Bahadur, Khan Bahadur.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Measures taken by Government to ensure the admission of Adi-Dravida pupils into all schools maintained at public expense.

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

(a) whether the Government have already issued or propose to issue orders to enforce admission of Adi-Dravida pupils in all schools maintained out of public funds;

(b) if the answer to clause (a) is in the affirmative, what the nature of such orders are;

(c) whether the District Educational Councils have been asked to deal with schools which refuse admission to Adi-Dravida pupils severely by refusing grants;

(d) whether the Government have issued instructions to the inspecting officers indicating the nature of the penalties to be imposed on schools that admit caste pupils who leave one school because Adi-Dravida pupils are admitted and seek admission in another school;

(e) whether they have under consideration any other proposals to promote the admission of Adi-Dravida pupils into all schools; and

(f) whether the Government will be pleased to place on the table of the House all the orders issued by Government on the subject of admission of Adi-Dravida pupils or at least give a gist of such orders giving the various steps taken to enforce their admission?

A.—(a) & (b) The Government have already issued orders in this matter. In regard to schools under local bodies, these bodies have been warned that subsidies now paid on behalf of schools situated in places inaccessible to depressed class children will be withdrawn, if, on investigation, it is found that such schools can be removed to accessible localities and that the local boards deliberately omit to take action in that direction. As regards schools under private management, provision has been made in the Grant-in-Aid Code and the rules framed under the Elementary Education Act, 1920, that grants shall be withdrawn from institutions which refuse admission to any pupil merely on the ground of the caste to which he belongs.

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(c) & (d) The Government have not issued any special instructions.

(e) Certain new proposals with this end in view are at the moment under the consideration of the Government.

(f) The hon. Member is referred to—

(i) the reviews of Government on the annual reports on the admission of pupils of the depressed classes into schools under public management not specially intended for them which have been placed at the disposal of the Press and in the Legislative Council Library;

(ii) Article 1 of the Grant-in-Aid Code and rule 9 of Chapter I of the rules framed under section 42 (2) of the Elementary Education Act, 1920.

Mr. A. B. SHETTY:—“ May I know whether grants or subsidies have been withdrawn in the case of any school? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Yes, Sir.”

Mr. A. B. SHETTY:—“ May I ask what new proposals are under the consideration of the Government for promoting the admission of Adi-Dravida pupils in the schools? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I do not want to disclose them before the Government come to a decision on the matter.”

Proposal, if any, for holding a public examination at the end of the VIII standard and III Form.

* 846 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Excise be pleased to state whether the question of holding a public examination at the end of the VIII Standard and III Form has ever been considered?

A.—The question has been considered on various occasions.

Mr. A. B. SHETTY:—“ The answer says that the question has been considered on various occasions. May I know what decision has been come to in the matter? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ No such examination is necessary or called for.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask the reasons why the Government consider that such examination is necessary or unnecessary? ”

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

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the middle school system has been given up? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It is so.”

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Fisheries

Disposal of the nets and other equipment provided for the trawler "Lady Goschen."

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

(a) whether all the nets and other equipment provided for the trawler the "Lady Goschen" have been disposed of; and

(b) whether the cable is being used for conducting experiments and, if so, with what results?

A.—(a) The trawler with the stores on board has been disposed of.

(b) Attention is invited to the Administration Report of the Department of Fisheries for 1931-32 and 1932-33, paragraphs 53 and 57, respectively.

Nature of the experiment on fish manure conducted at the Tanur research station.

* 848 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Excise be pleased to state what the nature of the experiment on fish manure is which is being conducted at Tanur?

A.—Experiments now in progress relate to the manufacture of manure and meal from a mixture of dry seaweed and raw fish. A trial was also made in the course of the year to find out the results of manuring coconuts with disintegrated seaweed.

Medical Administration

Facilities for higher studies to provincial service medical men.

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

(a) what facilities for higher studies are now given to provincial service medical men; and

(b) whether any post-graduate training is given to them in Madras City hospitals?

A.—(a) The officers are now allowed to take only ordinary leave for purposes of higher studies.

(b) No regular post-graduate training is given by the Government. Such of the medical officers as are desirous of taking the post-graduate courses open in certain special subjects in the institutions in the Madras City during ordinary leave are allowed to do so.

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Rate of subsistence allowance paid to House Surgeons.

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

(a) what the number is of paid House Surgeons and Honorary House Surgeons working in the General Hospital as well as in each of the other Government hospitals in Madras;

(b) what the rate of subsistence allowance paid was to the paid House Surgeons prior to 1931-32 and what it is now;

(c) whether any representations have been received from these House Surgeons to increase the rate of their subsistence allowance either by Government or by the Surgeon-General;

(d) if so, what orders have been passed in the matter; and

(e) whether a copy of the representation as well as the order passed on it will be placed on the table?

A.—(a) & (b) The information is furnished in the appended statement.*

(c) Yes.

(d) & (e) A copy* of the correspondence from the Surgeon-General on the subject and a copy* of the order passed thereon are placed on the table.

Mr. V. M. RAMASWAMI MUDALIYAR:—"In view of the nature of the work that the House Surgeons and House Physicians are expected to do, especially in the headquarters hospitals in the City, may I ask whether a reasonable attitude cannot be taken with regard to the allowance granted to them?"

The Hon. the RAJA OF BOBBILI:—"These rates were fixed after careful examination; the Government feel that no case has been made out for any increase in their allowance."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Hon. the Chief Minister considers that Rs. 30 is sufficient for House Surgeons and House Physicians who spend most of their days in the hospital and whether it is a sufficient inducement for them to work?"

The Hon. the RAJA OF BOBBILI:—"There is no scarcity of applications; the allowance is not intended to cover their expenses, nor is it intended as an adequate remuneration for their work."

Differential scale of pay between Indian and Anglo-Indian nurses.

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

(a) the number of Indian and Anglo-Indian nurses in the Government hospitals in Madras City; and

(b) the difference in the scale of pay between these two classes of nurses?

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

(b) There is no difference in the scale of pay of the two classes of nurses.

* Printed as Appendix 1 on pages 846-848 infra.

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Protest by Catholic Christians against the establishment of birth-control clinics.

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

(a) whether the Government have received a representation from the Catholic Association of South Kanara protesting against the establishment of birth-control clinics as subversive of morals, dangerous to the interests and welfare of the State, and opposed to religion;

(b) whether the Government are aware that throughout the province the Catholic community has strongly protested against the establishment of birth-control clinics, and that protest public meetings have been held at Madras, Mangalore and elsewhere;

(c) whether there is any truth in the paragraph which appeared in the *Madras Mail* on the 14th September 1933 that Government is considering the question of establishing birth-control clinics;

(d) whether the Surgeon-General has been asked to report on the matter;

(e) if so, whether he has made a report; and

(f) if so, whether the Government will be pleased to place it on the table?

A.—(a) Yes.

(b) Protests have been received from the following Associations and bodies:—

- (1) Catholic Association, South Kanara.
- (2) Tuticorin Diocesan Catholic Association.
- (3) The Madras Catholic Social Guild.
- (4) Catholic Indian Association, Kumbakonam Branch.
- (5) Public meeting of the Catholics of the City of Madras.
- (6) Catholic Old Boys' Association, St. Xavier's College, Palamcottah.
- (7) Catholics of Tanjore.
- (8) South Indian Catholics in Mutale, Ceylon.
- (9) Nellore Diocesan Committee of the All-India Catholic League.

(c) Yes.

(d) Yes.

(e) Yes.

(f) The Government do not propose to place the report on the table at this stage.

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Mr. M. S. SRESHTA:—“ Besides the Catholic Associations, may I know whether other associations such as the Kistna District Sanatanist Conference, the Andhra Provincial Women's Conference, the Municipal Corporation of Karachi and the Municipal Council of Tuticorin have passed resolutions against the introduction of birth-control clinics? ”

The Hon. the RAJA OF BOBBILI:—“ I cannot say I am aware of all these representations. I have just seen most of them in the newspapers. ”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I ask whether the Hon. Minister is aware that the majority of opinion is in favour of introduction of birth-control? ”

The Hon. the RAJA OF BOBBILI:—“ That is a question which cannot be answered by me. I am aware that there is strong opinion in the country in favour of birth-control. ”

Mr. M. S. SRESHTA:—“ Will the Hon. Minister be pleased to state if he is aware that the French Government have issued a notification prohibiting birth-control methods and propaganda? ”

The Hon. the RAJA OF BOBBILI:—“ As far as I am aware, the French Government never officially recommended birth-control. ”

Rao Bahadur A. T. PANNIRSELVAM:—“ May I know on what data the Government have come to the conclusion that there is considerable volume of opinion in favour of birth-control? ”

The Hon. the RAJA OF BOBBILI:—“ I am speaking from what I find in the newspapers. Opinion is divided; I have not stated that the majority of opinion is one way or the other. ”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Is the Hon. the Chief Minister aware of the fact that the Conference of Clerics which was recently held at Lambeth was in favour of birth-control methods? ”

The Hon. the RAJA OF BOBBILI:—“ I have seen the report. ”

Mr. M. S. SRESHTA:—“ May I ask if the Hon. the Chief Minister is aware that if there is a large volume of opinion in favour of birth-control, there is equally a large volume of opinion—if not larger—against it? ”

The Hon. the PRESIDENT:—“ The Hon. Member is giving information; he may put only supplementary questions. ”

Mr. A. B. SHETTY:—“ May I know whether the All-India Women's Conference which met in 1932 and again in 1933, the All-India Social Conference and the All-India Medical Conference have passed resolutions urging the desirability of opening birth-control clinics in the State hospitals? ”

Mr. M. S. SRESHTA:—“ On a point of order, Sir. Is not the Hon. Member giving information? ”

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Rao Bahadur A. T. PANNIRSELVAM:—"The question was given notice of in October 1933. Has the answer given to clause (c), reference to the date of the question or the date of the answer?"

The Hon. the RAJA OF BOBBILI:—"It has reference to the date of the question."

Mr. M. S. SRESHTA:—"May I know whether the Hon. the Chief Minister has arrived at any decision in the matter?"

The Hon. the RAJA OF BOBBILI:—"The matter is under consideration of the Government."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Hon. the Chief Minister has got on record the policy or opinion entertained in this regard by his predecessor in office?"

The Hon. the RAJA OF BOBBILI:—"Except his speeches made on the floor of the House, I have no other information."

Diwan Bahadur A. APPADURAI PILLAI:—"May I know if the Hon. Minister is aware that not only Catholics but also a large number of Protestant Christians are opposed to the introduction of birth-control clinics in the hospitals? Is the Hon. Minister aware that Bishop Waller . . ."

The Hon. the PRESIDENT:—"The Hon. Member may put a supplementary question but not give information."

Mr. G. LAKSHMANA REDDI:—"Is not self-control preferable to birth-control?"

Land Revenue Administration.

Prices of garden produce now and at the time of resettlement in Malabar.

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

(a) what the average price of garden produce such as coconuts and pepper were at the time the resettlement rates of land revenue were introduced in the district of Malabar; and

(b) what the prices are for the same products now?

A.—(a) & (b) At the resettlement of the plains taluks of Malabar, as at the previous settlement, garden land was defined as land which contained 10 or more bearing coconut palms, or the equivalent in areca or jack trees, to an acre. Thus pepper is not charged for as a garden crop.

The resettlement rates were introduced in three taluks in 1931-32 and in one other taluk in 1932-33; they are being introduced in the remaining four plains taluks this fasli.

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The introduction of the rates is subject to increment remissions of two kinds, and also to the concessions granted last fasli and this fasli on account of low prices.

CORRIGENDUM.

Proceedings of the Legislative Council of the Governor of Madras, dated Saturday the 24th March 1934.

Vol. LXXI, No. 12.

Answer to Question No. 853, page 771, line 14, against "(c) October 1932" insert "35-10-0".

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

The price reported for January 1934 is Rs. 19-05.

Disabilities of the lessees of lanka lands in the Godavari.

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

(a) whether there is a particular lease form of deed for 'A', 'B' and 'C' class lankas in the Godavari river;

(b) whether the lease form of deed will be placed on the table of this House;

(c) whether the lessee is permitted to cultivate any accretion to or abutting on the leased lands; if not, why he is not permitted to cultivate on condition of paying proportionate rent;

(d) whether it is a fact that some lankas are washed away by the floods; if so, whether the Government are remitting proportionate rent;

(e) whether there are any conservators of rivers;

(f) whether it is necessary for lanka ryots to get previous permission of the Conservator to raise cattle-sheds and storage-sheds on the lankas;

(g) whether it is a fact that the lanka ryots are not allowed to dig wells in lankas for cultivation purposes;

(h) whether the ryots will be provided with the necessary facilities;

(i) whether it is a fact that the rent is levied in two equal instalments in the months of March and April;

(j) whether the Government have received any representations to increase the number of instalments; if so, what the Government propose to do,

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(k) who the final appellate authority is over the decision of Conservator with regard to (i) compensation for any loss or damage sustained by the lessee and (ii) relinquishment of any part or whole of the demised premises; and

(l) whether a lanka ryot can lease out to sub-lessees; if not, why not?

A.—(a) There are two forms of lease-deed, one for 'A' class lankas and another for 'B' and 'C' class lankas.

(b) The forms are being obtained from the Collector and will be placed on the table of the House in due course.

(c) The lessee has no right to any accretion forming after the granting of the lease. The Government are not aware whether in practice cultivation of accretions on payment of proportionate rent is permitted.

(d) Yes.

(e) Yes.

(f) Yes.

(g) The Government are not aware that the fact is as stated.

(h) The Government do not understand what facilities are intended.

(i) Yes. On 10th March and 10th April of every year.

(j) The Government have ordered on the recommendation of the Collector of East Godavari that the rentals for the current fasli in that district may be collected in not more than four instalments in certain cases.

(k) The Collector as regards (i). As regards (ii) it would depend on the circumstances in which the relinquishment is made.

(l) Yes, with the written permission of the Collector.

Mr. G. SRIRAMULU:—"May I know whether the Government have received any representations from the ryots of West Godavari district?"

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

Public Service.

Admissibility of acting allowances to lower division clerks officiating in the upper division.

* 855 Q.—Khan Bahadur MAHMUD SHAMNAD SAHIN Bahadur: Will the Hon. the Member for Revenue be pleased to state—

(a) whether officiating allowances are given when clerks in the lower division act in the upper division vacancies in the Secretariat;

(b) whether this allowance is given in A class offices in the Madras City;

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(c) if so, which they are; and

(d) in which other departments of the Government this acting allowance is granted?

A.—(a) Clerks who are substantive in the lower division are not given officiating allowance when they officiate in the upper division in the Secretariat. The attention of the hon. Member is also invited to the answer to question No. 317 given on 3rd November 1933.

(b) & (c) No.

(d) Officiating promotion from the lower to the upper division posts of clerks as such has not been allowed in any department. Officiating promotion has however been allowed to certain posts such as head clerks or head accountants included in the upper division where the incumbents of such posts exercise definite duties of supervision and control over the work of other clerks.

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether, with regard to this identical question, the Government have promised to consider the question in view of the anomaly that was pointed out?"

The Hon. Sir ARCHIBALD CAMPBELL:—"No orders have been issued yet."

Administration of Justice

Delay in filling vacancies in the Judicial Department.

* 856 Q.—Mr. MAHMOOD ALI BAIG: Will the Hon. the Law Member be pleased to state—

(a) how many permanent vacancies there are of District Judges, Subordinate Judges and District Munsifs up to date;

(b) for how long these permanent vacancies have been kept without being filled up;

(c) whether it is a fact that in other departments of the Government, permanent vacancies are filled up immediately; and

(d) what the special reasons are, if any, why in the Judicial Department permanent vacancies are not filled up for a considerably long time?

A.—(a), (b), (c) & (d) A statement* regarding District Judges and Subordinate Judges is laid on the table. Officiating arrangements have been made in the posts referred to in the list. The question of filling them up permanently has been engaging the attention of Government for some time past and orders will be issued shortly. Confirmation of District Munsifs vests in the High Court.

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Mr. M. DEVADASAN:—" May I know whether and when the Government are going to fill up the vacancies referred to in the list given in the appendix? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The Government will fill up these vacancies permanently soon."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether there is a proposal for direct recruitment for these posts from the Bar? "

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

Electricity

Failure of the licensee of the Calicut Electric Installation to carry out the terms of the licence.

* 857 Q.—B. POCKER SAHIB Bahadur: Will the Hon. the Law Member be pleased to state—

(a) whether the Government granted licence to any one for installation of electricity in Calicut town, and, if so, when and to whom;

(b) what the conditions are under which the licence, if any, was granted and whether such conditions were fulfilled and whether such licensee has carried out the purpose of the licence;

(c) whether the Government had reason to know that the licensee is not in a position to carry out the purpose of the licence;

(d) whether the Municipal Council, Calicut, ever asked the Government to grant the licence to them for the installation of electricity in Calicut, and, if so, whether the Government refused to comply with the request, and why;

(e) whether the Government had approved of the proposal of the licensee to assign the licence to any third party and whether the request before the Government when they approved of the proposal to transfer the licence;

(f) what the conditions are on which the proposed transfer of the licence was approved of by the Government and whether those conditions have been fulfilled and whether the transfer has been completed;

(g) if not, whether there is any time-limit for the fulfilment of such conditions and, if so, what the period is within which the conditions ought to be fulfilled; and

(h) if the transfer is not completed, whether the Government had considered the advisability of granting licence to the municipality?

A.—(a) Yes; in December 1927 to Mr. K. C. Menon of Calicut.

(b) The terms of the licence are published in Part I of the *Fort St. George Gazette*, dated the 20th December 1927. The licensee complied with the conditions of the licence in the first instance.

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(c) There have been complaints and reports to this effect against the licensee.

(d) The Council in January last asked that the existing licence should be revoked and that a fresh licence should be granted to itself. The request for a licence to the Council was not considered because the Government considered that at the time there was not sufficient justification for revoking the existing licence.

(e) Yes.

(f), (g) & (h) A copy * of the Government Order sanctioning the assignment is attached.

B. POCKER SAHIB Bahadur:—" May I know whether the Government will consider the request of the municipality to be granted licence, if the new company is not able to fulfil the conditions as they have undertaken to do? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" In the first place I am not prepared to answer a hypothetical question. In the second place I know that the company is fulfilling the conditions and obligations imposed upon it by the Government."

B. POCKER SAHIB Bahadur:—" May I know the reason why the Government refused to consider the request of the municipality, and whether the request of the municipality was before the Government at the time when they consented to the assignment of the licence from Mr. K. C. Menon to this new company? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Because the Government did not think it necessary to revoke the licence when the municipality applied for it."

B. POCKER SAHIB Bahadur:—" Is it not a fact that Mr. K. C. Menon did not fulfil the conditions under which the licence was given and that the request of the municipality was before the Government then? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The request of the municipality was before the Government. As I submitted on the floor of this House at the time of the general discussion on the Demand for Electricity, it was within the competence of the Government to revoke or not to revoke the licence, and the Government in their discretion thought that it would be extremely injurious to the public interests to revoke the licence."

B. POCKER SAHIB Bahadur:—" Why did not the Government think it necessary to revoke the licence given to Mr. K. C. Menon in view of the fact that he did not fulfil the conditions? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" As I said more than once, I say again that in the interests of the small and big consumers of electricity and the interests of the people who have invested money on the concern, the Government thought that it would be extremely undesirable to revoke the licence."

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B. POCKER SAHIB Bahadur:—"Is it in the interest of the people that the Government should prefer a private body to the municipality?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"My friend, who is a lawyer, ought to know what the provisions of the Electricity Act are. The municipality can get it only after the licence is revoked. And the Government have no right to compel the licensee to transfer the licence to the municipality."

(For further list of starred questions, please see page 777 infra.)

UNSTARRED QUESTIONS.

Local Self-Government.

Assessment of scavenging tax on the Madura Mills Company by the Tuticorin Municipal Council.

858 Q.—Mr. W. K. M. LANGLEY: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Local Self-Government Department issued G.O. Ms. No. 132, L. & M., dated 6th January 1934, asking the Municipal Council to reconsider its decision in the matter of the assessment of scavenging tax of the Tuticorin Municipal Council on the Madura Mills Company;

(b) whether notwithstanding this Government Order, the Municipal Council at its meeting on 9th February 1934, insisted on a continuance of the scavenging tax; and

(c) what further action the Government propose to take in the matter; and

(d) whether the Government propose to effect an amendment of the District Municipalities Act in order to render section 83 (4) mandatory?

A.—(a) Yes.

(b) The Manager, Madura Mills Company, Ltd., Tuticorin, brought the fact to the notice of the Government.

(c) The Government do not propose to take any further action in the matter.

(d) No.

Electricity.

Purchase of posts and insulators for the Pykara Hydro-Electric Scheme.

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

(a) the number of posts for the line purchased locally during the year 1933-34 for the Pykara Hydro-Electric Scheme;

(b) whether they are made of Indian materials or whether they are imported;

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(c) whether attempts have been made to get these locally or in any Indian manufacturing firms; and

(d) whether insulators made in India are now available?

A.—(a) About 2,400.

(b) All the poles are imported ones excepting about 145 which are second hand rails and presumably of Indian make.

(c) There is no Indian firm manufacturing suitable steel tubular poles.

(d) Only L.T. insulators of Indian make are available and these are being used.

STARRED QUESTIONS

Education

Qualifications of the Lecturer in Kanarese, Ceded Districts College, Anantapur.

* 860 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that no proper arrangements are made in the Ceded Districts College for tuition in Kanarese as main group or subsidiary group;

(b) what the qualifications are of the lecturer appointed to teach Kanarese translation in the said College;

(c) whether the mother-tongue of the said lecturer is Kanarese; and

(d) what action the Government have taken or propose to take in the matter?

A.—(a) This is not the case; adequate provision exists for teaching Kanarese under Part II of both the Intermediate and the B.A. courses.

(b) He is an M.A. of the Madras University, in Telugu and Kanarese.

(c) His mother-tongue is Telugu.

(d) No action is contemplated.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know if the lecturer is a graduate in Kanarese?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"It is said in the answer that he is an M.A. in Telugu and Kanarese."

Mr. U. C. SUBRAHMANYA BHATT:—"My question is whether he is B.A. in Kanarese? May I ask whether Kanarese was his principal language for his M.A.?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"It appears that Telugu was his principal language."

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Mr. U. C. SUBRAHMANYA BHATT:—"Will the Hon. Minister be pleased to state whether the Government have received any complaints as to his qualifications?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"No, Sir; not as far as I am aware."

Admission of Adi-Dravidas without previous teaching experience into training schools.

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

(a) whether the Director of Public Instruction has issued orders that only pupils who have had one year's previous experience as teachers should be admitted into training schools;

(b) whether previous to the date of passing the order, the Adi-Dravidas and other backward communities could secure admission even without previous service;

(c) whether the Commissioner of Labour was consulted before passing revised orders regulating the admission even of Adi-Dravida pupils;

(d) whether the Director of Public Instruction or the Government have received representations pointing out that it would be impossible for the Adi-Dravidas to satisfy the condition imposed; and

(e) if the answer to clause (d) is in the affirmative, what orders have been passed on those representations?

11-15
a.m.

A.—(a) The Director issued proceedings to this effect in August last but in subsequent proceedings issued in December it was intimated that in the case of women, Muslims and the depressed classes, where sufficient candidates with one year teaching experience were not forthcoming, exemption could be made under the orders of the Director of Public Instruction.

(b) Yes, and they can now under the orders of the Director of Public Instruction.

(c) The Commissioner of Labour has not been consulted.

(d) & (e) The modified proceedings of December were passed as a result of certain representations which were made to the Director of Public Instruction.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know if there is any restriction on the appointment of untrained men in the local boards' schools or in schools aided by the Government?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"There is."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know how, even before they join the training school, the Government expect them to have one year's service as teachers?"

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The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"There are a number of untrained men employed as teachers, and they can get the necessary training."

Amendment to rule 138 of the Madras Educational Rules.

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

(a) whether it is a fact that the Director of Public Instruction has given retrospective effect to the amendment to rule 138 of the Madras Educational Rules;

(b) whether it is a fact that a large number of applications pending in the office of the Commissioner of Examinations have been returned to the candidates asking them to appear for the examination as per amended rule though they had completed the literary course and obtained the certificate of the Deputy Inspector of Schools; and

(c) whether representations have been received protesting against the decision of the Director of Public Instruction for giving retrospective effect to the amended rule and if so, what the orders of Government have been on such representations?

A.—(a) All applications for conversion of lower elementary trained certificates into those of the higher elementary grade which had not been disposed of before the date (4th September 1933) of the Government Order amending rule 138 have been treated as coming under the amended rule.

(b) Eighty-four applications received prior to 4th September, the date on which the rule was amended, were returned.

(c) Yes; the Government have declined to interfere.

Refusal of admission to students of the Presidency College into the Victoria Hostel.

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

(a) what the strength has been of the Victoria Hostel, Madras, in each year since 1925-26;

(b) what the strength is in the current year;

(c) whether it is a fact that the students, especially first and third year students of the Presidency College, Madras, are refused admission;

(d) if so, what it is due to;

(e) whether the Presidency College has got a separate hostel called Presidency College Hostel;

(f) what the strength is of that hostel in each year since 1925-26;

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(g) whether it is situated in the Government building or rented building; and

(h) if in rented building, what the rent paid to it is?

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

(e) Yes.

(f) The following are the figures:—

1925-26	...	...	49	1930-31	...	...	42
1926-27	...	...	58	1931-32	...	...	33
1927-28	...	...	52	1932-33	...	...	42
1928-29	...	...	53	1933-34	...	...	40
1929-30	...	...	42				

(g) The hostel is located in a rented building.

(h) Rs. 280 a month.

Co-operation

Measures to ensure publicity of the rules framed under the Madras Co-operative Societies Act.

* 864 Q.—Mr. V. G. VASUDEVA PILLAI:—Will the Hon. the Minister for Public Works be pleased to state—

(a) what action has been taken to broadcast the information contained in the rules framed under the Madras Co-operative Societies Act published in *Fort St. George Gazette*, dated 1st August 1933, to the various societies;

(b) how many co-operative societies in the City and how many in the other districts of this Province have been instructed by the Registrar of Co-operative Societies to remove members from the rolls of the societies and when;

(c) whether it is a fact that a circular has been issued by him that the maximum borrowing power of an individual depressed class member of a primary co-operative society should be limited to Rs. 500 and in the case of mortgage of property to a limit of Rs. 1,000 per individual; and

(d) what provision has he made in the case of an individual requiring more than Rs. 1,000 on the mortgage of property?

A.—(a) Under section 19 of the Act, every society should keep a copy of the Act and rules at its registered address and all Central Banks, Federations and Unions have been informed that they may purchase copies of the rules from the Superintendent, Government Press.

(b) The hon. Member has presumably in mind the question of removal from membership of persons who are members of two credit societies with reference to rule XX of the rules issued under the new Act. The provisions of this rule have long been embodied in the by-laws of a very large

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number of credit societies. After the issue of the rules under the new Act, the attention of the Deputy and Sub-Deputy Registrars was drawn to the rule so that they might advise all credit societies in the Presidency to take action accordingly. When instances were brought to his notice recently that this rule was not being strictly followed, the Registrar has again asked his officers to take prompt action in cases of violation of the rule. The Government have no information as to how many societies are affected by the rule.

(c) No. The maximum limit is ordinarily Rs. 250 but the Registrar has agreed to the individual borrowing power in the depressed class societies in Madras City being fixed at a figure not exceeding Rs. 500 and he has also permitted, as a tentative measure, the introduction of special by-laws in three or four societies to enable the societies, if they so desire, to give loans to their members for the purchase of house-sites up to a maximum of Rs. 1,000 in deserving cases.

(d) If there is a demand for loans exceeding Rs. 1,000 for the purchase of house-sites, it is open to the society concerned, with reference to the repaying capacity of its members and subject to the willingness of the financing bank to lend the requisite funds, to suggest amendments to its by-laws for the approval of the Registrar.

Mr. V. M. RAMASWAMI MUDALIYAR:—“With reference to clause (b) of the question, is it not a fact, Sir, that the Registrar took action only a week or two ago?”

The Hon. Mr. P. T. RAJAN:—“No, Sir.”

Mr. V. G. VASUDEVA PILLAI:—“May I know, with reference to the answer to clause (c), why the borrowing power has been limited to Rs. 250 in the case of the Depressed Class societies?”

The Hon. Mr. P. T. RAJAN:—“Ordinarily it is only Rs. 250 but they can lend up to Rs. 500.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“Is it not a fact that certain hon. Members of this House have made representations to the Hon. Minister with regard to the staying of proceedings against three prominent co-operators of the City in this matter?”

The Hon. Mr. P. T. RAJAN:—“Reference was made to me and the matter is being considered.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“May I ask, Sir, whether the Hon. the Minister is aware of the fact that under rule 20, under which presumably action has been taken, it is open to the Registrar or the Government to grant exemptions to prominent co-operators so that they may be members of more than one society?”

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The Hon. Mr. P. T. RAJAN:—"Such exemptions are given; but they are generally done only in the case of thrift societies, and not in the case of ordinary co-operative credit societies."

Rao Bahadur C. NATESA MUDALIYAR:—"May I know whether the Government are aware that this rule is acting prejudicially to the interests of the co-operative societies?"

The Hon. Mr. P. T. RAJAN:—"I do not think so."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask the Hon. the Minister whether he will make investigations into the facts contained in the memorial presented to him, and whether until that time, he will stay further proceedings, which will prejudicially affect prominent co-operators of the city?"

The Hon. Mr. P. T. RAJAN:—"I have already told the hon. Member that the matter is receiving the consideration of the Government."

Rao Bahadur C. NATESA MUDALIYAR:—"May I know, Sir, why this rule exists at all?"

The Hon. Mr. P. T. RAJAN:—"In the interests of the societies, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the intention of the rule is that the co-operators should not borrow from more than one society at the same time, and where no such condition exists, is there any necessity for a strict application of this rule?"

The Hon. Mr. P. T. RAJAN:—"As the hon. Member pointed out, it is with a view to prevent people from borrowing from more than one society; but the Government cannot take into account the cases of individuals. That is why the rule has been in force."

Local Self-Government

Disciplinary action taken by Government for alleged irregularity in the conduct of elections to the Chingleput District Board in 1932.

* 865 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon. the Minister for Local Self-Government be pleased to state the action taken by the Government to trace the missing bundles of counterfoils or punish the officer or officers responsible for the loss of the counterfoils in connexion with the election held in 1932 to the District Board of Chingleput?

A.—The hon. Member's attention is invited to the answer to question No. 830.

Sanction accorded by Government for certain appointments and confirmations on the establishment of the Salem District Board.

* 866 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 Government have recently passed orders directing the presidents of district boards not to fill up the vacancies in their establishments either by permanent or by acting appointments;

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- (b) whether a copy of the order will be placed on the table;
- (c) whether the President, Salem District Board, applied for the approval and sanction of any appointments and confirmations made by him since the date of the Government Order referred to in clause (a);
- (d) whether the Government have accorded their approval and sanction for such appointments and confirmations;
- (e) if so, what the reasons are for giving such sanction; and
- (f) whether the copies of the letter or letters of the president, pleading for approval and the orders of Government in each case will be placed on the table?

A.—(a) Yes.

(b) A copy* of G.O. No. 692, L. & M., dated the 9th February 1934, referred to is placed on the table.

(c) Yes; in regard to the confirmation of three clerks, one peon and two lascars.

(d) & (e) The Government accorded their approval to the President, District Board's action as the confirmation of the employees ordered by him was before the receipt of the Government Order in the office of the district board.

(f) The Government see no need to place the papers on the table.

Mr. P. V. KRISHNAYYA CHAUDARI:—"May I know what made the Government give their approval to the confirmation of those persons when there were so many taluk board employees waiting to be appointed to the service?"

The Hon. the RAJA OF BOBBILI:—"If the hon. Member reads the printed answer, he will find that the confirmation was before the receipt of the Government Order in the office of the district board."

Grants for works undertaken by the Panchayats.

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

(a) the basis on which grants for works undertaken by the panchayats are given by the Government;

(b) whether labour contributed by the villagers is taken into account and treated as part of the contribution made by the panchayats;

(c) whether the Engineering staff of the District Board is required to prepare estimates, supervise the work of construction, checkmeasure and prepare the final bills in respect of all works undertaken by the panchayats; and

(d) whether there is a proposal to employ special Engineering staff to carry out the works of the panchayats?

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- A.—(a) The attention of the hon. Member is invited to the answer given to clause (b) of question No. 800 at the meeting of the Legislative Council held on the 25th March 1933.
- (b) Yes, except in the case of grants sanctioned for pre-union areas disbursed through district boards.
- (c) Yes.
- (d) No.

Medical Administration

Selection of Indian States' subjects as paid House-Surgeons.

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

(a) the number of Madras and of Indian States' subjects among the recent applicants for admission into the paid panel of House-Surgeons and Physicians and among the persons selected last month; and

(b) the reasons for selecting some persons coming from the States?

A.—(a) The information is given below:—

Total number of candidates who applied for selection	...	...	...	27
Number of Indian State subjects	...	...	...	8
Total number selected for paid appointments by the Board	...	...	...	14
Number of Indian State subjects selected for paid appointments	...	...	...	4

Out of the 8 Indian State subjects 6 including the 4 selected for the paid appointments have produced certificates of naturalization under section 3 (1) of the Indian Naturalization Act, 1926.

(b) The candidates selected for the paid appointments are in the opinion of the Board the most suitable among the applicants taking into consideration the academic record, character and qualifications of the applicants. Certain State subjects were selected for the paid appointments in preference to Madras for the reasons stated above.

Mr. A. B. SHETTY:—"May I know how many years' residence entitles the Indian States subjects to produce certificates of naturalization?"

The Hon. the RAJA OF BOBBILI:—"Previously it was five years; now it is ten years."

Mr. A. B. SHETTY:—"May I know whether the Minister is aware that there is a strong feeling among Madras students that this concession should not be extended to the subjects of Indian States when there is a sufficient number of suitable candidates available in our province itself?"

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The Hon. the RAJA OF BOBBILI:—"It was never extended to the Indian States subjects. When once the naturalization certificates are produced, there cannot be any discrimination in the matter of recruitment as between the Madras and the ex-Indian States subjects."

Qualifications of the Professor of Bacteriology, Medical College, Madras.

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

(a) what the qualifications are of the Professor of Bacteriology in the Medical College, Madras;

(b) whether he possessed these qualifications at the time of his appointment;

(c) whether it was a condition of his appointment that he should get a higher qualification before he is confirmed;

(d) for what reasons he was confirmed without his so doing;

(e) whether there was no other person among the service men with the necessary higher qualifications;

(f) if so, why this man was preferred;

(g) whether he is allowed general practice; and

(h) whether he is having practice; if so, what action the Government have taken?

A.—The Government have no information. It will be called for.

Proposal for the supply of pasteurized milk to the City hospitals.

* 870 Q.—MR. M. A. MANIKKAVELU NAYAKAR: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the milk supplied to the City hospitals is pasteurized milk; and

(b) if not, whether there is any proposal to introduce the supply of pasteurized milk?

A.—(a) No.

(b) A proposal was made by the Registrar of Co-operative Societies; but it could not be proceeded with for want of full details as to the exact process to be adopted in pasteurizing milk.

Religious and Charitable Endowments

Constitution of Advisory Boards in place of Temple Committees.

* 871 Q.—MR. T. NARASA REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) in how many districts have Advisory Boards been set up to function in place of the Temple Committees;

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(b) whether these Advisory Boards are consulted on matters relating to the administration of temples, and the appointments of trustees to the temples;

(c) whether it is a fact that the Commissioner in charge of Cuddapah district has been making appointments of trustees without consulting the Advisory Board;

(d) whether it is a fact that lands belonging to the temples have been alienated to private people in Cuddapah district;

(e) whether it is a fact that on account of alienations of these lands, the temples are not being looked after properly;

(f) whether it is a fact that lands of temples of Chinnakomerla of Jammalamadugu taluk, Cuddapah district, and Chinna Pampala village of the above taluk have been alienated in favour of private parties;

(g) what action the Commissioner is taking in all these alienations;

(h) how many trustees are in existence for the temple at Ontimitta (Cuddapah district);

(i) what the value is of jewels of the temple at Ontimitta, and whether all these jewels are now in the possession of the trustees; and

(j) what necessitated the appointment of more than one trustee to the above temple?

A.—(a) & (b) Advisory Committees have been constituted by the Hindu Religious Endowments Board in eighteen districts. These Committees are generally consulted as regards the appointment of trustees to temples.

(c) Yes.

(d) & (e) Alienations of lands have taken place in the case of a large number of temples; it cannot however be said that in all these cases the temples are not properly looked after.

(f) The answer is in the affirmative so far as the inams at Chinnakomerla endowed to Sri Chennakesavaswami temple at Peddakomerla are concerned. Information is not available as regards the inams of the temples in Chinna Pampala village.

(g) In the case of the inams endowed to Sri Chennakesavaswami temple mentioned above and the temples in Chinnapasupula village, trustees have been appointed by the board to get the alienations set aside.

(h) & (j) The mismanagement of the temple of Sri Kothandaramaswami at Ontimitta by the sole trustee necessitated the appointment of two additional trustees. The term of the former having expired and one of the additional trustees having been subsequently removed, there is only one trustee at present.

(i) As far as information is available, there are no jewels for the temple.

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Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether it is the intention of the Hon. Minister to continue these advisory committees on a permanent basis? Or is it his intention to have temple committees elected as soon as possible, as provided for in the Act? "

The Hon. the RAJA OF BOBBILI:—" A measure to amend the Hindu Religious Endowments Act to enable the Government to reconstitute these committees is now under consideration."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether the Minister is aware that the temples are more likely to be mismanaged by these advisory committees? "

The Hon. the RAJA OF BOBBILI:—" If any specific cases are brought to my notice, I shall look into them, Sir."

Commerce

Protest against the removal of export duty on raw hides.

* 872 Q.—B. POCKER SAHIB Bahadur: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have received any memorial from the Southern India Chamber of Commerce, Madras Chamber of Commerce and the Southern India Skin and Hide Merchants' Association or from any of them protesting against the removal of the export duty on raw hides, and if so, whether the Government have forwarded the same to the Government of India;

(b) whether the Government are aware that the Madras Presidency is the biggest tanning centre in the whole of India and that tanning is the premier industry of the Madras Presidency; and

(c) whether the Government will be prepared to press the Government of India for a reconsideration of their present decision with regard to the removal of the export duty on raw hides?

A.—(a) The Government have just received a memorial.

(b) Yes.

(c) The request will be considered.

B. POCKER SAHIB Bahadur:—" May I know whether the export duty that was introduced was not intended for the protection of the tanning industry in hides? "

The Hon. Sir HOPETOUN STOKES:—" I understand that it was so."

Mr. F. BIRLEY:—" May I ask whether the Hon. the Finance Member is himself convinced that the removal of the export duty on raw hides is detrimental to the interests of this Presidency? "

The Hon. Sir HOPETOUN STOKES:—" So far as I can judge, it will be so."

Mr. F. BIRLEY:—" Has the Hon. the Finance Member appreciated the lack of consistency in the Government of India's action in removing a revenue-producing duty in the present financial conditions? "

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The Hon. Sir HOPETOUN STOKES:—"I should not be prepared to criticise the action of the Government of India (Laughter)."

Mr. F. BIRLEY:—"Is the Hon. the Finance Member aware of any reason why the tanning industry should be deprived of this tariff protection when practically all other Indian industries continue to enjoy such protection?"

The Hon. Sir HOPETOUN STOKES:—"That is a question which should be addressed to the authorities governing the policy in this matter."

Depressed Classes

Ameliorative work for the Depressed Classes and the revival of the office of the Commissioner of Labour.

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

(a) the districts in which the Labour Department is working with a special staff;

(b) what arrangements have been made for the amelioration of the condition of the depressed classes in places where there are no special District Labour Officers;

(c) what amounts have been allotted for the different items of ameliorative work in different districts in the Presidency, especially to districts where special labour staff does not exist;

(d) whether the Government have under consideration the question of restoring the special labour staff in districts from which it was withdrawn; and

(e) whether it is proposed to revive the office of the Commissioner of Labour?

A.—(a) The districts in which the Labour Department is working with a special staff are—

- (1) Tanjore, (2) East Godavari, (3) West Godavari, (4) Kistna, (5) Guntur, (6) Bellary, (7) Anantapur, (8) Nellore, (9) Chingleput, (10) North Arcot, (11) South Arcot, (12) Trichinopoly, (13) South Kanara, (14) Malabar, (15) Salem and (16) Madras.

(b) In the areas (districts and taluks) in which the Labour staff is not working, the Revenue Department undertakes construction of wells, acquisition of house-sites, etc., in deserving cases, obtaining the necessary funds in each case from the Commissioner of Labour. In the district of Salem there is no District Labour Officer but the special work is in charge of the Inspecting Tahsildar who does it in addition to his own duties. He has under him one clerk and one peon for labour work. In Madras the work of the District Labour Officer has been entrusted to the Personal Assistant to the Commissioner of Labour and he has a Deputy Surveyor working under him.

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(c) The amounts allotted during 1933-34 for the different items of work in the various districts will be found in the statement annexed. No individual allotments are given to the districts in which there is no special staff. A sum is reserved for such districts.

(d) No.

(e) The proposal to revive the post is under consideration.

Mr. C. BASU DEV:—"May I know whether in regard to the answer to clause (e), the Government have come to any decision in the matter?"

The Hon. Sir MAHOMED USMAN:—"I am very glad to announce that the Government have come to a decision to revive the office of the Commissioner of Labour."

Mr. M. DEVADASAN:—"May I know, Sir, whether the Government are going to adopt the same procedure in the Tinnevely and other districts as they have adopted in the Salem district where the Inspecting Tahsildar has been asked to do the work of the District Labour Officer?"

The Hon. Sir MAHOMED USMAN:—"Notice of the question, Sir."

Religious and Charitable Endowments, loan of the services of a Government servant as Secretary to the Hindu Religious Endowments Board.

* 874 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the services of a Superintendent of the Legislative Council office were lent to the Madras Hindu Religious Endowments Board to fill up the post of its Secretary for three years only in 1925 April; and whether extension of three years and a further extension of another five years was given by the Government;

(b) if the answer to clause (a) is in the affirmative, the reasons and the necessity for such long extensions;

(c) whether it is a fact that the pay of the Secretary has been Rs. 600 since April 1930; and

(d) the reason for retaining such a high-paid Secretary since 1930 April, after the Board had been thoroughly organised and worked for five years?

A.—(a) & (c) Yes.

(b) & (d) The extension of the loan of the services of the incumbent was granted at the request of the Hindu Religious Endowments Board as the Board considered that his retention was necessary in the interests of efficient administration.

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B. POCKER SAHIB Bahadur:—" May I know, Sir, whether the Hindu Religious Endowments Board thinks that the retention of this officer is necessary there for ever? "

The Hon. the RAJA OF BOBBILI:—" That question was never put to them; they wanted a further extension and it was given."

B. POCKER SAHIB Bahadur:—" For how long has this further extension been granted; when will it expire? "

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

B. POCKER SAHIB Bahadur:—" Is it not a fact, Sir, that there are two highly paid officers, the Manager and this officer; and are both these officers necessary for the administration of the Board? "

The Hon. the RAJA OF BOBBILI:—" I am not aware who the other officer is; but the Government see no reason to disregard the opinion of the Board in this matter."

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

II.—STATEMENT OF QUESTIONS RECEIVED AND ANSWERED DURING THE SESSION.

* The Hon. the PRESIDENT:—" This being the last day of the session, I have to inform the House that the number of questions of which notice was received during this session was 1,111. Of this, the number admitted was 880; that withdrawn before admission was 14; that disallowed was 169; and that referred back to the Members of the Legislative Council for further information but not received back from them was 48. Of the 880 questions admitted, four have been withdrawn by the Members putting them, one lapsed by the resignation of the Member of the Legislative Council and 874 have been answered by the Government. Only one question has lapsed unanswered."

III.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, FOR CERTAIN PURPOSES (BILL No. 12 OF 1931)—CONSIDERATION OF AMENDMENTS RECOMMENDED BY HIS EXCELLENCY THE GOVERNOR.

* The Hon. the PRESIDENT:—" The next item on the Agenda is the Bill further to amend the Madras Estates Land Act, 1908, for certain purposes (Bill No. 12 of 1931), as returned by His Excellency the Governor. I have read out the message already. The House will now proceed to deal with the amendments. Mr. K. R. Venkatarama Ayyar will move his motion."

* Mr. BASHEER AHMED SAYEED:—" Before he moves his motion, may I rise to a point of order? The Standing Orders say that a Bill, when referred back to the Council by His Excellency the Governor, ought to be taken on the next available official day. Now, Sir, the official days and non-official days are specifically fixed by the Governor from time to time under the power vested in him. Budget days

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allotted for the voting of supplies belong altogether to a different category and are governed by a different set of rules. Already a certain introad has been made into the Budget days allotted for the voting of supplies. I should have raised the point even then; but somehow it was missed. Now, as to the specific number of eleven days allotted for the voting of grants, nobody can have any right to encroach upon them, unless it be that His Excellency the Governor himself alters the programme of dates and says: 'I shall give you less number of days than I have already allotted.' Even that question seems to be doubtful, whether under the rules, such a power vests in His Excellency the Governor, after having once fixed the days and the Council having been seized of the matter. The Leader of the House has no doubt the right so far as official days are concerned; but in the case of these special days fixed for a specific purpose in a year, and fixed long ago by His Excellency the Governor under the Statute, I do not think, Sir, that the Leader of the House or anybody for the matter of that, can have anything to do with the curtailing or increasing the number. These eleven days allotted by His Excellency are for a specific purpose, and only available for the voting of supplies. To no other purpose can these days be put and no other subject could be dealt with or considered, unless and until the whole House, without any single Member objecting to such alteration, agrees to the allotment of any day for any other purpose than what it has been allotted for. I do not therefore see, Sir, how this Bill can be brought up now. This cannot be brought up even if a single Member objects to the day being used for any purpose other than that for which it was allotted. I contend that we should proceed with the voting of grants and not use the day for the consideration of the Estates Land Act (Amending) Bill.

"I do not also know, Sir, how the administration of the Government is going to come to a serious standstill or how there is going to be a set back or how the maintenance of Law and Order in the country will be seriously disturbed by not passing a measure like this so urgently. Only in such extreme cases, Sir, the Governor himself can interfere with the allotment of these days. The days have been allotted for a specific purpose and no case has been made out so far that if this measure is not going to be taken into consideration and passed before the close of this session, the Government will come to naught. I do not think, Sir, there is any justification for taking away one day from out of the eleven days allotted for the voting of grants. I therefore submit that you should rule that this subject cannot be taken up to-day."

* The Hon. Sir MAHOMED USMAN:—" Sir, there is no point in my hon. Friend raising the question now. Yesterday, Sir, we discussed it fully and I told the House that at the desire of the Leaders of

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groups His Excellency has ordered that we should utilise a portion of this day for this purpose. Yesterday evening, the whole question was thrashed out. My hon. Friend was not here then. I do not think, Sir, he is in order in raising the question to-day."

* The Hon. the PRESIDENT:—"Rules provide only for the allotment of non-official days by His Excellency; all other days have to be construed as official days. His Excellency, with due regard to the wishes of some hon. Members of the House, and with the consent of Leaders of Parties, has withdrawn one and a half days already. In view of the urgent necessity of getting through the business that has now been reached, a portion of this day has been withdrawn now, and His Excellency has given his consent to that. I do not think, the hon. Member is right in raising the point of order now."

Mr. BASHEER AHMED SAYEED:—"May I know, for my information, whether that order has been communicated to you or to the Council and whether any copy of the order withdrawing the day has been placed on the Table of the House?"

* The Hon. Sir MAHOMED USMAN:—"As the Leader of the House I have communicated to the House the oral orders of His Excellency."

Mr. BASHEER AHMED SAYEED:—"Was it an oral order, Sir?"

The Hon. Sir MAHOMED USMAN:—"Yes."

11-30
a.m.

* Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, Sir, I wish to raise with your permission a point of order with regard to the official motion introducing certain amendments. With regard to amendment No. 7 introducing a new sub-clause to clause 127, my point of order is that it is entirely outside the scope or range of the Hon. Sir Archibald Campbell's Bill and therefore cannot be introduced now for consideration."

"Another point which may perhaps be dealt with separately is also a point of order, i.e., namely . . ."

Rao, Bahadur A. T. PANNIRSELVAM:—"Will the Hon. Member address a little bit louder so that we on this side may hear what he is saying."

* The Hon. the PRESIDENT:—"The hon. Member is requested to speak a little louder. To-day particularly, he is not audible."

* Mr. K. R. VENKATARAMA AYYAR:—"Yes, Sir. My submission is that the new sub-clause which is introduced in amendment No. 7 as sub-clause (2) to clause 127, is outside the scope or range of the Hon. Sir Archibald Campbell's Bill; and therefore cannot be introduced for consideration. Another point arising in connexion with it is that . . . the proviso to the proposed sub-clause (2) and in the last . . ."

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portion of the sub-clause, it is proposed to stay all proceedings involving a decision whether or not the inamdar has the kudivaram right in such land until the first day of November 1935, that may be pending even before the High Court. This legislation is calculated to affect the jurisdiction and powers of the High Court in regard to a matter pending before them. This is outside the competency of this Council. These are the points, Sir, with reference to which I would request you to give a ruling."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, I do not think, Sir, that amendment No. 7 is one which cannot be taken into consideration on the motion of His Excellency the Governor. It is part of the amendments which His Excellency in the exercise of his powers has recommended in returning the Bill for reconsideration by the Council; and it is open to His Excellency to recommend that these amendments be made. This amendment is an essential part of the amendments which His Excellency has proposed in order to carry out the intention which His Excellency has expressed, not of vetoing the proposals made absolutely, but of giving the House further opportunities for considering these amendments at a later date."

"As regards the question whether this clause will affect the jurisdiction of the High Court, that, Sir, is a matter which can be taken up in any proceedings before the High Court and the High Court will no doubt decide whether this clause, if passed, will affect their jurisdiction in any particular case."

* Mr. K. R. VENKATARAMA AYYAR:—"May I know, Sir, whether it is the point of the Hon. Revenue Member that the restriction that the amendments should not be outside the scope of the original Bill may not apply to the case of amendments recommended by His Excellency the Governor under section 81-A of the Government of India Act?"

* The Hon. Sir ARCHIBALD CAMPBELL:—"I did not admit that the amendment is outside the scope of the Bill."

* Mr. K. R. VENKATARAMA AYYAR:—"The hon. Member says that the proposed sub-clause is not foreign to the original Bill. Leaving apart the question of whether it is foreign to or within the scope of the Bill, is it competent for His Excellency to recommend such an amendment even though such an amendment would not be within the competency of any Member of this House to introduce? If it is the intention of the Hon. the Revenue Member, I must say that the Government of India Act does not make it competent for His Excellency the Governor, when he recommends certain amendments on the occasion of his sending a Bill for re-consideration, to make any amendments which would be beyond the competency of this House on the . . ."

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Bill. If it is impossible for any hon. Member to propose an amendment foreign to the original Bill, it is equally beyond the competency of His Excellency the Governor to recommend the consideration of any such amendments; for, after all the amendments have to be considered by this House and passed, and the ambit of recommendation cannot be wider than the ambit of the competency of this House to consider amendments and pass them. There is nothing in the language of the concerned section of the Government of India Act, which makes it competent for His Excellency the Governor to make a wider amendment than it is competent for the House to consider. I will leave it there. Next, is this clause really foreign to or outside the scope of the Bill or is it within the ambit of the original Bill? Now, the object of the sub-clause is to take away for a period of two years from the 1st November 1933, the proprietary rights of inamdars."

* The Hon. the PRESIDENT:—"The Hon. Member will be in order to discuss the merits of the sub-clause when we actually reach the clause. As regards the point of order raised, I think the amendment now proposed is quite relevant to the Bill under consideration. As regards the second point, whether the High Court will be bound by this law, I do not propose to give any ruling upon that because the High Court will take care of itself."

* Mr. K. R. VENKATARAMA AYYAR:—"I am not going to discuss on this occasion the merits of the sub-clause. I was going to explain how it was outside the scope of the original Bill."

* The Hon. the PRESIDENT:—"The Hon. Member may make his motion."

* Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, I shall move the motion that stands in my name, i.e.—

'that the consideration of the amendments suggested by His Excellency the Governor, in particular amendment No. 7, now before the House, be adjourned to the next session of the Council.'

If the amendments were confined to amendments Nos. 1 to 6, that would be another matter. But so far as amendment No. 7 is concerned, it deals with and it introduces a serious curtailment of the rights of the inamdars for a period of two years. May be that when the proposed Government Bill is introduced early next session, this sub-clause may be taken up for re-consideration and the House may be enabled in that way to deal finally with the matter which is temporarily dealt with under this clause. But what that Bill is going to be and when it will become law, nobody could be very precise about. That being so, the question is whether it could be just to deprive the inamdars of a very valuable right, indeed of more than one valuable right, by means of this clause, as would be the case if this clause becomes law. After all

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the object of the authors of this clause is only to prevent any unfair or arbitrary eviction of tenants by the inamdars during the period immediately following the passage of this Bill into law. Such an object could be achieved by a less drastic clause; but this very drastic clause has been introduced. As it is the avowed intention of the Government to proceed quickly with the next Bill—we are practically now at the fag end of the session and the courts will also be having their vacation; it is not as if any eviction proceedings are going to run their careers during this short period of two or three months, which alone have to pass before the Bill is introduced by the Government and taken up for consideration—if it is found really necessary that any wholesome object is to be achieved by the bringing in of any such clause as is now introduced with or without modification, there will be time enough to take it up and as the first thing for consideration in the next session before we take up the Bill of the Government for consideration.

"Essential transitional interests may be safeguarded by the passage of the clause with suitable amendments and the next Bill may thereafter be proceeded with. But if we now commit ourselves to this clause and find ourselves next session without a substantive Bill satisfactory enough for this House to pass, the injury will remain and it would have deprived the inamdars of substantial rights of property and left them without any remedy at all in respect of their primary right to collect rents during these two years from their tenants.

"If this clause became law, what would result is, that suits for 11-45
rents could not be instituted before the revenue courts. Of course, a.m.
these inam villages are not 'estates' within the meaning of section 3 (2) (d) and admittedly the position is one in which the inamdars assert that the kudivaram right is vested in them, and the only court open to them therefore for suits for rent is the civil court. If a suit is filed for rent before a civil court, and the tenant, however, unrighteously and vexatiously, raises the question that there is no jurisdiction because the kudivaram is not vested in the plaintiff, then if this clause is passed, the trial and decision of such an issue are barred, and there is no court open to the inamdar for obtaining a decree for arrears of rent during these two years. Now, that is a position of affairs which it would be really dangerous to reach. No class of His Majesty's subjects in this country can really be dealt with in such an outright arbitrary fashion. It is as if you turn to them and say, 'you no doubt have your unquestionable right to the recovery of rent, to obtain decrees for rent . . .'"

Rao Bahadur A. T. PANNIRSELVAM:—"On a point of order, Sir, may I remind the hon. Member that there is a shorthand-writer taking down his speech and that his speech is not written down in longhand?"

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* The Hon. the PRESIDENT:—"Probably the hon. Member is referring to the unusual slowness of the hon. Member speaking to-day."

* Mr. K. R. VENKATARAMA AYYAR:—"I am afraid, Sir, that there must be a limit to the right of interruption. This is nothing short of interruption."

"I say, Sir, that it would be very unrighteous to turn to a class of His Majesty's subjects of this country and tell them that the revenue court is barred against them, the civil court by this enactment would also get barred against them and there would be no tribunal before which they could go for obtaining decrees in respect of their claims for arrears of rent. (Sriman M. G. Patnaik Mahasaya: Institution of suits is not barred.) My Friend Mr. Patnaik points out that institution of suits is not barred but only anything beyond the institution, by way of progress of suits for rents, is barred under this clause. I wonder what is the value to a litigant of having the liberty merely to spend money for the purchase of courts-fee stamps and putting in his claim, when the further progress of that litigation is admittedly blocked and barred for a whole period of two years? I suppose nothing but the very bad heart of those who propose such a scheme of blocking would find satisfaction in the additional disadvantage inflicted upon the inamdar of having the grim privilege of wasting his money upon a futile litigation which could not be proceeded with. I say, Sir, that it is a very extraordinary legislation for the Government to embark upon, the only result of that legislation is to close the doors of the constituted tribunals of this country to a class of His Majesty's subjects who have valuable and admitted property rights. Of course the right to recover rent whether the position of the inamdar is to be regarded merely as that of a melvaramdar or as melvaramdar cum kudivaramdar is there. The right is unquestioned and unquestionable, but what is the value of that right if there is no court before which it could be enforced during a whole period of two years? Do you really reduce them, taking the responsibility therefor, to the position of a class of outlaws to whom the law of the land would not be available? What is that sin or crime of theirs? Are they alien enemies, and are we passing through a state of war now that you are feeling free in conscience to deal with them as if their elementary right to recover rent should stand barred and that there should be no court with its doors open in this country for entertaining and proceeding with their suits? I think that is a dangerous result which could not really be the intended result of any acceptable piece of legislation and for Government to make themselves responsible for this type of legislation, really passes my comprehension."

"Then, really the effect, if this clause were passed, would be to leave the inamdar even worse than if the Bill had not been remitted,

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and if the amendments that were carried in November last had really been accepted and assented to. If that were the case, there would be the certainty of the position in regard to the inamdar that he would be exactly on a par with a mere melvaramdar, such as the samindar is, and that he could realize his rent by sale of the holding. That is impossible, because the sale of the holding leads up to ejectment. Without the consequence of ejectment following the sale of the holding, by itself it is no good. But here all proceedings in ejectment of any tenant are barred for a whole period of two years, so that you leave a casual tenant of the 1st of November 1933 in unquestioned and unquestionable possession for a whole period of two years with liberty to appropriate to himself, not only the cultivator's share, not only the kudivaram share of the income, but also the melvaram share. Would any tenant with such immunity vouchsafed to him under this clause be at all minded to pay up the rent?

"Now, Sir, what is the policy of the present Act I of 1908? The policy of that Act is to ensure the due payment of fair rent to the landholder. Now, that policy is seriously frustrated by the counter-policy underlying this sub-clause, namely, that no tenant under an inamdar need pay his inamdar or the landlord the rent due from him for a whole period of two years, and if he withholds payment of rent, he cannot be ousted from the land. Not only that, even if he goes beyond and commits waste and renders the property permanently unfit for agricultural purposes, even then he cannot be ejected from the land. The result is to pat him on the back and tell him, 'You may do whatever you like with this piece of land of which you happen to be in possession at the moment as a cultivating tenant and the real proprietor has absolutely no remedy against you, not even the remedy which the samindar has under section 151 of the Act to eject a tenant if he makes the holding permanently unfit for agricultural purposes.' Section 151 is practically abrogated by this sub-clause as a side result. Then, again, the Government would naturally expect these inamdars during this period of two years to pay quit-rent and jodi and yet they would leave the inamdar absolutely without any means of recovering rent from the cultivating tenant. The tenant, as often happens, or might easily happen in such a case, is not a man of very great substance, and he may during this period of two years take the best advantage he can by selling his rights, whatever they are, and forcing upon the inamdar some passer-by who may be even more slender in substance than he himself, with the result that at the end of two years, the inamdar might find his land absolutely valueless, so far as capital is concerned, and without any means of making good his due share of the income from the land for the two years in which by force of this legislation, he has been without the means of recovering his rent. I submit, Sir, that is

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a very serious provision and it could not have been within the fair intention of the authors of this clause.

"In view of these serious consequences, I would like to suggest especially as we are at the fag end of the session and especially as during the vacation months of the courts no serious consequences detrimental to the tenants would be worked out by means of judicial proceedings in courts, the fairer course would be for the amendment (No. 7) to be brought up early next session side by side with and if necessary before the Government Bill upon the main subject of the settlement of the relationship between the inamdar and his tenants is taken up; that would certainly enable the House to go into the matter with fuller and closer attention and to provide safeguards from the point of view of the inam tenants, such as might be required, without necessarily inflicting all this serious injury upon the inamdars. I would therefore move this amendment that the consideration of the suggested amendments and in particular amendment No. 7 be adjourned to the next session of the Council."

Mr. U. C. SUBRAHMANYA BHATT:—"Mr. President, Sir, I have great pleasure in seconding this motion of my hon. Friend, Mr. Venkatarama Ayyar. In doing so, I should like to answer one of those arguments which were raised yesterday and which could possibly also be raised to-day against postponing the further consideration of this Bill. That argument was, if this Bill is adjourned to another session of the Council, there is no knowing as to whether it is possible to finish the consideration of the Bill, because the question of whether the Council is to be dissolved or not is yet hanging in the balance. As against that argument, I would like to submit that anyhow the life of this Council has been extended till November next and we are sure to meet some time before that and the consideration of this Bill may be taken up at that meeting. Even if it is settled to dissolve the Council earlier, surely, Sir, a meeting of the Legislative Council could be called before it is dissolved and this Bill might be considered. Sir, this Bill has been referred back to this Council and the Members of this Council have not been given sufficient notice to assemble here and discuss or to consider the amendments which have been suggested. As such also, I submit that an adjournment on the consideration of this Bill should be advantageous because the House will have sufficient time to consider the effect of the various amendments and also for those Members who are not present here to attend the adjourned meeting."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, perhaps, I may shorten the proceedings, if I say a word or two on this occasion. I have been asked by various people why I gave consent for this measure to be taken up now. I carefully considered the matter when the Hon. the Leader of the House and the Hon. the Revenue Member asked me about it."

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I felt that as this Bill had been on the anvil for a long time and as it was necessary that it should be put on the statute book as soon as possible there was no harm in having this Bill discussed to-day. For this reason, I gave my consent to take up this measure. I hope hon. Members will see the reasonableness of the suggestion and not put obstacles in the way of considering it. I think, whatever may be the case, the Council has by a large majority come to a certain conclusion and His Excellency has been pleased to state that opportunity has not been given to discuss the merits of the case of the inamdars. He has remitted the Bill back as approved by the Select Committee and at the same time, he has naturally thought fit to restrain the inamdars from taking action with regard to ejection, etc., because now that notice has been given to the inamdars distinctly that some day or other some legislation may come, the inamdars may rush into courts which otherwise they may not have done. That is the reason why this amendment is necessary. At the same time, as I told the Hon. the Revenue Member and other Members, I was not satisfied with the draft amendment of clause 127 and I am sure when difficulties are pointed out, my hon. Friends, the Hon. the Revenue Member, Mr. Muniswami Nayudu and the Hon. the Chief Minister, may see the reasonableness of some of the objections that may be put forward. Therefore, in the interest of everyone concerned, it is much better to go on with the measure now rather than move a dilatory motion. So, I request my hon. Friend, Mr. Venkatarama Ayyar, to withdraw his motion and agree to the amendment being considered now."

* Mr. K. R. VENKATARAMA AYYAR:—"It was far from my mind to interpose any obstacle merely with the object of interposing obstacles in regard to the passage of this measure. Except for amendment No. 7 introducing the new sub-clause in regard to which some difficulties have been pointed out by me, I should not have brought this motion at all. But in view of the suggestion made by my Friend, the Leader of the Opposition, that once we get into the merits of this clause, the difficulties pointed out would be considered in the proper spirit by the Hon. the Revenue Member, the Hon. the Chief Minister and my Friend Mr. Muniswami Nayudu and in the hope that they will not utilize the opportunity afforded by the withdrawal of this motion for retaining that clause with all its defects and difficulties, but will be partially meeting our points of view, I beg leave, Sir, to withdraw the motion for adjournment. But I do so with considerable hesitation and fully in the hope that the merits of the clause will be taken up for a fair and reasonable consideration and all fair and reasonable amendments to the clause would be dealt with on their merits."

The motion was, by leave, withdrawn.

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The following amendments were put from the Chair and carried:—

1. Clause 4 (2).—For this clause, substitute the following, namely:—

“(2) for sub-clause (d) of clause (2), the following sub-clause shall be substituted, namely:—

“(d) any village of which the land revenue without the kudivaram has been granted in inam to a person not owning the kudivaram thereof, provided that the grant has been made, confirmed or recognized by the British Government.”

2. Clause 4 (4).—For this clause, substitute the following, namely:—

“(4) at the end of clause (10), the following shall be added, namely:—

‘and includes—

(a) all land which is proved to have been cultivated as private land by the landholder himself, by his own servants or by hired labour, with his own or hired stock, for a continuous period of twelve years immediately before the commencement of this Act; and

(b) all land in an estate within the meaning of sub-clause (d) of clause (2) the entire kudivaram interest in which has been acquired by the landholder before the first day of November 1933, provided that where such interest is acquired by surrender or abandonment of the land by the ryot or by purchase at a sale for arrears of rent, the land is proved to have been cultivated as private land by the landholder himself, by his own servants or by hired labour, with his own or hired stock, for a continuous period of twelve years since the acquisition of the land.”

3. Clause 5—New section 6 (1) (i).—Omit explanation (2); and (ii) for the figure ‘(3)’ in explanation (3), substitute the figure ‘(2).’

4. Clause 7—New section 8 (1), (3) and (5).—In New section 8—(i) to sub-section (1), add the following proviso, namely:—

“Provided that nothing in this sub-section shall be deemed to apply to land in an inam village which becomes private land within the meaning of sub-clause (b) of clause (10) of section 3”;

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(ii) in new sub-section (3), before the words ‘have the effect of converting ryoti land into private land,’ insert the words and figure ‘except in the case referred to in the proviso to sub-section (1)’; and

(iii) Omit sub-section (5).

5. Clause 86—New section 163-A (1) (a).—For the word and figure ‘Explanation (3),’ substitute the word and figure ‘Explanation (2).’

6. Clause 104—Section 185.—Omit the following, namely:—

“for the words and figures ‘was before the first day of July 1898 specifically let as private land,’ the words letter and figures ‘was specifically let as private land before the first day of July 1898 or in the case of any estate within the meaning of sub-clause (d) of clause (2) of section 3, before the first day of July 1918’ shall be substituted; and”

Amendment No. 7 under clause 127.

• Mr. K. R. VENKATARAMA AYYAR:—“Sir, I shall move one after 12-15 p.m. the other the amendments I have given notice of. I propose the omission of the words—

‘and all proceedings involving a decision whether or not the inamdar has the kudivaram right in such land’

in the proposed sub-clause (2) to clause 127.

“My object in moving this amendment is to enable the inamdar to have some forum before which he can at least file suits for rent during this period of two years. As I said before, he cannot go before a Revenue Court because his village is not an ‘estate’ falling under the main Act. The only court available is the civil court and, if these words which I propose to be omitted are enacted as part of the clause, the effect is to close the civil court also to the inamdar even when his sole purpose is not to eject the tenant but to get a decree for rent. That, as I have already submitted to the House earlier this morning, will be an arbitrary and unreasonable mode of dealing with a class of His Majesty’s subjects, the inamdars. There must be some forum before which they should have the opportunity, during this period, of obtaining decrees for their unquestioned and unquestionable rent. Otherwise, you will in effect be telling these people: ‘His Majesty’s courts of law are not open to you for the vindication of your admitted right.’ I submit, Sir, it is therefore necessary to get rid of these words which, if got rid of, would remove the obstacle which would exist in the way of rent suits being filed. I do not think it is the intention of the authors of the clause to shut out the forum for rent suits. I do not think more need be said in support of this very modest

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amendment which, after all, is intended only to exhibit the authors of this clause in a fairer light than they themselves have cared to exhibit themselves in."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I beg to second this motion. My reason for supporting this amendment is only this: The Government is proposing to bring in legislation to set right all matters relating to inams. It may be that that legislation will take some time. It is proposed that it should be brought in in the next Council. I do not know whether that intention will be carried out or not. But even if it is carried out, there is the possibility of these questions being dragged on for a considerable time. The provision which is enacted here is clause 127 (2) applicable to all the cases relating to inams. The result may be that a person who is ordinarily entitled to rent and on which he lives will be debarred from going to court and collecting it. That, it seems to me, is a state of affairs which is not fair. It may be, Sir, that the question whether he can be ejected or not may be at issue; but the other question about the rent due, whether as occupancy tenant or as an ordinary tenant, is not at all a matter in doubt. I do not want that the liability to pay rent which will be more or less admitted should be held over on account of the fact that this other question of the right to tenancy or not being raised has to be decided in these suits. It is only to that extent that I want that we ought to be fair to these people and not debar them from going to court and getting the rent to which they are justly entitled.

"After giving notice of this motion, I saw that there was probably one difficulty in the matter, namely, the question of title may be raised and it may have to be decided. To meet that difficulty I am prepared to add a provision that as regards title such suits will not be binding. If this is done, I believe the Government can have no difficulty in accepting this amendment. Of course the position will be this: during the two years the question of title is not to be gone into. It will not ordinarily be gone into and any suits filed for the purpose of ejectment will not be gone into, but only suits filed for the recovery of rent will be decided. Further, in case any question of title is decided in such suits that decision will not be binding so far as any Bill that may be passed hereafter is concerned. With a proviso of that kind if this amendment is passed, I submit we will be satisfying all concerned. I would ask the Government to look at the matter from both standpoints and agree to the course I suggest."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I cannot accept this amendment. The Mover appears to fear that inamdars would be prevented during a period of two years from recovering their rent if they claim kudivaram right. This clause will not prevent

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an inamdar who admits that the tenant has kudivaram right from recovering his rent under the Estates Land Act, nor will this clause which His Excellency has proposed affect any case in which the inamdar has already obtained a valid decree of a civil court to the effect that he has the kudivaram right. It is only in cases in which the inamdar claims the kudivaram right but has not obtained a decree that this clause will come into operation.

"My hon. Friend, Mr. Venkatarama Ayyar, repeatedly used the term 'two years,' as if this clause will be really in effect for two years. I suggest that this clause was introduced by His Excellency the Governor merely to prevent the acquisition of rights which might be affected by the amendments which we are now removing from the Bill but are to be considered again later. If they are finally adopted by this House no steps should be taken which would interfere with the intention of the House. The period for which this clause would be in operation will not be two years. It will not come into operation until the Viceroy's assent has been published to the Bill as amended. We then hope to introduce a Bill with amendments, similar to those now deleted by the first six clauses in the July or August session of the Council. It will then be open to the House either to consider the Bill at once or to refer it to a Select Committee. That Bill will of course include a clause bringing to an end the operation of this clause 7. If the Bill is referred to a Select Committee it will consider the Bill in August or September and it will come up before the Council in October or November at the latest. As it is a short Bill it should not take long to receive the consideration of His Excellency the Governor and His Excellency the Viceroy. Sir, this clause is likely to be in effective operation only for a period of possibly six or seven months. My hon. Friend has already drawn attention to the fact that the civil courts will be closed for a large part of that period.

"As regards the rents for the current fasli, where they are paid in kind, they will have been already paid before the Viceroy's assent to this Bill is received. There may be cases where rent is paid in money, but we are not interfering with cases where decrees have already been obtained before the Viceroy's assent is published. The rents for the ensuing fasli are not likely to fall into arrears to any great extent before the Bill which we propose to introduce in July or August is finally disposed of. So, Sir, the effect of this moratorium will not be very great. It has only the effect of preventing any collusive action on the part of the inamdars and the tenants in order to allow suits to be brought in the civil courts thereby recognising the inamdar's possession of the kudivaram right and to have those suits decided before we could take this other Bill and dispose of it.

"It is necessary, Sir, that we should prevent any inroads being made on the rights of both parties, the tenants and the inamdars. And

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this clause carries out that intention in the best way possible. Therefore I am sorry I cannot accept the amendment."

* Mr. T. C. SRINIVASA AYYANGAR:—"Sir, the amendment proposed is not a very simple one and not a necessary one. I am sorry, the Hon. Revenue Member, instead of answering the points raised, has on the other hand attempted to sugarcoat this bitter bill (laughter) by saying that this is a moratorium and nothing else, that this is not going to last for more than two or three months, as legislation on the subject would soon be introduced, and that we may as well ignore the two years put in there and treat it as merely two or three months. At the same time, like a lawyer pleading for a lesser sentence, after the verdict of the jury has been given, he pleads, 'Look here, during these two or three months the High Court will be in a recess during this period, the District and Sessions Court will also be in recess for almost that period, so there is no cause for alarm.' May I point out to him that he is for the moment forgetting his own revenue courts, that is the Collectors' courts and that the courts under the Estates Land Act do not go on a recess at all? He has practically ignored them altogether."

The Hon. Sir ARCHIBALD CAMPBELL:—"May I point out to my Friend, Sir, that this clause will not affect the revenue courts?"

Sriman M. G. PATNAIK Mahasayo:—"No, it will not affect the revenue courts."

Mr. T. C. SRINIVASA AYYANGAR:—"My Friend, Mr. Patnaik, like the Naiks of old is a doughty champion of the Hon. Revenue Member. (Laughter.) There is no provision made to protect even the just and undoubted rights of the landholders or the inamdars. It is one thing to attempt legislation either to confer rights or to take away rights on their merits but it is wholly another thing that, because certain attempted legislative provisions were not to come to effect, even the rights, which would in any event be available, would have to be suspended."

"Sir, is it contended that the provisions of the clause under consideration is not more extensive than the provisions contained in the Bill passed by the Council on the last occasion? Can it be contended that the ryots were not under the obligation to pay rents and liable to be sued and, if the rents were not paid or the decrees not satisfied, they were not liable to be proceeded against and their holdings sold for the satisfaction of the decree or the arrears of rent?"

"In the Estates Land Act, which is applicable to the zamindar landholder, there are provisions for the sale of holdings by summary procedure and also sale of the holdings in execution of decrees. The landholders can purchase them and when purchased can get into possession ousting the defaulting ryots. All the major inamdars were sought to be brought within the Act by the Bill which was passed by the Council and is now

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returned to the Council for further consideration. By the Bill itself, the provisions for sale of holdings would be available to the inamdars as well. The clause under consideration places the inamdars in a worse position than they would be if the Bill became law by the assent of His Excellency the Governor and of His Excellency the Viceroy.

"Now, I ask, Sir, is the inamdars to be punished for their temerity in agitating in the matter?"

"Further, the Act and also the Bill recognize the distinction between private land as well as ryoti land. The clause now under consideration does not enable even this distinction to be made."

"Sir, we are familiar with the cases of proposed legislation and the need for interim emergent remedies and in such cases temporary enactments, very carefully considered and worded, are passed applicable for a short time pending the detailed consideration and the enactment of the permanent legislation, e.g., the Impartible Estates Land Act of 1902. It was a temporary legislation for one year. That was extended for another year again by a special legislation. The permanent Act was passed in 1904; but unlike those Acts, the present clause introduces an arbitrary and a drastic provision without adequate qualifications and placing the inamdars in a far worse position than they would be, even if the Bill were to become law to-day."

"Sir, I do not think it is just or fair that the amendment proposed by the Hon. the Revenue Member should receive the consent of this House."

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President. Sir, so far as the recommitment of this Bill is concerned, it is a well-known fact that the inamdars wanted that this Bill should go back to the Council for reconsideration. Now that the Bill has come before the Council, they cannot say that they do not want any amendment. From the representations made, we are led to believe that they wished that they should have an opportunity to plead before the Council. Whether they had sufficient grounds to think so or not, it is not the business of this Council to decide. Anyhow, His Excellency the Governor came to the conclusion that they should be given an opportunity to place their case before the Council. In the meanwhile the inamdars have begun to eject their tenants, and if further time is given surely they will defeat the provisions of the law. It is therefore just and proper that His Excellency should have safeguarded the interests of the tenants, as he has given an opportunity to the other side. Of course, in such circumstances there cannot but be a little bit of inconvenience to one side or the other. The little bit of inconvenience that is complained of by the inamdars is due to the fact that they have been given an opportunity to plead their cause before the Council, though their case was placed before the Council by men who had the best legal acumen in the Presidency. So, there is absolutely no cause for them to complain when

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somehow or other His Excellency the Governor has granted them what they want. We know, Sir, that this Bill was published on 28th July 1931, and this very clause was then there; and then, of course, in 1933, after the Select Committee's Report was published, we know that there were some amendments, and so the inamdars knew of such provisions as these ever since 28th July 1931. But at the same time they said that they never thought that this Bill would become law. Anyhow His Excellency the Governor accepted their contention and granted them this recommitment. And when once the Bill has come back to this House, it is but want of grace on their part if they say that they cannot wait for a few months with regard to the enforcement of their rights, i.e., the recovery of rents. Of course it is always open to them to go to revenue courts and recover rent; but if they want to sit tight upon their kudi-varam right, let them wait for a few months. Or let them file a suit in the civil court, only the suit is not going to be disposed of within a period of six months. By that time the Bill would be disposed of one way or the other, i.e., by October or November. If that is done, I don't see how there can be any difficulty for them at all. The difficulties pointed out are all imaginary. His Excellency was just both to the tenants and the landlords. Apparently the latter wanted that His Excellency ought to have vetoed the Bill; but unfortunately for them His Excellency held a balanced view in the matter, and came to the conclusion that the interests of both parties should be safeguarded; and so, in my opinion, the inamdars should put up with the little amount of inconvenience that is caused to them."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, no one deploras more than myself on this side of the House that this Council has to reconsider the Bill which it has already passed. On the merits of the question as to the desirability of a Bill, I do not propose to enter. Nor do I want to take this House into the question as to whether the inamdars had or had not sufficient notice of the proposed amendments in the Bill. Standing to-day as the representative of the tenants, I realize that this Bill has been sent back to this House by His Excellency with certain amendments to be accepted by this House. And if we accept those amendments, it is because we feel that in the course he has pursued, he has tried to give a fresh opportunity to the inamdars to put their case. We are thankful to the Hon. Revenue Member for stating that a Bill will be introduced in July next or as early as possible in this Council on the lines as it is expected to be passed by this House. Standing as I do as the representative of the tenants, I feel, Sir, that the cause of the ryot is so right and so superior to that of the rest that I have no doubt that, even if the Bill is reconsidered on the lines suggested by the inamdars, there will still be a good cause for the tenants. At the same time we have thought that His Excellency, in sending back this Bill, has given the inamdars their former rights during the period of the passage of this Bill.

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"So far as this clause is concerned, it provides against ejectment suits being instituted. Secondly it provides for the prevention of judgments being passed either *ex parte* or conclusively in the interim period of the passage of this Bill. You will also see that where suits are filed for the recovery of rent through revenue courts, that right is kept intact. So there will be no difficulty in recovering arrears of rent. But in cases where suits are filed in the Munsif's court, there however, the issue will involve the safeguarding of the rights of the tenant. In such cases the proceedings will be stayed. It may be that in such cases both parties might have to spend a lot of time and a lot of money, which after all may not be worth while in view of the amending Bill. It may be also that in some cases the tenants are *ex parte* and that an eviction order might have been issued under a mistake and the tenant might not care for it.

"Or it may be, as the Hon. the Revenue Member put it, that the landlord is able to obtain a decree in the civil court involving a decision that it is not an estate. I think the Government are right in anticipating the difficulties. I am sure if any such case arises, when the Bill is taken up for consideration two or three months hence, there will be again representation on behalf of the inamdars that they had obtained decrees before that Bill and all the decrees and decisions obtained prior to that Bill must remain sacrosanct. I think there may be some inconvenience so far as rent suits are concerned. But that will not justify the deletion of the particular words that are mentioned in this amendment. As the Hon. the Revenue Member said the question of relationship between the inamdar and the tenant is going to be decided within five or six months. It is not therefore too much for the tenants to expect that the *status quo ante* should be maintained until that time and that all suits which would go to prejudice the cause of the tenants should be stayed till then. The official amendment cannot be said to be detrimental to the cause of the inamdars. On the other hand, it is advantageous to them. The saving that would be made by them in the way of collecting rents would not be more than a few hundreds. By the time this Bill becomes law and is given effect to they would have recovered their share of rent. I think nobody will be justified in complaining that one will have to incur some expenditure by way of court cost and other things if these proceedings are stayed for some time. For these reasons the omission of these words would not really conduce to the interests of both the parties and I urge that the official amendment may stand as it is."

Rao Bahadur Sir A. P. PATRO:—"Sir, in the interests of both the inamdars and the tenants the objection raised by my hon. Friend, Mr. K. R. Venkatarama Ayyar, should not be allowed. The main force of the contention of the inamdars was that there was not sufficient

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time for consideration of the issue whether or not kudivaram right should be vested in the inamdar. So they did not propose to discuss that question then and it was said that it was sprung upon them. In spite of the fact that in the definition of 'Estate' the whole inam village was included in the draft Bills prepared by Sir K. Srinivasa Ayyangar and Sir C. P. Ramaswami Ayyar, His Excellency the Governor thought that sufficient opportunity should be given to inamdars to place their views before the public and this House. If the amendment of Mr. K. R. Venkatarama Ayyar is to be allowed, the result will be that courts will be flooded with suits during the interval and the kudivaram right of the tenants will arise for decision, and the ryots will be helpless. To avoid hasty filing of suits by the inamdars and also in the interests of the inamdars as well as the ryots, this motion should not be allowed.

"It is stated that rent suits would be postponed. It is only in cases where the issue of kudivaram right has been raised that suits will be postponed. It has been very clearly stated by the Hon. the Revenue Member that no hardship will be caused to the inamdars by postponing the cases for a few months. He assured this House that at the very next sitting of the Council a Bill would be brought forward defining the relationship between the inamdar and his tenant.

"For these reasons I submit there is no force in the argument of the Opposition Member that those words should be deleted."

Mr. P. C. MUTHU CHETTIYAR spoke in Tamil as follows:—

"கனம் அக்கிராசனாதிபதி அவர்களே! சென்னை எஸ்டேட்ஸ் லாண்டு ஆக்டில் இனாம்தாரர்களின் சொத்துக்களை பரிமுகல் செய்ய வந்த ஆலோசனையை சென்னை கனம் தங்கிய கவர்னரவர்கள் கனிகூர்ந்து நிரூபித்தார்கள். ஆனால் அதில் இன்னம் இரண்டு வருஷத்தில் வேறு சட்டம் கொண்டுவருவதாக சொல்லி யிருக்கிறார்கள். அதைப்பற்றி இப்போது விவாதமில்லை. எப்போது ஒரு சட்டம் வரப்போவதற்காக ஓர் அபிப்பிராயம் கொண்டு இப்பவே இன்டர்ம் இன்ஜன்களை கேட்பதுபோல செய்வது கொஞ்சமும் பொருத்தமில்லை. இனாம்தாரர்கள் யார் என்ன கொள்ளையடித்தாலும் சும்மா இரு என்று சொல்லுவதற்கு ஒரு அமெண்டுமென்ட் வேண்டிய ரிசல்யூஷன்? பிறகு சட்டம் வரும்பொழுது அந்த கால நிலைமை என்ன. அப்போதைய கவர்னர் வைசியராய் மற்றும் முரிய அதிகார வர்க்கத்தினர்கள் யார் யாரோ. கவுன்சில் மெம்பர்கள் நிலைமை எப்படியோ அதை இப்போது எப்படி அறிய முடியும். சட்டம் வரப்போகிறது என்பதற்கு முன்னாடி இஞ்சன்களை மாநில முறாகவும் அர்த்தமில்லாமலும் ஆலோசனைக்கு இடமில்லாமலும் திடீரென புதிதாக ஒரு கிளாஸ் அமைக்க எண்ணுவது இதற்கு எந்த சடங்குகளும் தேவையில்லையா? இவ்விதம் அபிப்பிராயங்களை இடைப்பட்டிக்கும் பொருத்தமில்லாமலும் ஜன சமூகத்துக்கு இருக்கும் நம் பிக்கைக்கு அன்னிதாவாக கொண்டுவருவதுவநியாயமில்லை. சட்டம் வரப்போவதற்காக முன் யோசனையாக ஒரு பைண்டோவர் செய்வது என் அனுபவத்தில் தெரிவிக்கிறேன். இம்மாதிரி செய்வதானது சட்ட நிரூபணமாகியிருக்கிறது."

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ஒருவர் சொத்து ஒருவருக்கு சேரவேண்டியது என்பது இக்கால சகஜமாய் காணுகிறது. அதற்கு நாமே காரணமாவது கூடாதாயினும் முறையாக செய்வது உசிதமல்லவா.

இவைகளை யோசித்து இந்த ஆலோசனையை நிரூபித்திருக்கவேண்டியதாய் தெரிவிக்கிறேன்."

Mr. G. SIMHACHALAM PANTULU:—"Neither in the answer nor the statement made by the Hon. the Revenue Member nor in the speeches of hon. Members who have spoken opposing this motion do I find an answer to the simple question as to why the inamdar should be placed in a worse position. That is the question raised by my hon. Friend Mr. T. C. Srinivasa Ayyangar. By introducing this Bill it is not our purpose to make the position of the inamdar worse. That question has not been answered. I do not understand the feverish haste with which the Hon. Gentleman, the Revenue Member, wants to get this Bill rushed through. It is neither diplomacy, nor wisdom. After all, for the protection of whose rights these people are fighting? It is for the protection of the inamdars. The inamdars are probably more influential members of the public. Hon. Members are well aware of the feelings among prominent inamdars of this Province. They have taken such a long time and so much trouble to collect all statistics and place a memorial before His Excellency the Governor, and he was definitely satisfied with the grievances of the inamdars and so he has returned the Bill for reconsideration. But what is to become of the right for which they have been fighting for a long time? The Bill was returned on account of certain technical difficulties. But from the outset, when the Bill was referred to a Select Committee, my humble self was ever urging for the exclusion of inams from the definition of 'Estate' and the Hon. the Revenue Member specifically told me that the *agraharams* would not come under the definition of 'Estate.' It is on that assurance that we proceeded with the Bill. What is the advantage that has come to the inamdars? In 24 hours the Government got the sanction of His Excellency the Viceroy and went on with the Bill. It is not giving any facilities to the inamdars. Therefore, I would request the Hon. the Revenue Member to allow some time and also see that proper notice of amendments is given to the Members and the amended provisions dealt with properly. I, therefore, appeal to the Hon. the Revenue Member to reconsider the matter and view the question with some sympathy. The representations now made and the points raised by the hon. Members on behalf of the inamdars must induce the Hon. the Revenue Member to allow us some time so that we may once again equip ourselves with proper materials and propose suitable amendments."

The Hon. Sir ARCHIBALD CAMPBELL:—"On a point of explanation, Sir, I have no recollection of making any statement that the definition of 'Estates' would not include *agraharams*."

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* Mr. A. RANGANATHA MUDALIYAR:—"I object to the amendment proposed by my hon. Friend, Mr. K. R. Venkatarama Ayyar, on general grounds, viz., that we should not consider any amendment other than those sent by His Excellency the Governor. My reasons are these: if my hon. Friend, Mr. T. C. Srinivasa Ayyangar, feels that the amendments proposed by His Excellency the Governor are going to make the position of inamdars worse, the inamdars have to thank themselves for it. I warned that it is not wise to invoke the extraordinary powers of His Excellency the Governor in a matter which affects us. It would have been far better to have deliberated and discussed these things and come to an arrangement among ourselves rather than have invoked the extraordinary powers of His Excellency the Governor. Apart from that we have to consider the present situation. His Excellency the Governor thinks that some amendments are necessary before he would give assent to the Bill being passed into law. Personally I feel that the procedure followed by His Excellency in this case is not a thing which should commend itself to us.

1 p.m. "The Council as a whole passed that measure and I presume the Hon. Member in charge of the Bill had the full support of his Colleagues on either side and had consultations also with His Excellency the Governor before he accepted the amendment which has been the cause of all this trouble. Having gone through all that, to say now that the matter should be reconsidered is a deliberate flouting of the opinion of this House for which there is no justification. Therefore, if we now consider and accept amendments other than those recommended by His Excellency, His Excellency may make this a reason for remitting the Bill to us again for further consideration. Therefore, to avoid all this, it is best that we confine ourselves to those amendments which have been recommended to us by His Excellency the Governor and not take up the time of the House in considering even the amendments of my Hon. Friend, Mr. Patnaik, or other amendments from either side of the House."

* Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, Sir, certain points have emerged in the course of this discussion. The Hon. the Revenue Member has, I think rather frankly, made it clear that the effect of this sub-clause in the form in which it has been brought forward on behalf of the Government is practically to concede to the tenants a moratorium in respect of the rents due from them. The question is: On what principles of justice or fairplay is this moratorium granted for however short a time to the tenants? If moratoriums were deemed fit to be enacted for the protection of the various debtors in our Province who sadly stand in need of such protection and if a general moratorium in favour of all debtors were statutorily enacted, I could understand inamdars' tenants also coming in for a share of the benefit of such a moratorium. But when, notwithstanding the acute economic crisis that obtains and the absolute inability of numerous debtors in the country to pay their

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debts, the Government have not seen their way to grant any such legislative moratorium for the benefit of other classes of debtors, where is the justification for granting a moratorium to the inamdars' tenants alone in respect of admitted dues?

"Another point that has been mentioned by the Hon. the Revenue Member is that, although in this section a whole period of two years running from 1st November 1933 has been set down, really it will not turn out to be in practical effect the full period of two years. For, some time will be taken up before the Viceroy's assent is received and that will be a deduction from the whole period of two years and if the next Bill becomes law by the end of this year,—practically this clause will have to be dealt with as part of the new Bill and the rights will ultimately be settled by the new Bill as between inamdars and their tenants—the difficulty of there being no forum being available for rent suits will be confined to a shorter period than two years. But even viewing it in that way, where is the justification for closing the doors of all courts for a class of His Majesty's subjects in respect of their admitted rights? Where is the justification for one class of debtors alone being specially favoured? That question has remained so far unanswered and there can be no answer and that is why it remains unanswered. It was rather extraordinary, Sir, that the Hon. the Revenue Member suggested that during this period there might be collusive actions in which the inamdars' tenants might play into the hands of the inamdars against their own interests and the object of this legislation was to afford protection to this class of tenants against their own suicidal collusive actions. I wonder if really all that you care for is to protect these tenants. Are you not making yourselves more than partisans by trying to give them protection even against their free will?

"Again, the hon. Member, Mr. Patnaik Mahasayo, said that the real object of this clause is to make it possible that rights conferred hereafter by the new Bill upon the cultivating tenants might effectively come into operation and might not be forestalled by anticipatory evictions brought about during the interval. Sir, what really does this argument on analysis come to? The argument comes to this. Hereafter by a new legislation, it may turn out that inamdars' tenants may be conferred occupancy rights. Therefore even in cases in which these occupancy rights are now found to vest in the inamdars themselves, let the inamdars stand deprived of them by way of anticipation even from 1st November 1933, in order that a new class of people might have the opportunity of getting those rights by fresh legislation. In other words, protection is afforded for future rights hereafter to be created by withdrawing the protection from rights which already exist under the law. Sir, it is a strange way of affording protection to legal rights by withdrawing the protection from existing legal rights in order that the line may be made clear for the creation of future rights.

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"Sir, both my Friend, Mr. Muniswami Nayudu, and the Hon. the Revenue Member employed language in the course of their speeches this morning calculated to give the impression that the intention of the Government is merely to introduce a Bill repeating identically the very amendments which were passed by a majority of this House in November last. If that is really the intention of the Government and that is going to be the Bill that is going to be brought forward early next session, I wonder what benefit is gained, or what purpose is served by the remit of this Bill this time by His Excellency and by His Excellency's refusal to assent to the amendments that have been passed? Well, my hon. Friends on the other side probably feel that they have a better opportunity of diving into the mind of His Excellency and knowing exactly what Bill is intended by His Excellency to be brought forward next time. But if really the object is only to repeat the amendments which were passed by a majority last November as fresh clauses in a new Bill, knowing as we do that there is the same voting strength in this House for the same clauses over again, I think that the remedy, in so far as the expropriatory character of the legislation is concerned, would be found in His Excellency withholding his assent to the Bill once again. A perusal of His Excellency's message will show that His Excellency is making no pronouncement one way or the other on the question of the expropriatory character of the amendments which were carried by a majority. Therefore, if merely the procedure has been found to be faulty and the expropriatory character was not the reason for the withholding of his assent, I think very little purpose is gained by withholding his assent. Unless care is taken in bringing forward the new Bill so to frame it as to give effect to the apparent considerations which underlay His Excellency's refusal to assent to the amendments, that is to say, remove the expropriatory character of the amendments recently passed, there is absolutely no good if the same feature reappears again in the new Bill. The only remedy will again be the refusal of assent over again by His Excellency.

"My hon. Friend, Mr. Ranganatha Mudaliyar, said that long ago he had stated that the inamdars would not be well-advised and would not be right in taking the matter from this House to His Excellency the Governor for the exercise of his special powers to withhold his assent and added that if the position was now found to be worse than if His Excellency had not refused assent, the inamdars must thank themselves for it. Well, it really means that the spokesmen on the other side are determined about it that this interval shall not be availed of for the purpose of enabling the Government to bring forward a better piece of legislation but only for bringing forward after some time the same amendments as parts of another Bill. If so, I think the other side is trying to show that they know much more of His Excellency's mind than others. It is not as if we on our side know what has been in His Excellency's mind. But if it is only intended that the same amendments should be considered over again

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and not amendments calculated to deprive the legislation of its expropriatory character, then, I say that the proper course would be not to bring this Bill forward before this House but to make it an issue before the country so that the electorate might give its mandate to the members. It is only a House so constituted that can pronounce finally and fairly upon the issue placed before it. I have pointed out the abnoxious features in the Bill before us, namely, the granting of a moratorium for one class of debtors alone in this country and the outlawry, as it were of one class, of His Majesty's subjects, namely, the inamdars owning 5,000 villages. This outlawry is absolutely unjustified and that is what is practically being forced on us as a result of retaining the proposed sub-clause and rejecting my modest amendment to it. If that is going to be the verdict of this House, I want Members who make themselves responsible for it, especially the elected Members, to remember that they will have to face the country so far as this issue is concerned."

The amendment of Mr. Venkatarama Ayyar was put to the House and declared lost.

A poll was demanded and the House divided thus:

Ayes.

- 1 Dr. P. Subbarayan.
- 2 Mr. Yakub Hasan.
- 3 " K. R. Venkatarama Ayyar.
- 4 Rao Bahadur T. A. Ramalingam Chettiyar.
- 5 Mr. T. C. Srinivasa Ayyangar.
- 6 " V. T. Arasu.
- 7 " A. B. Shetty.
- 8 " B. Pocker Sahib.

- 9 Rao Bahadur P. C. Muthu Chettiyar.
- 10 Mr. Basheer Ahmed Sayeed.
- 11 " U. C. Subrahmanya Bhatt.
- 12 The Pattagar of Palayakottai.
- 13 Mr. P. Peddi Raju.
- 14 " Ahmed Meeran Sahib.
- 15 " G. Simbachalam Pantulu.

Noes.

- 1 The Hon. Khan Bahadur Sir Mahmud Usman Sahib Bahadur.
- 2 " Diwan Bahadur Sir M. Krishnan Nayar.
- 3 " Sir Archibald Campbell.
- 4 " Sir Hopetoun Stokes.
- 5 " Diwan Bahadur S. Kumaraswami Reddiyar.
- 6 " the Raja of Bobbili.
- 7 " Mr. P. T. Rajan.
- 8 Mrs. K. Alamelumangathayaramma.
- 9 Diwan Bahadur V. N. Viswanatha Rao.
- 10 Mr. J. A. Thorne.
- 11 " H. M. Hood.
- 12 Diwan Bahadur N. Gopalaswami Ayyangar.
- 13 Mr. R. Madanagopal Nayudu.
- 14 " E. Conran Smith.
- 15 " T. Sundara Rao Nayudu.
- 16 Khan Sahib Syed Tajuddin Sahib Bahadur.

- 17 Mr. M. D. T. Ranganatha Mudaliyar.
- 18 " V. M. Ramaswami Mudaliyar.
- 19 " T. Narasa Reddi.
- 20 Rao Bahadur A. T. Pannirselvam.
- 21 Mr. G. Ranganatha Mudaliyar.
- 22 Khan Bahadur Yahya Ali Sahib Bahadur.
- 23 Mr. M. Devadasan.
- 24 Rao Sahib N. Siva Raj.
- 25 Subadar-Major S. A. Nanjappa Bahadur.
- 26 Rao Bahadur R. Srinivasan.
- 27 Rao Sahib V. I. Muniswami Pillai.
- 28 Mr. M. Vedachala Mudaliyar.
- 29 " G. Sriramulu.
- 30 " P. C. Moses.
- 31 " P. V. Rajagopal Pillai.
- 32 " V. G. Vasudeva Pillai.
- 33 " P. K. Ramachandra Padayachi.
- 34 Rao Sahib V. Dharmalingam Pillai.
- 35 The Zamindar of Mirzapuram.
- 36 Mr. M. A. Muthiah Chettiyar.

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Noes—cont.

37 Mr. A. V. Bhanoji Rao.	55 Mr. P. V. Krishnayya Choudari.
38 „ K. M. Duraiswami Reddi.	56 Sriman M. G. Patnaik Mahasayo.
39 Swami A. S. Sahajanandam.	57 The Zamindar of Chemudu.
40 Mr. H. M. Jagannatham.	58 Mr. C. Indrayya.
41 Rao Bahadur D. Krishnamurti.	59 „ H. B. Ari Gowder.
42 Rao Sahib P. Subrahmanya Chetti.	60 „ G. R. Premayya.
43 The Zamindar of Kirlampudi.	61 „ K. Pattabhiramayya.
44 Rao Sahib C. Jayaram Nayudu.	62 „ P. M. Thangal.
45 Diwan Bahadur A. Appadurai Pillai.	63 Rai Sahib C. Kolanda Reddi.
46 Rao Sahib D. V. Narasimhaswami.	64 Rao Bahadur R. K. Venugopal Nayudu.
47 „ Pandit Ganala Ramamurti.	65 Sir A. P. Patro.
48 Mr. K. Kesava Ramamurti Nayudu.	66 Rao Bahadur C. Natesa Mudaliyar.
49 „ A. Ramakrishna Reddi.	67 The Maharaja of Venkatagiri.
50 „ Sami Venkatachalam Chetti.	68 Mr. M. B. Ranganaswami Reddi.
51 Diwan Bahadur B. Muniswami Nayudu.	69 „ C. Basu Dev.
52 Mr. K. P. Raman Menon.	70 „ F. Birley.
53 „ M. S. Sreshta.	71 „ J. K. Metherell.
54 „ A. Ranganatha Mudaliyar.	72 „ C. Krishnan.
	73 „ W. W. Ladden.

Neutral.

1 Mr. M. A. Manikkavelu Nayakar.

Ayes 15. Noes 73. Neutral 1.

The amendment was lost.

1-15
p.m.

* Mr. K. R. VENKATARAMA AYYAR:—“ Sir, I now move my second amendment:—

“ In the said sub-clause add the following after the words “ shall be liable to be ejected until the first day of November 1935 ”:

“ except on the following grounds, i.e.,

- (1) that the tenant has wilfully denied the title of the landlord before the date of such suit,*
- (2) that the tenant has intentionally and wilfully committed such acts of waste as are calculated to impair materially and permanently the value or the utility of the holding for agricultural purposes,*
- (3) that the tenant has not paid within three months after the due date the whole or any portion of the rent due in respect of the holding,*
- (4) that the tenant has collusively allowed a stranger to encroach on the holding or part thereof adversely to the interests of the landlord,*
- (5) that at the end of an agricultural year the landlord requires the holding bona fide for his own cultivation or for that of any member of his family, and*
- (6) that at the end of an agricultural year the landlord requires the holding or part thereof bona fide for building purposes for himself or any member of his family ”.*

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These clauses have been modelled upon, and adopted word for word from, the corresponding clauses of section 14 of the Malabar Tenancy Act. This House, after great care and mature consideration, adopted this clause as necessary in the interests of Malabar landholders as against the tenants, who did not deserve in particular instances for faults of their own, to be continued any longer in the position of the cultivators of the land. After all it cannot be the object of this Legislature arbitrarily to put property in one class of persons by depriving another class of persons of it. Apparently with the object of furthering agriculture and sound husbandry, rights of occupancy or fixity of tenure are sought to be conferred on the cultivating tenants; provided that object is secured in a wholesome manner, it certainly is a worthy object, worthy of being achieved. But if the tenant in his turn abuses the privilege conferred upon him in any one of the many ways indicated in this amendment—for example by denying the title of the landholder under whose grant or under whom he has his existence, or if he wilfully commits acts of waste and thereby injures and not further the cause of good husbandry or agriculture—then certainly to retain such a man in further possession of the land is a danger. He abuses the fixity of tenure. Similarly it is due to the landholder and it is but fair play to him that he should have his rent duly paid to him. If any default is committed in this respect and after a further respite of three months also allowed, if this default is not rectified, then such a tenant appropriates the fruits not only legitimately due to him but also misappropriates the share of the landholder. Considerations such as these have resulted in the enactment of a similar clause as part of section 14 of the Malabar Tenancy Act. If the tenant collusively allows a stranger to encroach on the holding adversely to the interests of the landholder, the law which gives immunity to the encroacher by the favour of the tenant, is a lamentable law indeed. Therefore a collusive encroachment also has to be provided against by permitting eviction of such tenants.”

* The Hon. the PRESIDENT:—“ The hon. Member may continue after lunch.”

IV.—HIS EXCELLENCY THE GOVERNOR'S ADDRESS.

At this stage His EXCELLENCY THE GOVERNOR arrived at the Council Chamber and addressed the House as follows:—“ Mr. President, and Hon. Members of the Legislative Council—

“ When I last addressed the Legislative Council, I think there was a general hope that we had reached or nearly reached the end of the economic depression, and that recovery although it might be slow would be none the less sure. That hope, I regret to say, has not yet been fulfilled. Although the downward trend appears to be arrested, there are at present no signs of any immediate recovery, even a partial one, in agriculture, the main industry of this Province, though

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in some other directions there has been an improvement. That being so, it is necessary that we take stock of our financial position. The fact that we have been able to balance our Budget, and indeed in one year even to show a surplus, has no doubt led the majority of the people of this Presidency to think that our finances are in a very prosperous condition. I do not wish for one moment to give the idea that there is any instability in our financial condition, but I do want to impress on every one that our present satisfactory condition has only been achieved by the exercise of the strictest economy and by foregoing for the present many schemes which we should like to adopt for the betterment of the people of this Presidency. The surplus which we obtained in the year 1932-33 was due to the unexpected recovery of the abkari revenue, but this improvement has not been maintained—indeed a reverse tendency has been apparent. The same applies to most other heads of revenue, and land revenue taxation has been remitted as far as possible without curtailing unduly the activities of the Government or compromising its financial position. The basic remedies for the depression can, I believe, only be found in economic measures which cannot be effectively initiated by any Provincial Government alone. The Government of India are alive to this fact, and a conference is to be held in a few days at Delhi to which representatives from this Presidency will be sent to examine the whole situation and if possible to devise some remedial measures. I am glad to have received two days ago a deputation of Hon. Members of this Council to put certain aspects of the case before me, and their recommendation will be submitted to the Government of India at this conference. Any such measures as may be adopted must necessarily be slow in their operation and we must look forward to the prospect of a struggle for some years to come to retain the financial stability which is ours at the present time.

1-30 p.m. " During the past season, one or two agricultural districts have been affected by violent storms which in one case, I am sorry to say, caused considerable loss of life, but it may be said that on the whole the season has been generally fair.

" The Mettur Dam will shortly be completed, and the formal inauguration of the Cauvery-Mettur system of irrigation has been fixed for some time in August. It is satisfactory to note that the development of irrigation under the Project has not been so disappointing as was feared, and has approximated as nearly to the forecast as can be expected under the present economic condition and the consequent hesitation on the part of the ryots to take Project water at the price offered. Investigation is being pushed forward with regard to the Bhavani Reservoir Project and the modified Tungabhadra Project, and it is hoped that the result of the investigation of these two Projects will be sufficiently encouraging to permit of their execution.

" It is a matter for congratulation that at a conference between representatives of this Government and of the Mysore Darbar held during September last satisfactory agreement and understanding were

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arrived at as regards a number of minor irrigation disputes which have been the subject of protracted correspondence between the two Governments for a number of years.

" The forthcoming abolition of taluk boards has been adopted with a view to secure, if possible, financial equilibrium for local boards. It is hoped to bring the new Act into force at an early date, and the Government are giving their earnest consideration to the steps necessary to ensure the smooth transition from the old order to the new.

" A comprehensive Bill amending the City Municipal Act is in process of preparation and will be ready for publication shortly.

" The Government have sanctioned the appointment from the 1st of March, 1934, of an officer on special temporary duty to make a study of the rice trade in this Presidency and to collect information and accurate data on various points connected with this trade. The materials collected by this special officer will be useful to the Provincial Marketing officer and to the Marketing Board both of which the Government propose to appoint early in the next financial year. It is hoped that it will thus be possible to effect a substantial improvement in the marketing of agricultural produce and to minimize thereby the effect on the agriculturist of the recent severe fall in prices, and also to aid the general economic recovery of the Province.

" The Government have decided to guarantee when the Act comes into force, both the principal and interest on future debentures issued by the Central Land Mortgage Bank which has now firmly established itself. The Government of India have, at the instance of this Government, agreed to amend the Indian Trust Act so as to include these debentures in the list of trustee securities. This measure is calculated to secure investment in these debentures by Insurance companies and other private and public bodies interested in long term investment, and to give long term credit facilities to agriculturists.

" I intend to make only one reference to the White Paper which I consider to be *sub judice* at the moment. It is of course easy to pick out a sentence here and a proposal there and by those means to condemn it, but I would ask Hon. Members and the public generally to view the proposals and to base their judgment on them as a whole and not piecemeal.

" For the first time in the history of Madras an Indian gentleman, Sir Mahomed Usman, has been appointed to act as Governor during the time that I shall be acting as Viceroy. I am sure that he will carry out the duties admirably, and I am also confident that he will receive from this Council the same loyal and unstinted support that has always been accorded to me.

" Owing to the uncertainty of the situation with regard to when the Reforms will come into operation, I have decided that the Hon. Members of this Council and the Presidency generally shall not be subjected to

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the expense and disturbance that a general election must necessarily entail, and the life of this Council will be extended one year from November next.

"Now, Mr. President and Hon. Members of the Council, it only remains for me to thank you for your labours during the past session, and to express the hope that you will be able to enjoy a pleasant rest from those labours. (Applause.)"

HIS EXCELLENCY THE GOVERNOR then left the Council Chamber.

* The Hon. the PRESIDENT:—"The House will now adjourn for lunch."

After lunch—2-35 p.m.

III.—A BILL FURTHER TO AMEND THE MADRAS ESTATES LAND ACT, 1908, FOR CERTAIN PURPOSES (BILL No. 12 OF 1931)—CONSIDERATION OF AMENDMENTS RECOMMENDED BY HIS EXCELLENCY THE GOVERNOR.

* Mr. K. R. VENKATARAMA AYYAR (continuing his speech):—"Sir, I was pointing out that though arbitrary eviction should not be encouraged and should be provided against during the period of transition, it is not fair that the recalcitrant tenant or a tenant who commits waste, or defaults for an unreasonable period to pay rents or encourages strangers to encroach on the holding, should be offered a premium for indulging in those misdeeds of his as against the inamdar. On this ground and on two other grounds which are brought out in the two last clauses of my amendment I have copied, as I said already, from section 14 of the Malabar Tenancy Act. They have already had legislative approval and it is but fair that, on these reasonable grounds at least, eviction should be permissible even during the interim period. The real object behind the Government amendment will be secured if my amendment is carried because it will prevent on the one hand arbitrary eviction by inamdars and on the other make competent, fair and justifiable, eviction on good grounds. I therefore ask that the House should take a dispassionate view of these amendments and deal equally and fairly by both sides in reaching decisions."

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

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, there is considerable confusion of thought in the amendment proposed by my hon. Friend. He has not made clear the position of the ryot in inam villages. Of course, there is the contention on the one hand that he is a tenant at will and on the other hand that he has rights within the meaning of the Estates Land Act. Certain provisions go to show that he is a tenant at will or a tenant from year to year. To make the position clear, I would say that according to the English Law, the ownership of land vests in the sovereign and whoever holds lands has to trace his title to the sovereign directly or indirectly. On the other

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hand, the Indian Law is different altogether. According to the Hindu Law, the ownership of the soil vests in the cultivator who is the proprietor of the soil and the assignees of the State, namely, the zamindar or the inamdar, can only collect assessment and the ownership does not vest either in the State or its assignees, the inamdars or the zamindars. That position has been made clear in the decision of Sir S. Subrahmanya Ayyar and Benson, JJ., in 20 Madras, page 299; and that has been the basis for the Madras Estates Land Act and that is also the basis for what we call the ryotwari tenure in Madras. That decision has been based on the authority of Sir Thomas Munro and also the Board of Revenue in 1818 and the Saddar Diwani Adalat of 1818. The views of Manu are quoted in 9 Madras, and other cases. Therefore, we see that in the first instance, the whole confusion arises on account of the fact that judges were influenced by the notions of English Law. That they were so influenced before the Estates Land Act was passed is clear from the speech of the hon. Mr. Forbes. The English judges construed the patta and muchilka as lease deeds and they said that if a tenant executed a muchilka he held tenancy from year to year.

"That view was entirely unsound with reference to the Indian law relating to landlord and tenant and the whole confusion arose on that account. Mr. Forbes did his best in stating that the English law is quite different from the Indian law and that the Estates Land Act should be based upon the principles of Indian law and not upon those of English law. Now, if we come to the question whether the Estates Land Act deals only with, as is commonly supposed, permanently settled estates or temporarily settled estates, I should say that it deals also with two other kinds of inams. For instance, we have got sub-clause (c) which deals with palayams and jaghirs, and you know, Sir, that a jaghir is nothing but a dignified term for inam. These jagirs are, practically speaking, inams granted to high dignitaries or relations of the rulers or zamindars. You have also got clause (e) dealing with what are known as subsequent inam villages. Therefore, two other kinds of inams are also dealt with under the Act. Again, Sir, sub-clause (d) deals with particular kinds of inams which we are now considering here. So, when the other kinds of inams are held to be estates and occupancy right is given to ryots cultivating those inams, one cannot see how the ryots in those inam estates also who come under clause (d), should not have occupancy rights. Thus there are inams admittedly and obviously coming under clause (e) and are inams granted by zamindars after the permanent settlement; they are inams carved out of the permanently or temporarily settled estates or portions of such estates or from out of jaghirs or palayams. Now, what is the difference in the position of a zamindar after the permanent settlement and before it? Practically there is no difference, because the zamindar does not derive his title to hold the estate from the permanent settlement.

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Permanent settlement, as has been explained in Privy Council cases, is but the fixing of the revenue which was variable before and that is why we find in estates which were not settled, the right of the zamindar to sell the property. There are cases of this sort also. The Privy Council held in a case which was settled only in 1905 that mortgages granted in 1896 or so were valid. There is also another principle involved in this. If this principle is not accepted, the foundation for the impartibility of an estate according to custom would disappear, because before a zamindar derives his title by virtue of the permanent settlement, there would not be sufficient period for the customary law to come into operation, for it will take effect only from the date of the permanent settlement. It was only shortly afterwards that such estates were held impartible by custom. If an estate is enjoyed before the permanent settlement, it was held to be impartible under custom and it was so held in the Chellapalli case. So, whether an estate is granted prior to the permanent settlement or after the permanent settlement, it makes no difference, because the zamindar was at no time the owner of the soil, and the zamindar has always been considered to be the assignee of the Government revenue. Even Government cannot be owners of the soil, but they have got only the right to collect the melvaram. If you do not accept that principle, then you will be cutting the very root of the principles on which ryotwari tenure is now held. What will be the position of the tenants if they are treated as ryotwari tenants from year to year? That means Government may eject them to-morrow. If that is the position with regard to ryotwari tracts, the position cannot be different in the case of ryots holding lands in inam villages or zamindari villages. So far as the zamindari estates are concerned, they are governed by the Estates Land Act, but with regard to inam villages, there are two classes of inams which are covered by clauses (c) and (e). Only with regard to inams under clause (d), there is some difference. What was carried by the Council in 1933 was the clause to be found in the Bill of 1905 and apparently owing to pressure of non-official opinion, the modification found in the Act of 1908 was agreed to by Government. It was therefore a clear departure from the principles of the Estates Land Act to this extent. That modification gave rise to a lot of litigation and you will find from memorials presented from time to time, everybody, zamindars, ryots and even inamdars, wanted that they should be saved from ruinous litigation. But, the Madras High Court consistently with the principles on which the Estates Land Act was based, held that the burden of proof was upon the inamdar. I refer to 34 Madras, a case decided by V. Krishnaswami Ayyar, J., in 1910. He also took a very active part in the passing of the Act of 1908 and he held that if an inam is situated in a zamindari, the inamdar cannot have any better right than the zamindar, but if it is situated in a ryotwari tract, then the burden of proof was upon him. That was the position. But in 1918, the Privy Council, again influenced

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by English law of landlord and tenant, held that the sovereign was the owner of the soil and they simply relied upon the preamble to the Madras Regulation XXXI of 1802, as we find the preamble to all these regulations declare that the zamindars are proprietors and Government the owner of the soil, but subsequently, after due enquiry they held under Madras Regulation V of 1822 that the rights of ryots should not be interfered with by such language. Therefore, it is clear that the Privy Council was merely misled by the language of these regulations and that is now being taken advantage of by the inamdars. That is why we find a good deal of conflict of judicial opinion. In fact, in 41 Mad., and 43 Mad., the two decisions of the Privy Council could not be understood, in the way in which the Privy Council wished them to be understood, by a Full Bench of the Madras High Court, wherein it was held that the burden of proof was upon the ryot and then in 45 Mad., the Privy Council quoted with approval the proceedings of the Board of Revenue, dated 5th January 1818."

* The Hon. the PRESIDENT:—"I thought the hon. Member would have exhausted himself. I would request the hon. Member to confine his remarks to the amendment before the House."

* Sriman M. G. PATNAIK Mahasayo:—"I am explaining the point, Sir."

* The Hon. the PRESIDENT:—"But, I think the hon. Member may reserve all these remarks when the proposed Bill comes up before the House."

* Sriman M. G. PATNAIK Mahasayo:—"I am coming to the end, Sir."

* The Hon. the PRESIDENT:—"I am glad to note that he is coming to the end."

* Sriman M. G. PATNAIK Mahasayo:—"I am referring to the several conflicts in decisions of courts, and that is the conflict referred to in the message of His Excellency the Governor. That is why His Excellency was also misled, again owing to the influence of English law relating to landlord and tenant. That is the whole trouble. I am taking a great deal of pains to point out all these difficulties. The Privy Council also was misled in this way. The High Court Judges did not understand the rulings of the Privy Council in 41 and 43 Mad., and so there is a good deal of conflict. In fact, Sir, Judges of the High Court have stated that they could not reconcile the two Privy Council rulings in 45 and 47 Mad., and held that 45 Mad., was overruled by 47 Mad., but subsequently the Privy Council followed 45 Mad. There is therefore a good deal of confusion, because the principles on which the Madras Estates Land Act was based were departed from. That is the whole trouble."

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"Now, the complexity referred to in the message of His Excellency is also due to that. If the principles of the Estates Land Act and also of the land tenure not only in the Madras Presidency, but also of the whole India are clearly understood, there cannot be any difficulty in understanding the simple position that the inam estate under clause (b) must be an estate and that the ryot must have occupancy rights. In Bengal even minor inams, not only whole inams, are considered as estates. The law of Madras is not different from the law of Bengal in this respect.

"The first amendment of my hon. Friend, Mr. Venkatarama Ayyar, namely, 'that the tenant has wilfully denied the title of the landlord before the date of such suit.' This is applicable to a tenant in an estate governed by the Transfer of Property Act. My friend wants to bring it into line with the English law on the subject and that is due to confusion.

"Coming to the next clause in my friend's amendment, namely, 'that the tenant has intentionally and wilfully committed, etc.,' he entirely relies on section 151 of the Madras Estates Land Act. It is always open to the inamdar to go to a revenue court and avail himself of all the provisions of the Act. There is no reason why he wants this particular clause to be made applicable to the relationship between the inamdar and the tenant.

"With regard to the next amendment, namely, 'that the tenant has not paid within three months after the due date, etc.,' I do not understand the need for this clause. Even according to English law, if a man does not pay for three months, he must be given six months' notice before a suit for ejectment can be filed.

8 p.m. "In regard to the next clause, viz., 'the tenant has collusively allowed, etc.,' I do not think how he will be affected by it, because within twelve years the inamdar can eject a person who has so entered upon the land. I do not see how any person would allow any other person to enter the land to the detriment of his own interest. In that case if you want to take away all the land, you can have recourse to the Estates Land Act. Under section 186, it is open to a landlord to apply to the Collector for acquisition of land. You can do so. Therefore as I said there is a confusion of thought as to the relations of landlord and tenant under the English law and under the Indian law. Therefore, I oppose the amendment."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I am afraid I cannot accept this amendment. My hon. Friend, Mr. Patnaik, has dealt with this amendment at considerable length and I do not think that is necessary for me to add very much. I do not think, Sir, that the inamdars will suffer very badly on account of their being not

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able for a few months to take action under the various sub-clauses in my hon. Friend's amendment in cases where they claim the kudivaram right as well as melvaram right in land but have not obtained decrees to that effect. Such inamdars would be tempted by this clause to give notice to all their tenants under sub-clause 5 or 6, at the end of the current fasli and the tenants would then be ousted from their land; another strong objection to this clause is that if I accept it, it may be represented that I have admitted implicitly that the ryot of an inam is in the same position as the cultivating verumpattamdar in Malabar who has been given fixity of tenure by the Malabar Tenancy Act. The position is entirely different. The tenant who is benefited under the Malabar Tenancy Act is a sub-tenant of the janmi or of some intermediate tenant under the janmi and we recognize that the janmi as the pattadar has the occupancy right in the land. The whole point is whether these so-called tenants of the inamdars have occupancy rights in the land or are merely sub-tenants like the cultivating verumpattamdars on the West Coast. If we accept this amendment, we shall be giving away the whole position and admitting by implication that inamdars' tenants have no occupancy rights in any case. I cannot therefore accept the amendment."

* The KUMARARAJA OF VENKATAGIRI:—"I am afraid I have also to oppose the amendment given notice of by my hon. Friend from Madura for the reasons dealt at length by my hon. Friend, Mr. Patnaik, and the Hon. the Revenue Member. Sir, in this connexion I may be permitted to state on behalf of the Justice Party, the Party to which I have the honour to belong, how we expect the Government to give effect to the assurance given to us by the Hon. the Revenue Member, this afternoon. Sir, in this connexion, I may also state as one who pleaded for some sort of safeguard against confiscatory legislation that we have assured ourselves that the case on behalf of the inam ryot remains unanswered, and that so long as it remains unanswered we have no hesitation to say that we support this legislation. It is also our hope Sir, that since there will not be a very long period between now and the day on which the legislation will be introduced, this amendment will be opposed by all sections. We are very sorry that this re-committal has been made. Anyhow, we are glad for one reason. Hereafter, it cannot be said with any justification that this legislation has been rushed through. For these reasons, I oppose the amendment moved by my hon. Friend from Madura."

The amendment was put and lost.

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, I move—

'that in the proviso to sub-clause (2) of clause 127, at the end add the words, "which has become final".'

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"We find in the previous paragraph that all the proceedings should be stayed. Unless the word 'final' is used it would appear there is some inconsistency. To make the intention of the draft of the amendment clear I wish to add the amendment. It becomes final when no appeal is preferred. Therefore, it is necessary to make the amendment clear."

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

The Hon. Sir ARCHIBALD CAMPBELL:—"I have no objection to accede to this amendment."

The amendment was put and carried.

* Mr. K. R. VENKATARAMA AYYAR:—"I beg to move—

that in the said sub-clause after the proviso add the following:
"or to any proceeding in ejectment of a tenant for the grounds mentioned in section 151 of the Madras Estates Land Act or to any suit for the recovery of rent due from the tenant"."

* The Hon. the PRESIDENT:—"Is it not covered by the amendment that has been thrown out?"

* Mr. K. R. VENKATARAMA AYYAR:—"No. No doubt, the position is analogous, but not exactly the same. It cannot be said that it is the same."

* The Hon. the PRESIDENT:—"The hon. Member may continue his speech."

* Mr. K. R. VENKATARAMA AYYAR:—"No doubt, I first moved for the deletion of the words 'all proceedings involving decision whether or not the inamdar has kudivaram right in such a land.' When the question of jurisdiction becomes the issue, it would stand barred under that language. The indirect effect of it might be to hold up a trial of the claim for rent-dues. But it is different from the amendment which is a much more restricted amendment as I have now proposed in the fifth amendment. The question is whether the House really and in terms wants to shut out a trial by the munsif or the sub-judge of a claim for recovery of rent, which in future would fall due from the tenant on the footing that he is an occupancy ryot. Now the decision is directly whether it is a lessee or a tenant or an occupancy tenant, the suit may be stayed as has been resolved upon by the House. But, as it was not the intention of the House in passing that clause that the claim for rent proper should also stand prevented from being tried, I now put the *bona fides* of the House to test by putting this narrow amendment which is confined strictly to a trial of suits for rents leaving open the question of occupancy right being vested in one party or in the other and have a decree only in respect of the limited claim which is an admitted claim, namely, a rent due from the tenant. Is it the view of the House that even this should be closed and forbidden? Therefore, the vote of this House on this amendment will put to the acid.

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test their claim that they are really not hitting the inamdar in essential respects and they are not preventing him from getting a decree for rent which in any view of the case will be found due. This is an amendment which is fair and justifiable. I hope the House will accept it."

Mr. G. SIMNACHALAM PANTULU:—"I second it."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I am afraid I cannot accept this amendment. A suit would be brought, I take it, in the civil court, only in cases in which the inamdar claims the kudivaram right. But the main question is whether he has any kudivaram right or not. A suit for recovery of rent by an inamdar who does not claim the kudivaram right could be brought under the Rent Recovery Act; the amendments proposed by His Excellency will not affect such proceedings. If the amendment now proposed by my hon. Friend is carried, the inamdars will be obtaining practically a decision in their favour on points which are to be considered later by this House when the further Bill is introduced. I cannot therefore accept this amendment."

* The Hon. the PRESIDENT:—"I will now put the amendment to the vote of the House. The question is—

In the said sub-clause after the proviso add the following: "or to any proceeding in ejectment of a tenant for the grounds mentioned in section 151 of the Madras Estates Land Act or to any suit for the recovery of rent due from the tenant"."

The amendment was lost.

* The Hon. the PRESIDENT:—"I will now put to the House amendment No. 7 of His Excellency the Governor. The question is—

Renumber clause 127 as sub-clause (1) of that clause and in the clause as so renumbered, for the words "nothing in this Act," substitute the words "subject to the provisions of sub-section (2), nothing in this Act" and, to that clause, add the following as sub-clause (2):—

"(2) No tenant in possession on the first day of November 1933 of any land in an inam village, not being an estate within the meaning of sub-clause (d) of clause (2) of section 3 of the said Act as amended by this Act, or admitted by the inamdar to possession of any such land subsequent to the said date, shall be liable to be ejected until the first day of November 1935 and all proceedings in ejectment of any such tenant and all proceedings involving a decision whether or not the inamdar has the kudivaram right in such land, shall be stayed until the first day of November 1935:

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"Provided that nothing contained in this sub-section shall apply to any land the kudivaram interest in which has been declared or recognized before the first day of November 1933 to vest in the inamdar by a decree or order of a competent court."

The amendment was carried.

* The Hon. the PRESIDENT:—"All the amendments referred to the Council have been passed. The Bill as re-affirmed with amendments will be again presented to His Excellency for his assent."

V.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

DEMAND XX—PUBLIC HEALTH—TRANSFERRED.

* The Hon. the PRESIDENT:—"The House will now resume the discussion on Mr. Basu Dev's cut motion under Demand XX."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, the other day, when the House rose, I was referring to certain pamphlets which had been issued by the Neo-Malthusian League of Madras and which had been, in fact, placed on the table of the House. Sir, one of those pamphlets was an extract of the proceedings of the House of Lords regarding this question of birth-control clinics. Hon. Members who had cared to go through that pamphlet would have known what it was that the House of Lords actually resolved upon in that case. In England, certain charitable and philanthropic institutions organized by private individuals or associations were carrying on work in maternity and child welfare and for that work the Government was giving them a certain grant. One of the conditions which at that time had to be conformed to before this grant could be earned was that nothing connected with birth-control, either by way of instructions or otherwise, should be encouraged or countenanced in those institutions. All that the House of Lords resolved to do was to remove this condition the compliance with which was necessary for the purpose of earning the grant. Therefore, the attitude recommended by that resolution was merely one of removing a restriction on private persons unconnected with the Government, carrying on work in favour of birth-control. Sir, to interpret the proceedings of the House of Lords, or to consider that pamphlet as being in support of an agitation for the establishment of birth-control clinics by Government as part and parcel of its medical institutions is, it seems to me, wholly unfounded. Even to-day the Government in England has not given any official recognition to these birth-control clinics, nor do these things form part of any of the public institutions maintained out of public funds. We have it on the very high authority of no less a person than Justice Sir Ramesam, that even in countries like France and Italy, the Governments have never recognized or advocated birth-control. Nor have they actively rendered any assistance towards birth-control propaganda. But, we know that, in spite of this governmental indifference, the people of those countries

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had been increasingly adopting birth-control methods—on such a devastating scale that their Governments have been moved away from their attitude of indifference to an attitude of active antagonism towards the birth-control forces. In Italy, Sgr. Mussolini has found it necessary to ban any reference to birth-control and even in our neighbouring town of Pondicherry we find that the French Government have promulgated a law that anyone who advocates birth-control or advertises articles connected with birth-control or exhibits them for sale is liable to be prosecuted. Sir, we here do not want this Government to adopt that attitude. We do not want this Government to condemn birth-control by legislation or otherwise. We do not want them to issue an order to their servants that they are not to give any instruction in birth-control. All that we say is 'Hold back your hand' as the Government in the West have been doing. This idea of birth-control is a thing borrowed from the West. However much certain persons may proclaim that the Hindu Sastras of the ancient days have advocated it, we all know that this is an idea borrowed from the West. So now, if you are going to borrow this idea from the West, you must also borrow the attitude of the West towards it and adopt the same different attitude which the West has been adopting. We do not want the Government to go an inch further than that. I find it necessary to emphasize this particular point because in certain quarters our attitude towards this question has been completely misunderstood. We have heard it said by certain people that the Catholics are not merely not for birth-control but that they want to force their views down on other people. As I explained the other day, that is certainly not our attitude. We only want the Government not to give any countenance to this. We do not want them to issue any instructions to their subordinates that they should or may give instructions for people who seek it. In fact the issue of a circular to their subordinates that they are free to give instructions to anybody that might seek them is unnecessary and uncalled for. To-day I am not aware of any rule which prevents a medical officer from imparting instructions in these matters if it is really sought and if a medical officer feels so inclined.

Sir, into the merits of the question whether birth-control practice is an evil or an advantage, I do not propose to go. For the last few months this question has been engaging the attention of the public of this Province and arguments *pro* and *contra* have been advanced *ad nauseum*. Certainly, those arguments could not be put forward by me more ably than has been done. I would only say this: if you want any further idea in the matter let hon. Members have recourse to that excellent pamphlet called 'Birth-control—a Death-trap' which has been circulated, though non-officially, to hon. Members of this House.

[At this stage the Chairman (Mr. M. A. Muthiah Chettiyar) occupied the Chair vacated by the Hon. the President.]
Before concluding, I should just like to advert to a matter which has been already touched upon by my hon. Friend from South Kanara and that is the attitude which certain Government officials have been

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adopting in this connexion. Sir, the Hon. the Law Member seems to have completely misunderstood the point which my hon. Friend, Mr. Sreshta, wanted to make. Mr. Sreshta, I am sure, did not by any means intend to say that Justice Sir Ramesam was not entitled to have his views. He is certainly entitled to have his views and also to express them openly on any platform on any matter provided it did not raise severe controversy and provided the Government had not to come to a decision on it. Sir, this is a matter which, though according to certain people, of a social character, has assumed during the last few months, considerable political importance. Agitation has been carried on, on both sides and people are waiting to know the final decision of the Government in the matter.

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"And all that I wish to say is that, for a gentleman occupying the position of a High Court Judge to enter the open arena on a matter of this character is to say the least of it, putting the other side completely at a disadvantage. And regarding certain of his speeches on this matter, there is one particular point to which I think it necessary to draw special attention on this occasion. In cataloguing the various groups of humanity, which according to him are adopting birth-control, he is able to include, in one sweep the Hindus; because the Sastras, according to his interpretation, accept birth-control, and so all Hindus are in favour of birth-control. As regards the Muslims, he somehow concludes that they are in favour of birth-control, and the Protestants are all in favour of birth-control because the Lambeth Conference by a majority so decides. Not content with all this array, the small community of Catholics, he is unable to leave out completely; for he goes on to say that the Catholics, though in theory opposed, are, a large number of them, in practice actually adopting birth-control. I only want the House to realize the implications of that statement. Does it not mean that the Catholic community or at least a large section of the community is preaching one thing and practising another, that they are leading, so to say, a double life all the 24 hours and that they are in fact humbugs. (Laughter.) Sir, this is the meaning of his statement."

Mr. U. C. SUBRAHMANYA BHATT:—"On a point of order, Sir, is it in order for an hon. Member to criticize a gentleman who is not before the House, and so who will not be able to answer the criticism?"

* The CHAIRMAN:—"I would draw the attention of the hon. Member to the remarks of the Hon. Law Member that Government are not responsible for the private views of High Court Judges."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, my remarks are not aimed at Justice Ramesam; they are all made by way of criticising Government, who are responsible for the action of the servants in their employ. When these gentlemen get upon platforms and begin to attack particular communities, what other course, or remedy has one except to appeal to Government through this House? It is only by way of criticising the Government that I refer to this matter."

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Mr. SAMI VENKATACHALAM CHETTI:—"You cannot take Government to task for the extra official duties of their servants."

* The CHAIRMAN:—"I have already drawn the attention of the hon. Member that this is a matter of social reform, and as pointed out by the Hon. the Law Member the other day Government cannot be held responsible for the private views of their servants."

Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I was particularly referring to the remarks regarding my community . . ."

* The CHAIRMAN:—"Order, order."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I want to explain myself. I was only complaining about a remark that he made about a community, to which I have the honour to belong and a community which I represent in this House. It seems to me, Sir, that when that community is insulted by whomsoever it might be, it is my duty to protest against that, and I shall not pursue that subject any further."

"Mr. Basheer Ahmed also referred to another question, and that is about the National Health Association of Madras having been refused the grant which they were receiving previously. It seems to me it would have been helpful to us if the hon. Member had told us what exactly was the kind of work which that association was doing, so that we could judge whether that work is being done more efficiently by somebody else, and whether the work was worth voting for. I now learn that all the work which this association is carrying on is the delivering of a few lectures occasionally within the city of Madras. I also understand that the Corporation has for some time now launched out on a large campaign of health lectures in various parts of the city almost every day in the week. I am told by as high an authority as Dr. Natesa Mudaliyar that health lectures with the aid of magic lanterns are being delivered in as many as six places every day. There are also special lectures held for women. I do not know if the National Health Association is intended merely to carry on a similar kind of work; and if therefore there be not overlapping in their work, and if so is it worthwhile allotting any public funds on that behalf."

Mr. BASHEER AHMED SAYEED:—"On a point of correction, Sir . . ."

Rao Bahadur A. T. PANNIRSELVAM:—"Is it a point of order, Sir . . ."

* The CHAIRMAN:—"It is not a point of order."

Mr. BASHEER AHMED SAYEED:—"On a point of personal explanation, Sir . . ."

* The CHAIRMAN:—"I don't think the hon. Member has spoken before."

Mr. BASHEER AHMED SAYEED:—"I have spoken some time back and it is to that the hon. Member from Tanjore is referring. I have said in my speech before, that there is scope for starting more than . . ."

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half a dozen associations of this sort in the city; and that instead of the mortality rate falling down we see it increasing and that is a justification for Government starting National Health Associations."

* Rao Bahadur A. T. PANNIRSELVAM:—"I should only wish to say that coming as I do from the mufassal I should enter my caveat against the granting of any sum of money for a purpose which is already being done, by the Corporation. If there is really further scope for doing this sort of work the Corporation would as well do it."

"I may also state that side by side with the National Health Association there is another body which was started under very good auspices, in fact under patronage of Lady Willingdon. It has been carrying on work on a very efficient standard, and on a line which does not come into conflict or overlap with the work which is being carried on by the Corporation. Their sphere of work is not limited to the city; it extends to the whole Province. They are engaged in doing valuable service connected with the health of the Province. They are also holding conferences connected with health work, and in such conferences they decide their future plan of work. And their work has been commented upon favourably by several persons competent to speak about the matter, namely, the Director of Public Instruction, the Director of Public Health and the Surgeon-General. It seems to me that such a body as that deserves every encouragement at the hands of the Government, and when even that body has not been allotted any grant for the last so many years, I certainly am not able to see how Mr. Basheer Ahmed can justify the claim of the National Health Association."

"Just one word, Sir, about the office of the Director of Public Health. That is a work which requires not merely a knowledge of the technique of the subject but one which requires a thorough knowledge of the whole Province. For a post like that we want a person who has not merely the requisite professional knowledge; he should have had considerable previous experience of the people, and should be able to get into close touch with presidents of local bodies and chairmen of municipalities. I may say that if the scheme propounded by its founder, the late Raja of Panagal, was an immediate success, it was in no small measure due to Major Russell, who was the first Director of Public Health, who began by acquainting himself with the state of things in almost every part of the Province, who made it a point to meet every local board president during his tours, discuss details with them, and then after in this way gaining considerable experience, he was able to launch forth a scheme which showed substantial results. It seems to me that because of his success he was retained in office for a fairly large number of years, and in filling up the place, which I understand is falling vacant in the near future, I should suggest to Government, if I may, that the claims of the Assistant Directors, who have past experience in the field of health should be considered."

* Rao Bahadur C. NATESA MUDALIYAR:—"Sir, I thank you very much for giving me this opportunity to speak. Coming first to what

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our friend, Mr. Basu Dev, said that there is a monopoly of all the posts by one community in the office of the Director of Public Health and that there is indiscipline. Sir, this does not come as a surprise to me. If the number of people in position are of one community, they will not give opportunities for members of other communities to thrive. That is why I have been saying all along that people belonging to different communities should be represented in an office or in a district or taluk. I am not saying that all people who are in high positions will favour their own community. There are several exceptions. I know Hon. Sir Usman is in high position and he is fair to all communities; the Hon. the Chief Minister is anxious to mete out justice to all communities. On the other hand, we have our Hon. Mr. Rajan who, not only does not do anything for his own community, but goes out of the way to do harm to his community. (Laughter.) So that, what I urge is that men from all communities should be represented in every office. So, I request the Hon. the Chief Minister to see that proper measures are taken in this matter. Till now we have been saying that every post in an office was occupied by the Brahman; that is gone now. Now any community that is predominant does harm to other communities. So, it is not the Brahman that we should take care of now but any community that tries to monopolize. I say all higher posts in an office should not belong to one community. There was one medical officer who was in charge of malaria work in Mettur. When the League of Nations Malaria Commission toured round India, they praised his work in the following terms:

'At the Mettur Dam where medical treatment and hygiene are so well organised, a malaria epidemic was stopped at the Salem camp and the splenic index reduced from 47 per cent to 7 per cent by treating the sick for three weeks and also by giving quinine as a preventive.'

Due to the organization of this officer, the rate of attack was brought down from 47 per cent to 7 per cent.

"And then, the League of Nations Malaria Commission go on to say:

'The Mettur Dam works on the Cauvery river (Madras Presidency) although in a less malarious country have produced a far more interesting problem.'

"Then again, they say further:
'We are convinced that if this work had been in progress at the time of our visit we are sure that it would have been shown to us as just as successful a piece of work as, for example, the protection of the labour camps in Mettur.' Out of the twenty photographs of all the works found all over India including the Mysore State, we have got six of them belonging to Mettur alone."

"Sir, although the work of the officer is praised by the League of Nations Malaria Commission, he is not wanted in Mettur, perhaps because he does not belong to the community which is not prominent there. He is not wanted by the people in office of the Director of Public Health, because though he is an Indian Christian, he does not belong to that Christian community which is predominant in the office of the Director of Public Health. The Madras Indian Christians do not want

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him. Whereas, the Indian Christians of Mangalore want him and go to him.

"Then, Sir, with regard to the post of Director of Public Health, it is a Provincial appointment and there ought to be a Provincial Indian there according to the report of the Royal Commission. But now we have got an Anglo-Indian I.M.S. officer. I request the Hon. the Chief Minister to note that the family to which Major Hesterlow belongs is a well-known medical family of the Presidency and Major Hesterlow himself is an able man and I therefore appeal to the Hon. the Chief Minister to see that Major Hesterlow is made permanent as Director of Public Health. The appointment of Director of Public Health was overdue to him.

"Sir, I am extremely thankful to my hon. Friend, Mr. Panuirselvam, for having spoken about health propaganda. I believe I am one of the Committee members and also Mr. Basheer Ahmed Sayeed. The Corporation men are doing intense propaganda in the city of Madras, two meetings for a day for the northern range, two for the southern range of the city, one for women in the north and another for women in the south. The National Health Association hold similar meetings once in a way. Their meeting is a fifth wheel to a carriage. They are overlapping. We have got a new Surgeon-General as the President of the Board and a new Secretary. I hope these authorities concerned will divert their work in more useful directions. I hope hereafter at least the work of the National Health Association will not overlap the intense work done by the Corporation of Madras.

"Another thing about which my hon. Friend spoke was that relating to the Health Propaganda Board. When the Corporation refused to co-operate with the National Health Association in holding the Annual Health Exhibition, I strongly fought for the association. When Mr. Muthiah Mudaliyar was the Minister I approached him for a larger grant. The result of it was the association tried to stab me in the back. The methods employed to achieve this is not, to use mild language, desirable. They caused mental agony and torture to a number of people who were earnestly and sincerely carrying on unprecedented health work in the city."

* The CHAIRMAN:—"The Hon. the Chief Minister requires 20 minutes to reply. So, I hope the hon. Member will finish his speech soon."

* Rao Bahadur C. NATESA MUDALIYAR:—"This health propaganda is catering to some of the needs of the district boards and municipalities of almost the whole Presidency. In Madras, besides many institutions, there are about forty-four schools which are benefited by the work of the Health Propaganda Board. This is what the Director of Public Instruction says in his foreword concerning this work:

"I have derived much pleasure and profit from a study of the papers at the Conference of Medical Inspectors held in Madras in August last (1933). The conference which was the first of its kind in this Presidency has doubtless rendered excellent service to the health supervision movement in schools by drawing atten-

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tion to its chief defects. The Health Propaganda Board deserves thanks for having brought together experts from different parts of the Province for this purpose."

and he concludes by saying:

"The papers read before the conference and the speeches delivered are of definite interest as indicating the lines of future progress."

"Sir, Major Sprawson and Colonel Webb (the Director of Public Health) have spoken very highly of the excellent work which the Board has been doing. We are greatly obliged to Colonel Webb for the deep interest he has taken in the working of the Health Propaganda Board.

"Being a medical man myself they want me to speak on birth-control. My opinion is that birth-control should be practised only on medical grounds. It is an experienced medical lady that should give advice to a lady patient on medical grounds. To increase the period between the births also comes under medical grounds. Birth-control in fact is wanted in some places, but it is not wanted in others. It is not wanted in Italy, perhaps it is the reverse in some other countries. Let us wait and see how things get on in our country."

* The Hon. the RAJA OF BOBBILI:—"Within the short time at my disposal, I may briefly refer to the points raised by hon. Members. Mr. Basu Dev wants me to bring in a consolidated Public Health Act. I remember seeing the various drafts connected with the details of this scheme and on a further examination of those details it was found that such a consolidation required a good deal of funds which could not be found at the present time."

"My friend, Mr. Basheer Ahmed, mentioned about the National Health Association and the grants made to it. Some others mentioned about Health Propaganda Board. Sometime back the Government advised both these bodies to amalgamate and act as a single association. I am sorry these attempts have failed. This year owing to the necessity of granting land revenue remissions, the usual grants to all the departments had to be reduced and in that connexion it was found that that organisation had sufficient funds at its disposal to carry on their work for this year and so the grant was stopped. Government have however promised that they would give a grant of Rs. 1,000 if the Board is able to raise a similar amount itself.

"My friend, Mr. Krishnayya Choudari, has brought to my notice the undesirability of cancelling the Government Order with regard to the appointment of midwives. It is not quite correct to say that the Government have prohibited the appointment of midwives. As a measure of retrenchment Government issued an order that in future they would not be able to pay subsidies for these poorer boards. It is still open to them if they can find necessary funds to appoint additional midwives.

"Another point he mentioned is about the system of compulsory vaccination. I shall consider that point.

"My friend, Mr. Koti Reddi, suggested that Government should provide suitable text-books dealing with public health matters. I believe

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there are certain text-books already available dealing with this subject and I will consider how far Government will be able to help the public in this direction. He has also stated that the Ceded districts deserve special treatment with regard to water-supply in rural and urban areas. We have sanctioned a number of schemes in recent years. Special treatment has been given to Ceded districts. As a rule we have been giving three-fourths as grant and one-fourth as loan. As regards Cuddapah municipality on an examination it has been found that the municipality will be able to meet the cost on half loan and half grant basis. The scheme has been sanctioned on this condition.

"Many hon. Members have mentioned about the question of permanent appointment of Director of Public Health. The matter is still under consideration and I am afraid it will not be possible for me to say definitely what decision the Government will take. But I may state that no Provincial Government will be willing to go outside its Province for filling up a Provincial post if a suitable man is available in that Government. I do not wish to go outside our Province if we can get a suitable man here."

Mr. SAMI VENKATACHALAM CHETTI:—"Have not Deputy Directors of Public Health been found suitable?"

The Hon. the RAJA OF BOBBILI:—"The claims of all the men now available in the Province as well as Assistant Directors of Public Health will be taken into consideration before Government pass their orders. In this connexion I may also state that these are technical appointments. We have to take into consideration the opinion of technical advisers of the Government on this matter. As I have said before no decision has been arrived at on this question and I shall certainly do my best to avoid going outside the Province for this appointment."

"Before I conclude, I will have to refer to the subject of birth-control which since our discussions last year has assumed some importance in this Province. Much of the criticisms which have been levelled against Government in the Press and on the platform during recent months seems to be misinformed and misguided. They have assumed that Government are going to do many things which they have not been considering. As far as Government are concerned, they have no intention at present of starting any birth-control clinics or birth-control propaganda."

4 p.m. "For the present, it is no doubt a very difficult matter for Government to take any action. In matters like this, it is for the public opinion to assert itself first one way or the other. As far as Government are concerned, I believe it is not necessary to go into the matter on its merits or take any decision on the subject. They consider that it is part of the duties, the professional duties of medical officers to give such advice as they consider is in the best interests of those who seek such advice and it is not for the Government to say what advice a doctor should give on professional matters. Of course, I find from one side criticism levelled against Government for actions which they might probably take and from the other side criticisms levelled against Govern-

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ment for their inactivity. Whatever might be the course of action which Government will have to follow in future—because this problem of population will no doubt have to be tackled by Indian statesmen before very long—as far as Government's intentions at present are concerned, they do not wish to take any action which is calculated to be in advance of public opinion at the present moment. We, therefore, consider that this is not a case in which Government can take any active measures one way or the other and I do not see how any community belonging to any religious denomination can take objection when the Government consider that this is a matter which should be left to the medical profession to tackle in accordance with what they think are the best interests of the patients that go to them. As a matter of fact, my own information is that even now, when patients go to doctors, they do give advice on birth control methods. What Government would like to ensure is that when such advice is given, only proper advice is given which is not harmful to the public. Apart from this, as I have stated clearly—and I do not want to leave any misapprehension in the minds of any one—Government had never had any intention and have no intention of either starting birth control clinics or carrying on public propaganda. As a matter of fact, this question has been under the consideration of the Government since last year and we have not come to any conclusion on it, nor have we any cut and dried plan."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"If local bodies start birth control clinics, will the Government support them?"

The Hon. the RAJA OF BOBBILI:—"You start them and the Government will then consider the question. I wish to conclude my remarks by saying that the apprehensions expressed by various Members that the Government are going to do something is unfounded. Whatever actions the Government may do, they will be so devised as not to give any offence to any minority or any community in this country. In this connexion I wish to read a short extract from the speech of Sir John Megaw, who emphasised the need for India facing the problem of her population which is calculated to reach the limit of 400 millions in 1941. He has said that India has now become a most populous country in the world and it will be necessary for Governments and Indian statesmen to take up this problem before it is too late. (Mr. Hameed Khan: 'Earthquakes will take care of them). There are various methods by which this problem can be and has to be tackled and I hope this question of birth control will not be the only solution and that the public will not consider that whenever this problem of India's population is mentioned, they would not consider that it refers only to birth control. But all these who speak so vaguely and loosely about increasing the standard of living will have before long to devote their attention to this question of population and devise methods and means by which this problem, which in the opinion of some, will be a danger to the country, could be faced."

The intervention was, by leave, withdrawn.

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

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DEMAND XXI—AGRICULTURE—TRANSFERRED.

* The Hon. Mr. P. T. RAJAN:—" Mr. Chairman, on the recommendation of His Excellency the Governor, I move—

that Government be granted a sum not exceeding Rs. 16,73,400 under Demand XXI—Agriculture—Transferred."

Mr. G. R. PREMAYYA:—" Mr. Chairman, I beg to move—

that the allotment of Rs. 2,700 for Agriculture—Direction—Pay of Officers, be reduced by Rs. 100."

I want to criticise the policy of Government in regard to agriculture.

" Sir, India's greatest problem is food-supply. Before I proceed further I want to quote a few statements made by some distinguished personages in support of my contention. Sir W. W. Hunter once said:

'The English in India are now called upon either to stand by and witness the pitiless overcrowding of masses of hungry humanity or to aid the people in increasing their food-supply to meet their wants.'

The Hon. Mr. F. Nicholson, Member of the Viceroy's Council, once rightly said that agriculture in India is starved by the Government with the largest land revenue in the world. Mr. W. Cook also on one occasion said that there is no more pathetic situation in the whole range of human history than to watch these dull patient masses stumbling in their traditional way along a path which can only lead to suffering. Sir H. S. Cunningham rightly estimated that 90 per cent of the rural and 80 per cent of the total population of India is closely connected with land and that from these unfortunate people the Government of India draws the largest revenue. In other words, the largest revenue is drawn from the poorest peasants in the world. Sir, these are not my own statements; they are the statements made by Britishers themselves. Keeping these statements in view, I shall see if I can make any suggestions to the departmental heads. I should like to deal with the subject item by item and first of all I will take the question of agricultural education. Now this department gives practical training in agriculture to the boys in some of its schools. But the course offered to the boys in this respect is not very encouraging. The department has also opened farm-labour schools at Anakapalle, Coimbatore and Palur, but these three schools are not at all promising. Another step which the department has taken is to open the vocational school at Muthanandal. This school is maintained by the district board of Ramnad. Agriculture is introduced in the curriculum of the school and a diploma-holder in agriculture has been added to the staff. The result of this remains to be seen. The department also started some agricultural middle schools. But the school at Anakapalle was closed after having been in existence for two or three years. The same was the case with the school at Taliparamba which was also closed after a short time. The one at Kalahasti was never opened. The last one is at Usilampatti. It is still living, but it may die a natural death after some time. There is one Central Agricultural College at Coimbatore which is doing splendid work, but

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year by year the college is attracting less students. Sir, the schools started by the Government here and there have not given good results. In my speech last year on this Demand, I very vividly pointed out to the Hon. Minister that agricultural education given to the students of France had saved a lot to that country. France has an optional course in agriculture in her primary schools. Not only France but Holland and several other countries also. Several European countries have saved much by the agricultural education given to their students in the primary and middle schools.

" In our Presidency the Government have started schools separately 4-15 for imparting instruction in agriculture. Last year I advised the p.m. Government to add this course to the regular course. Nothing has been done. They are not trying in any way to diffuse this education to the masses. Government have done something by way of legislation. Government have passed some Acts—The Cotton Ginning Process Act, The Cotton Transport Act, The Cotton Central Act and lastly The Commercial Crops Act. All these Acts go to show that the Government are trying to avoid their responsibility to the country. If young men and adults know something of agriculture, they will be in a position to supervise their lands. Agricultural education is very bad as I said.

" We want great improvement with regard to cattle. According to the last census, we have 3 crores of people in India. There are 26 crores of domestic cattle in India. This figure excludes sheep and wild cattle of the jungles. This works out to 65 head of cattle for every 100 of the population. Hence in the densely populated areas there is very keen competition, economic competition between human beings and the cattle for the produce of the soil. My observation leads to the inference that over 90 per cent of the cattle are an economic loss to the country. The Indian cow does not pay either by way of milk or by offspring. A student of Indian Economics can not but admit that the enormous number of cattle do not pay their way; so they are very serious economic drain to the whole country. It is not more cattle but better cattle that India needs. Without fear of contradiction I can say that the English cows give 4 or 6 times more milk than our Indian cows. When America are using our Indian buffaloes for milk, why not we import American or English cows to our country? If we can get rid of the enormous number of worthless cattle, we can save more money from the department by abolishing three-fourths of the establishment.

" From cattle I pass on to crops. Let me tell you something about our staple crops, according to the present distribution of circles. I can prove that the Seventh Circle produces 60 per cent of rice; the Sixth Circle—50 per cent; Fifth Circle—47 per cent; Fourth Circle—40 per cent; Second Circle—26 per cent and the First Circle—24 per cent. This shows that the staple crops of our Province is increasing. When the Madras Presidency is producing this much of paddy, why should not our Hon. Minister take some action in the matter? I learn that

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he did something in this direction. Why should Assam rice be imported into our Province when we have enough rice here for our people? Why should surplus paddy be imported in our country? Supposing our people are trying to purchase paddy from Assam, the Hon. the Minister should put a stop to such import and move the Government of India to do the same. When paddy does not sell, if rice is imported from other countries, the ryots would be in a very bad and miserable condition. I shall try to explain the miserable plight of the ryots. Ignorant as they are, they do not invest their money in banks. Year after year the surplus money they have, is invested in purchasing extra land. So, all they have now is land, and nothing else. They do not have money; but they have land. Land produces only paddy; what the people do not have, the Government want; the Government wants the kist to be paid in money and the ryots do not have any money but only paddy. The Government wants money; they do not like to take the kist in kind; so the ryots feel they are between the devil and the deep sea. At this stage when the ryot finds it difficult to get money for the produce of the land and when he is not able to find out any other better crop to be raised from his land, this department should come forward and try to help him. Although the Hon. Minister has promised many a time that he would give his best consideration, I do not think he has done any good to the ryot up till now. The other day, to one of my questions he replied that he is trying to improve the condition of the ryot by advising a better crop to be grown on paddy land.

"One point more, Sir, and I will finish. We have many crops which produce oil-seeds; these oil-seeds are imported into England; by doing so the country loses heavily. We get oil from England; we get oil-cakes from England; we export oil-seeds and we get oil and oil-cakes from foreign countries. Instead of exporting these oil-seeds, if we make use of the seeds in this Province itself, we will get oil-cakes for fertilizers and we will get them cheaper also. We have groundnut, gingelly and castor oil seeds. These three oil-seeds will give lot of oil. We will get oil at a cheaper cost and we can give oil-cakes to our cattle which will be of great help to the ryot. Fertilizers are sold in our country at a very high rate. If the Hon. Minister wants to help the ryots, he can do so, by introducing machines to crush bones. Green manure, oil-cakes, etc., will be of great use to the ryots. If the Hon. Minister would advise the ryots, with the help of his experts, they will be greatly benefited. If that is done, the ryots would not feel the economic depression so much. With these words I move my cut motion."

MR. P. V. KRISHNAYYA CHAUDARI:—"Sir, in delta districts we are growing plenty of rice; the Agricultural department have not suggested any other crop which is suitable for wet cultivation. No doubt they have this year suggested growing sugarcane for paddy. But all on a sudden the Government of India have imposed excise duty and the ryot is not able to understand whether it will be a paying

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crop to him especially when he has to incur great expenditure in raising the sugarcane crop. So the Agricultural department must take immediate steps and suggest some other crop which is suitable for wet land in delta areas particularly. There is no use of producing more rice at the present day. On account of low prices, the Government have to grant remissions in land revenue. It is the duty of the Agricultural department to suggest some other crop for replacing the rice crop; if that is done, the ryots would not demand any remission at all. In deltas, there are no demonstration plots which have wet lands. So, the Government are not making experiments in their own demonstration plots and show it to the ryots. What they are doing now is this: if we inform them that we will use our own land for the purpose, they supply us with some manure got from certain companies as an experimental measure. The department have no wet lands of their own in their demonstration plots and they do not demonstrate to the people by raising the crops in the Government land itself. In Kistna—Western division—also I know definitely that there are no demonstration plots. If we say that we are willing to give a portion of our land, then they ask us to try the experiment on our own land. If the ryot refused to try the experiment on his own land, the Government have no land of their own to demonstrate the experiment. What I say is that the Government must have some plots of their own and arrange some demonstration which is suitable for wet land areas. In a district where there is wet land only, there is no use of giving some demonstration on a dry land.

"I request the Government to see that the Agricultural department renders more help to the ryots. Another point I wish to refer to is this: the Government have not started agricultural middle schools on account of retrenchment. Though they need not start such schools now, they can change the curriculum of studies in the schools. If this subject is introduced in secondary schools, students who have completed the School Final Course may take to agriculture instead of roaming about, without doing any work. If the students are given some knowledge of agricultural work, it will be of great benefit to them and when they go out of their schools, they can look after their fields. Students who have studied up to the School Final Class will know something about agriculture. If instruction is given in Agriculture in the high schools, it will be of great use to agriculturists.

"Sir, the Guntur district is producing a large quantity of tobacco of a high quality, of many varieties. The Imperial Tobacco company is doing more propaganda in this respect than the Agricultural department. As a matter of fact, the Agricultural department has not taken any steps for improving the quality of the tobacco or encouraging its production. Though we have passed a Bill for giving marketing facilities, I am sorry no attempt is being made in the Guntur district to improve the condition of the tobacco industry. About two years back, the tobacco-growers produced tobacco on a large scale; but unfortunately the Imperial Tobacco Company did not buy a sufficient

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quantity from the people for export purposes; with the result that the people lost from 60 to 70 thousand rupees. The ryots were not able to sell their tobacco even at the rate of Rs. 10 per candy and several of them had to become insolvents for having grown tobacco. If the Agricultural department had given sufficient marketing facilities and helped the people, such a loss would not have occurred.

"I do not know, Sir, why, when there is a separate Veterinary department, the Agricultural department should be kept in charge of breeding bulls, etc. In other Provinces such as the United Provinces, etc., the Veterinary department is in charge of these breeding bulls. I have got a report of the United Provinces Government in this respect, and if the Hon. the Minister wants, I shall give him a copy. I do not want to waste the time of the House by reading extracts from it. I request the Hon. the Minister to see that these bulls are entrusted to the Veterinary department and that the Agricultural department is relieved of these duties.

"As regards demonstrators, we are at present having a very small number and they are not doing full justice to their duties. Each demonstrator is given one or two taluks and it is not possible for him to explain the utility of the department to the villagers. I therefore request the Hon. the Minister to increase the number of demonstrators, and also the number of demonstration plots.

"The Agricultural department was maintaining a breeding station near Kavali, and after having spent a large sum of money over it, they auctioned it—I think it was at Chintaldevi. They sold away all the animals in the livestock section. There is a lanka land near the Kistna river, which is very suitable for a breeding station. If there is a station there, it will be beneficial both to the Kistna and the Guntur districts. There is no use of having a station in a place like the Ceded districts which are not fertile. In the Bellary district, there is already one such station. I request the Government to shift that station to the lanka. I think this matter has already been brought to the notice of the Director of Agriculture by the Deputy Director of the Guntur circle. The animals also will enjoy greater comfort if they are kept in a place like the lanka where they can command excellent water facilities, etc. I hope the Government will consider this question sympathetically."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, if I rise on this occasion, it is not with a view to make any adverse remarks on the working of the Agricultural department, but with a view to bring to the notice of the Hon. the Minister a few points which touch my district of Nilgiris. To some of the interpellations put regarding the utility of the fruit gardens and the seed farms, the Hon. the Minister replied that a heavy cost was incurred on their maintenance. Sir, at present there are two fruit gardens in the Nilgiris and they have been in existence for more than twenty years now. But if anybody asks whether they are in any way useful to the public, the answer will

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certainly not be in the affirmative. A large quantity of fruits is being consumed in the Madras Presidency, and these fruit gardens have not been able to meet the demand, with the result that thousands of rupees are spent on the import of fruits from foreign countries and from other Provinces. The Agricultural department should devise some ways and means for the ryots to produce cheap fruit crops for the benefit of the people of the Province. Madras City itself is consuming a lot of fruits, and the distance between Madras and the Nilgiris is not much. If only the Government will encourage the growing of more fruit crops, the ryots will be benefited to a great extent.

"I have already brought to the notice of the Government on several previous occasions that the seed farm is of no use to the public at all. As a matter of fact, several ryots can produce equally good if not better seeds than what are now produced in the seed farm. Potato plantations have grown to such an extent that nearly sixty per cent of the population of the Nilgiris around Ootacamund and Coonoor have taken up to this profession. It is high time that the Government should think of encouraging the ryots to produce their own seeds in a better way, rather than spend thousands of rupees on the maintenance of this seed farm. I have no grievance against the staff employed either at the fruit gardens or at the seed farm, but I only want the Government to see that the thousands of rupees which the Government are spending on them are of advantage to the public in general.

"Another point that I want to bring to the notice of the Minister is that a large quantity of foreign potatoes is being dumped into our Province which works detrimentally to the interests of the ryots who grow potatoes. I know that last year, every week nearly 4,000 bags of potatoes were being brought from Burma into Madras and other coastal towns. Unless there is any check to this importation, I am afraid, the potato-growers in the Nilgiris will have to meet a big loss. Due to the advent of chemical manure, large plots of land are being taken up for potato-growing. I do not think Government have any check over the contents of the fertilizers that are now being sold to the potato-growers. Some firms and syndicates have recently been started for supplying manure and fertilizers, and I think it is high time that the Government should do something to see the manure of a good quality is supplied to the people for the money paid.

"I hope, Sir, the Hon. the Minister will consider all suggestions that I have put forward."

The PATTAGAR OF PALAYAKOTTAI spoke in Tamil.

* The Hon. Mr. P. T. RAJAN:—"My hon. Friend, Mr. Premayya, 4-45 p.m. complained about the lack of agricultural schools. As he himself pointed out the Government were maintaining two agricultural schools, one at Anakapalle and another at Taliparamba. These two schools had to be closed because they ceased to be popular. There are one or two schools maintained by the district boards—Ramanad and Madura—and we do hope that they will not share the same fate, as the two

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schools maintained by the Government and if they become popular I believe other district boards will copy their example.

"My Friend complained that agricultural subjects should be included in the curriculum of other schools. That suggestion cannot be carried out entirely by this department and should be done with the co-operation of the Education department. I do not know whether the mere inclusion of agricultural subjects in the elementary or middle schools without giving the students any practical training would be of any use. Anyhow, Sir, that is my opinion. Now that the suggestion has been placed before the Government, I would refer it to my Hon. Colleague in charge of Education and see what could be done in that direction. The Government are running an Agricultural College at Coimbatore where men are trained in the agricultural work and are awarded diplomas and degrees. Apart from that as an experimental measure a short course has been opened for the benefit of those who do not want a degree but who want training so that after their training they may be able to put to practical use what they have learnt at the college. The course is going through its first year and I hope it will prove to be popular and useful. If that is so, steps would be taken in different farms in the district to give practical demonstration.

"My Friend referred to the bad condition of livestock in the Presidency. As he pointed out in a Province like Madras which is purely an agricultural Province, there is every necessity that we should have a good livestock. Unfortunately, it has not been possible to devote that attention and care in that direction. I hope when the finances of the Province improve, it may be possible to improve the livestock of this Presidency. My Friend suggested the importation of cattle from England and America. No doubt in the cattle farm at Hosur, they were experimenting cross-breeding system and I do not think the foreign cattle thrive so well as the local stock and so the livestock section is paying its attention to improve the quality of the local breeds.

"My Friend referred to the miserable plight of ryots in that the ryots had assets only in the shape of grains and produce and were not able to meet even the current demands. The reason is that the agricultural people, instead of putting what they saved in the banks, invested their money on the purchase of lands. Now on account of the economic depression, the value of lands and prices of agricultural produce have gone down and consequently their income also has gone down. I believe that people hereafter will try to invest their money not on lands but in banks or business so that they may be sure of a regular income."

Mr. K. KOTI REDDI:—"In the Land Mortgage Bank?"

The Hon. Mr. P. T. RAJAN:—"Yes. The Land Mortgage Bank is one in which money can be invested.

"My Friend, Mr. Premayya, said that machines should be given to these agricultural people to press gingelly and other seeds and that demonstration should be carried out as how best these seeds could be

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crushed. It may not be possible to give effect to this suggestion just now but when the time comes and when the Government have got funds to spare they will pay attention in this direction.

"Mr. P. V. Krishnayya Choudari said that in the Delta they raised no crops except paddy and suggested the raising of alternative crops. The Agricultural department suggested that instead of paddy sugarcane may be grown. The difficulty seems to be not so much as the want of help that is given by the Agricultural department in regard to the crop but want of facilities for the marketing of the crops grown. I am afraid this is not a part of the normal work of the department to find marketing facilities. No doubt this department is trying to help the agriculturist in every possible direction but the question of marketing is not so simple as to be solved by one department alone. Government are trying to see that marketing facilities are provided.

"My friend complained about the lack of demonstration on wet lands in his district. That shows that no plot of land was available and that every available land in the area was under cultivation."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Why not buy some plot of land?"

The Hon. Mr. P. T. RAJAN:—"Demonstration is being carried on on plots of land belonging to the ryots."

Mr. K. KOTI REDDI:—"They wanted farms."

The Hon. Mr. P. T. RAJAN:—"It is not possible to have agricultural farms in every district. Whatever results arrived at in the Coimbatore College are transmitted to the people through demonstrations carried out on the lands of the ryots themselves. I think the increase of demonstrations is more likely to help the people to get better results than a mere increase in farms."

Mr. K. KOTI REDDI:—"What are the existing farms meant for?"

The Hon. Mr. P. T. RAJAN:—"They are not to carry out this demonstration. Demonstrations are carried out by the demonstrators in the plots belonging to the ryots so that not only the ryots in whose village the land is situated but also the neighbouring ryots may benefit. My friend also suggested that there is not sufficient number of demonstrators to go round the districts. The original programme of the department was that each taluk should have a demonstrator. But that programme had to be given up on account of retrenchment. It is not possible as matters stand at present to have demonstrators for each taluk. Even in cases where there are demonstrators for each taluk, their activities are confined to two or three centres so that their work of demonstration may be centralized and the benefit thereof may accrue to the ryots.

"My friend talked about the condition of the tobacco industry in Guntur district. The Imperial Tobacco Company were giving all facilities in respect of tobacco growing. When they did so, probably the Agricultural department thought that they could use their time in other directions. The difficulty seems to be that ryots were getting

[Mr. P. T. Rajan]

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good prices for tobacco and are now getting poor prices, for the reason that the trade is bad. Probably for want of competition amongst merchants and firms, the ryots cannot get better prices. I fear it is not within the province of the Agricultural department to control the prices."

Mr. P. V. KRISHNAYYA CHOUDARI:—"They can suggest some other markets where they can export tobacco."

The Hon. Mr. P. T. RAJAN:—"As I said before, it is not possible for one department alone to undertake marketing facilities. With the revival of normal conditions, it may be possible for the tobacco to reach its former level of prices."

"He was saying that the livestock of this Province should not be kept in the hands of the Agricultural department and that it should be handed over to the Veterinary department. I am afraid this is not the time to deal with the question. I shall do it at a latter debate, in connexion with the Demand for Veterinary Services. When I give out reasons, my friend will see."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Government may continue the present practice if they are convinced that it is working well. I only suggested a transfer as a proper thing."

The Hon. Mr. P. T. RAJAN:—"Livestock is now under the control of the Agricultural department. The question of transfer has however been raised and it is under the consideration of Government and I hope I shall have the help of hon. Members before the question is decided."

* The Hon. the PRESIDENT:—"I may remind the Hon. Member that it is time for the Demand to be put."

The cut motion was, by leave, withdrawn.

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

5 p.m. VI.—DEMANDS PASSED BY THE OPERATION OF THE GUILLOTINE.

As it was past 5 o'clock, the following outstanding Demands were put from the Chair and carried:—

	RS.
Demand XXII—Civil Veterinary Services— Transferred	8,59,700
Demand XXIII—Co-operative Societies— Transferred	11,08,600
Demand XXIV—Cinchona—Reserved	5,64,100
Demand XXV—Industries—Transferred	11,25,300
Demand XXVI—Fisheries—Transferred	5,59,900
Demand XXVII—Miscellaneous Depart- ments—Reserved	9,69,700
Demand XXVIII—Miscellaneous Depart- ments—Transferred	11,68,000
Demand XXIX—Civil Works—Reserved and Transferred	45,70,600

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	RS.
Demand XXX—Civil Works—Establishment and Tools and Plant—Transferred	32,26,600
Demand XXXI—Civil Works—Grants-in- aid—Transferred	61,25,600
Demand XXXII—Famine Relief—Reserved.	1,00,000
Demand XXXIII—Pensions—Reserved	68,83,500
Demand XXXIV—Stationery and Printing— Reserved and Transferred	17,84,400
Demand XXXV—Miscellaneous—Reserved and Transferred	4,37,400
Demand XXXVI—Agency Tracts—Reserved.	21,25,900
Demand XXXVII—Expenditure in England other than on Stores—Reserved and Trans- ferred	4,03,600
Demand XXXVIII—Refunds of Revenue— Reserved and Transferred	8,07,100
Demand XXXIX—Loans and Advances	55,13,700

VII.—PROROGATION.

* The Hon. the PRESIDENT:—"I have to communicate to the House the following message which I have received from His Excellency the Governor:—

'In pursuance of sub-section (2) of section 72-B of the Government of India Act, I, George Frederic Stanley, Governor of Madras, do hereby prorogue the session of the Madras Legislative Council at the conclusion of its business on the 24th March 1934.'

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

[24th March 1934]

APPENDIX I.

[Vide answer to question No. 850 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 24th March 1934, page 767 supra.]

(1)

Statement showing the number of paid and unpaid House Surgeons and House Physicians working in the Government Hospitals in the Madras City and the rate of subsistence allowance paid to them.

Name of institution.	Number of House Surgeons and House Physicians working in the institution.	
	Paid.	Unpaid.
General Hospital, Madras	13	10
Women and Children Hospital, Madras	4	5
Ophthalmic Hospital, Madras	2	2
Rayapuram Hospital, Madras	7	...
Royapetta Hospital, Madras	3	...
Mental Hospital, Madras	1	...
Tuberculosis Hospital, Madras	1	...
Victoria Caste and Gosha Hospital, Madras	3	6
Total	34	23

Rate of subsistence allowance.

	Prior to 1931-32.	Present rate.
	RS.	RS.
Medical graduates	50	30
L.M.Ps.	30	20

(2)

Letter from the Surgeon-General with the Government of Madras, dated the 28th August 1933, Ref. No. 2285-1-Est.

[House Surgeons and House Physicians—Subsistence allowance—Increase of. Reference.—G.O. Ms. No. 1956, P.H., dated 14th October 1931.]

I have the honour to state that the Government have in Government Order quoted above sanctioned the proposal to reduce from Rs. 50 and Rs. 30 to Rs. 30 and Rs. 20 per mensem, respectively, the allowances paid to House Surgeons and House Physicians of the Assistant Surgeons and Sub-Assistant Surgeons class. These House Surgeons and House Physicians represent (vide copies of memorials herewith forwarded) that

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they are unable to live with the reduced allowance and request that the allowance should be restored to the original rates. It is pointed out that these House Surgeons and House Physicians spend practically their whole time in the hospitals and they should be well fed or they will break down. It appears therefore necessary that the allowance should be increased to Rs. 40 per mensem for the Assistant Surgeons and Rs. 30 per mensem for the Sub-Assistant Surgeons class. It is requested that the Government will be pleased to sanction the proposal to increase the allowances to Rs. 40 and Rs. 30 per mensem in connexion with the Part II Budget Estimate for 1934-35. The extra cost on account of the proposal will be Rs. 4,730 during 1934-35.

Extra cost.

	RS.
Thirty-four House Surgeons and House Physicians (Assistant Surgeons class) Rs. 40 — Rs. 30 = Rs. 10 × 34 × 11 =	3,740
Nine House Surgeons and House Physicians (Sub-Assistant Surgeons class) Rs. 30 — 20 = Rs. 10 × 9 × 11 =	990
Total	4,730

ENCLOSURE

Madras,

From

M.R.Ry.

The Resident House Physician, Madras General Hospital,
through the Superintendent, Madras General Hospital,

To

The Surgeon-General with the Government of Madras,
Madras.

SIR,

I, the Resident House Physician, beg to bring the following to your kind notice. You are aware that the subsistence allowance granted to me was cut down from Rs. 50 to Rs. 30 as a measure of retrenchment. It is needless to say that I find it impossible to make both ends meet with this reduced allowance. But since I notice that the financial condition of the Province has improved resulting in surplus of 60 lakhs, I request that you be good enough to approach the Government to restore my allowance to the former scale.

[24th March 1934]

In this connexion, I may bring to your notice that whereas in the case of other Government servants only a 10 per cent cut is effected, ours has been cut down to practically half. May I also remind you of the promise extended to us some time back that in case the provincial finances improved our case will be favourably considered. I am sure that if you represent our case strongly to Government it will not be in vain.

Thanking you in anticipation.

I remain,
Sir,
Your obedient servant,
• • •

(3)

Memorandum No. 34671-1-D 1, P.H., dated 12th October 1933.

Read—the following paper:—

From the Surgeon-General, No. 2285-1-Est., dated 28th August 1933.

Memorandum—No. 34671-D-1, P.H., dated 12th October 1933.

The Surgeon-General is informed that his proposal for increasing the subsistence allowance paid to House Surgeons and House Physicians cannot be treated as a Part II Scheme for 1934-35 as it is a partial restoration of the retrenchment already ordered by the Government.

S. G. SENGODAIYAN,
Deputy Secretary to Government.

To the Surgeon-General.

24th March 1934]

APPENDIX II.

[Vide answer to question No. 856 asked by Mr. Mahboob Ali Baig at the meeting of the Legislative Council held on the 24th March 1934, page 773 supra.]

List of posts vacant in the cadre of District Judges and Sub-Judges.

			Number of posts.	Date of vacancy.
District and Sessions Judge, First Grade ...	do.	do.	1	4th July 1932.
	do.	do.	1	13th May 1933.
	do.	Second Grade	1	12th January 1933.
	do.	do.	1	17th May 1933.
	do.	do.	1	16th August 1933.
	do.	do.	1	24th October 1933.
Subordinate Judges, Selection Grade	do.	do.	1	23rd December 1932.
	do.	do.	1	* 1st June 1933.
	do.	do.	1	* 27th September 1933.
	do.	Ordinary Grade	1	16th January 1933.
	do.	do.	1	19th February 1933.
	do.	do.	1	23rd March 1933.
do.	do.	do.	1	9th April 1933.
	do.	do.	1	1st July 1933.
	do.	do.	1	15th October 1933.
	do.	do.	1	16th November 1933.
	do.	do.	2	16th January 1934.
	do.	do.	1	16th February 1934.

* To be filled up in the Ordinary Grade.

APPENDIX III.

[Vide answer to question No. 857 asked by B. Pocker Sahib Bahadur at the meeting of the Legislative Council held on the 24th March 1934, page 776 supra.]

G.O. No. 136 W., dated the 12th January 1934.

Under sub-section (2) of section 9 of the Indian Electricity Act, 1910 (as amended), the Government permit the assignment of the Calicut Electric Licence, 1927, to the West Coast Electric Supply Corporation, Ltd., Madras, subject to the following conditions:—

- (1) The assignees shall arrange to carry out before the 15th April 1934 extensions and improvements to the generating plant and distributing system to the satisfaction of the Chief Engineer for Electricity, and should be prepared to invest at once such

[24th March 1934]

amount over and above the purchase price as the Chief Engineer may consider necessary for this purpose as well as for the purpose of rectifying the existing defects and defaults completely;

(2) the assignees shall as soon as possible and in any case before the 15th April 1934 liquidate all the debts incurred by the licensee in respect of the electric supply undertaking covered by the Calicut Electric Licence, 1927, and shall on or before that date satisfy the Government that they (the assignees) have placed the undertaking in a thoroughly satisfactory condition and are in a position fully and efficiently to discharge the duties and obligations imposed on them by the licence; and

(3) irrespective of the authorized capital of the assignee company, the approval of Government in writing should be obtained before shares in excess of Rs. 5 lakhs are offered for subscription.

2. It is observed from Mr. T. N. Krishnaswami's second letter, dated 11th January 1934, that the rates for domestic supply will be reduced as early as possible. The assignee company should on completion of the purchase submit to Government an application for an amendment of the licence providing for these reduced maximum rates and also for reducing the maximum rates for other classes of load provided in the licence. In making this application, they should have due regard to the standard rates usually approved by the Government in similar licences granted after August 1932.

3. The attention of the assignees is also specifically drawn to clause (e) of the third annexure to the Calicut Electric Licence under which it is obligatory on them to take bulk supply from a cheaper hydro-electric source when it becomes available and they are informed that as soon as power from the Pykara or other Government Hydro-Electric Scheme becomes available in the area they will have to purchase all their power requirements in bulk from Government.

4. With reference to clause (9) of the agreement, dated the 2nd January 1934, between the licensee and the purchasers the attention of the assignees is drawn to the fact that the security deposits furnished by the consumers cannot be appropriated either by the present licensee or his assignees and the assignees are informed that the Government will hold them responsible for the amount.

5. Separate orders will issue in due course on the terms of the Managing Agency agreement between the assignee company and Messrs. Chadrie & Co., a copy of which has been received with Mr. T. N. Krishnaswami's first letter, dated 11th January 1934.

24th March 1934]

APPENDIX IV.

[Vide answer to question No. 866 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 24th March 1934, page 783 supra.]

G.O. No. 692, L. & M., dated 9th February 1934.

READ—the following paper:—

G.O. No. 540, L. & M., dated 29th January 1934.

Order—No. 692, L. & M., dated 9th February 1934.

As the question of abolition of taluk boards is under consideration, the Government direct that until further orders no post either permanent or temporary under the control of any taluk or district board, which is already vacant or which may fall vacant, shall be filled and that no new posts shall be created, except with the special sanction of the Government.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To all Presidents of Taluk Boards.
" all Presidents of District Boards.
" the Inspector of Municipal Councils and Local Boards.
" the Examiner of Local Fund Accounts.
" the Law (Education) Department.

[24th March 1934]

APPENDIX V.

[Vide answer to question No. 873 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 24th March 1934, page 789 supra.]

37. *Miscellaneous Departments—1. Labour—Transferred—
A. Depressed Classes—Education.*

District.	1. Pay of establishment— Voted.	2. Construction and repair of school buildings.
	RS.	RS.
East Godavari	6,650	1,220
West Godavari	17,050	46
Kistna	14,600	1,186
Guntur	600	..
Nellore	31,797	1,020
North Arcot	28,159	800
Chingleput	43,648	2,500
South Arcot	19,570	2,000
Tanjore	49,201	2,000
Trichinopoly	48,073	200
Salem	626	..
Sundarascharlu Hostel	372	..
South Kanara	18,996	109
Malabar	22,700	..
Calicut Hostel	594	..
Anantapur	9,752	500
Bellary	15,050	600
Masulipatam Hostel	1,136	..
Masulipatam School	6,982	2,100
Sugali School	665	10
Hooker School	355	..
Madras City	8,533	817 *
Slater Hostel	635	..
Paddison Hostel	1,566	..
	<u>3,47,310</u>	<u>15,108</u>
Less in rounding	10	8
Total	<u>3,47,300</u>	<u>15,100</u>

* Includes provision for other districts.

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3. *Allowances and Contingencies—Voted.*

District.	Allowances.	Rents.	Other charges.
	RS.	RS.	RS.
East Godavari	..	65	275
West Godavari	15	583	630
Kistna	20	217	428
Guntur	..	42	22
Nellore	50	1,908	1,095
Anantapur	10	126	384
Bellary	40	782	620
Chingleput	60	60	1,490
North Arcot	60	171	930
South Arcot	20	785	835
Tanjore	46	2,447	2,030
Trichinopoly	40	1,790	1,670
Madras City	548	400	589
South Kanara	50	1,582	485
Malabar	50	1,310	260
Salem	..	60	23
Masulipatam School	..	20	405
Sugali School	..	..	134
Hooker School	..	..	9
	<u>1,009</u>	<u>12,408</u>	<u>12,304</u>
Less in rounding	— 9	— 8	— 4
Total	<u>1,000</u>	<u>12,400</u>	<u>12,300</u>

4. Scholarships and stipends—Controlled by the Labour Commissioner's office	80,200
5. Scholarships and schooling charges controlled by the Labour Commissioner's office	3,000

RS.

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					5. Equip- ment for schools.	7. Other supplies— Books and periodi- cals.
					RS.	RS.
East Godavari	..	..	..	..	720	35
West Godavari	..	..	..	..	375	30
Kistna	..	..	..	..	830	..
Guntur	..	..	..	..	350	30
Nellore	..	..	..	..	665	..
Anantapur	..	..	..	..	100	..
Bellary	..	..	..	..	100	..
Chingleput	..	..	..	..	1,320	90
North Arcot	..	..	..	..	3,099	91
South Arcot	..	..	..	..	650	140
Tanjore	..	..	..	..	..	855
Trichinopoly	..	..	..	..	1,080	45
Salem	..	..	..	..	5	..
South Kanara	..	..	..	..	1,066	45
Malabar	..	..	..	..	1,895	..
Madras City and other districts	..	..	..	..	450	..
Sugali school	..	..	..	..	90	..
Hooker school	..	..	..	..	50	..
Masulipatam school	..	..	..	..	480	* 100
					13,125	1,481
Add or deduct in rounding					— 25	+ 39
Total					13,100	1,500

* Includes prizes to pupils.

6. Maintenance of Hostels.

	RS.
Paddison Hostel	11,392
Slater Hostel	7,287
Masulipatam Hostel	7,041
Calicut Hostel	1,530
Sundarachari Hostel	2,760
Total	30,000

7. Other supplies and other charges.

Clothing—Boys Sugali school ..	Rs. 188
Ration charges—Sugali school ..	1,843
Allowance to Mr. Ramjee Rao ..	1,785
Exemption from examination fees controlled by the Labour Commissioner's office ..	1,000
Carpentry tools, etc., for Masulipatam school ..	550
Formation of garden—Masulipatam school ..	120
Scout charges — Masulipatam school ..	150
	5,435
Deduct in rounding ..	— 35
Total ..	5,400

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8. Grants-in-aid—Voted.

Name of institution.	Amount.
Boarding—	
Moir Hostel, Chidambaram	3,982
Boarding grants to Todas	864
Badaga Hostel, Ootacamund	5,845
Badaga Hostel, Hoobathalai	4,235
Atmakur Boarding Home	1,586
Boarding grants to Depressed Classes Mission, Mangalore.. .. .	4,076
Fifty additional boarding grants	4,800
Madras Seva Sadan	1,500
Gray Hostel (Girls) Chidambaram	3,820
	30,708
Less in rounding ..	— 8
Total ..	30,700 *
Building grant for the Nandanar Kalvi Kashagam, Chidambaram	5,000
Other grants—	
Grants to Depressed Classes Mission, Mangalore for Attavar, etc., schools	46
Grants to Depressed Classes Mission, Mangalore.	1,000
Olcott School, Adyar	1,057
Depressed Classes Mission, Mangalore for Court Hill School—Electrification	100
Krishnampet Gokulam, Madras	176
	2,379
Plus in rounding ..	+ 21
Total ..	2,400

* Excludes Rs. 900 reserved for Nandanar Kalvi Kashagam cyclone damage.

† Excludes Rs. 1,600 reserved for Nandanar Kalvi Kashagam cyclone damage.

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	27. Miscellaneous Departments— —J. Labour—Transferred— B. Depressed Classes—Public Health—Construction and Repair of Wells, etc.	24. b. Administration of Justice—Law Officers—Re- served—C. Allowances and Honoraria—Honoraria—Fees to Government Pleaders.
	RS.	RS.
East Godavari	12,000	79
West Godavari	19,500	495
Kistna	12,650	400
Guntur	22,800	..
Nellore	13,544	..
Bellary	26,000	..
Anantapur	(a) 35,000	..
Chingleput	10,850	..
South Arcot	9,600	..
North Arcot	9,250	..
Tanjore	5,000	700
Trichinopoly	16,950	320
South Kanara	7,750	..
Madras and other districts ..	11,106	..
Malabar	8,000	..
Salem	2,000	..
Add in rounding	..	6
Total	2,22,000	2,000

(a) Since reduced to Rs. 32,000—vide Collector's letter L. Dis. No. 907/34, dated 14th February 1934.

47. Miscellaneous—d. Transferred—Irrecoverable temporary loans and advances—Written off—Loans to depressed classes for the purchase of house-sites for the districts of East Godavari, West Godavari, Tanjore and Guntur controlled by the Labour Commissioner's office	6,000
47. Miscellaneous—Reserved—Irrecoverable temporary loans and advances—Written off—Miscellaneous—B. Reserved for criminal tribes settlements controlled by the Labour Commissioner's office	1,800

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Loans and Advances by Provincial Governments—g. Miscellaneous Loans and Advances—A. Loans to Depressed Classes and Criminal Tribes Settlements :—

District.	Loans for the acquisition of house-sites for Adi-Dravidas.	Loans to co-operative societies for the acquisition of house-sites for Adi-Dravidas.	Advances to Kallars.	Loans to co-operative societies for the purchase of cattle, etc.
	RS.	RS.	RS.	RS.
Kistna	3,296	..	..	..
East Godavari	1,431	..	..	..
Tanjore	..	896	..	..
Trichinopoly	..	1,148	..	..
Madura, North	..	..	20,000	..
Madura, South	..	..	30,000	..
The Nilgiris	..	..	..	400
	4,727	2,044	50,000	400
Less in rounding	— 27	— 44	..	..
Total	4,700	2,000	50,000	400



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