

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

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

Vol. LXXVII, Nos. 1 to 6.

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Rulings—cont.

Amendment—Priority—

When an amendment is given notice of by a number of Members it is left to the Chair to call upon any one of them to move it

580

Bill—Motion for Select Committee—

When postponement to the next meeting of a motion by the member in charge of a Bill to refer it to a Select Committee, is under consideration, a motion by another member that the Bill be taken up for consideration at the next meeting without being referred to Select Committee, was out of order as it would amount to circumventing a Standing Order (S.O. No. 37) of the House

422

Bill—Third reading—

Elaborate remarks on a Bill are more appropriate for the second than for the third reading

591

Debate—Relevancy—

In the discussion of a resolution on the grant of remission of land revenue, reference to famine relief is not in order

448

Demands for supplementary grants—Cut motions—

A Member who has given notice of a cut motion may either speak on a similar cut motion which has come up for discussion earlier and ask for a vote on his motion, or may move it separately when his turn comes

57

Questions—Short notice—

It is only such short notice questions for which the answers have been got ready that are answered on a particular day

576

Questions—Supplementary questions—

On a question relating to the representation of a particular community in the service, a supplementary question regarding the classification of that community as a criminal tribe is not in order

204

Supplementary questions relating to Muslim endowments would not arise on an original question regarding temple service inams

303

When the original question relates to the grant of land to clerks a supplementary question thereon regarding grant of such land to agriculturists will not be in order

24

Rural indebtedness—

Question re Special Officer's report on

490-492

Rural reconstruction—

Question re scheme for

43-44

Rural water-supply—

Question re Government grants for

563

Russell, Mr. T. B.—

Bill—City Municipal Act, a Bill to further amend the Madras

249

S

Sangam anicut—

Question re falling shutters, progress of the scheme for putting up

295-296

Salem District—

Question re irrigation in — by water from the Cauvery

564-565

„ water-rate in

498-499

Salem District Board—

Question re audit report of the

180

Scheme Report—

See Resettlement of Kurnool.

Scholarships—

Question re award of — for foreign study

320-321

S—cont.

PAGES

Secretariat Library—

Question re use of certain books by M.L.Cs.

29-31

Shetty, Mr. A. B.—

Demand for supplementary grants—Miscellaneous Departments

62, 63, 99

See Questions and Answers.

Sholapadi A Block—

Question re assignment of lands, application for the

386

Sholapadi B Block—

Question re disreservation of the

385

Siva Raj, Rao Sahib N.

Adjournment motion re Padayachis in South Arcot. declared as Criminal tribe

325, 328

Souter, the Hon. Mr. C. A.—

Bills—

Agriculturists' Loans Act, a Bill to amend the Madras

231-233, 237-238, 239

Debtors' Protection Act, Bill to amend the Madras

584, 585

Estates Land Act, 1908, Bill to amend the Madras

Motion re Madras Services Commission Report for 1933-34

406-407, 408, 413, 421, 422

596, 612, 614-616

Resolutions re—

Godavari Western Delta—Closing of canals in

428

Guntur District—Resettlement

440-442

Remission of land revenue—Flat rate of

444, 447-448, 449

Remission of suspended land revenue

450

Special Officer—

Question re recommendation of the — re bridge across Cauvery connecting

Trichinopoly and Salem

310-311

See Broadcasting Service.

Sreatha, Mr. M. S.—

Demand for supplementary grant—Miscellaneous Departments

89-91

Motion re Madras Services Commission Report for 1933-34

607-610

See Panel of Chairman.

See Questions and Answers.

Srinivasan, Rao Bahadur R.—

Bill—City Municipal Act, Bill to amend the Madras

357

Sriramulu, Mr. G.—

Resolution re Godavari Western Delta—Closing of canals in

425-427

Stanes, Mr. F. J.—

Oath of office

12

State-Aid to Industries (Amendment) Act, 1935, the Madras—

Act assented to by H.E. the Governor

56

Subbarayan, Dr. P.—

Adjournment motion re Cocanada Conspiracy case prisoner, treatment of.

619

Bills—

City Municipal Act, 1919, Bill to amend the Madras

343

Estates Land Act, 1908, Bill to amend the Madras

412

Demand for supplementary grant—Miscellaneous Departments

93-95

Subbayya Nayudu, Rao Bahadur, R.—

Bill—Prevention of Adulteration Act, a Bill to further amend the Madras.

251-252,

253, 254, 255, 256, 257, 258, 259, 328, 329, 330, 331

Subrahmanya Bhatt, Mr. U. C.—

Adjournment motion re municipality for Udipi

402

Demand for supplementary grant—Miscellaneous Departments

88

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Y

Yadhava community —
See Madras Agricultural Subordinate Service.

Yahya Ali Sahib Bahadur, Khan Bahadur—
See Panel of Chairmen; Questions and Answers.

Yedapady —
See Water-supply.

PERSONNEL OF THE GOVERNMENT OF MADRAS.

GOVERNOR OF MADRAS.

His Excellency Lord ERSKINE, G.C.I.E. Took his seat on the 15th November 1934.

MEMBERS OF THE EXECUTIVE COUNCIL.

1. The Hon. Rai Bahadur Sir K. VENKATA REDDI NAYUDU, Kt., Law Member. Took his seat on the 25th April 1934 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|--|---|
| 1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the Province. | 6. Coroners. |
| 2. Provincial law reports. | 7. Treasure-trove. |
| 3. Administrator-General and Official Trustees. | 8. Non-judicial and judicial stamps. |
| 4. Elections for Indian and Provincial Legislatures. | 9. Prisons and prisoners. |
| 5. Escheats. | 10. Industrial matters included under the following head :—
Electricity, including hydro-electric schemes. |
| | 11. Forests (including Cinchona) except panchayat forests. |
| | 12. Minor ports. |

II.—Central Subjects.

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

2. The Hon. Rao Bahadur A. T. PANNIRSELVAM, Home Member. Took his seat on the 16th August 1934 and is in charge of the following portfolios :—

I.—Provincial Subjects.

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

II.—Central Subjects.

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

3. The Hon. Mr. C. A. SOUTER, C.S.I., I.C.S., Member in charge of Revenue. Took his seat on the 3rd January 1935 :—

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. Laccadives.
13. European and Anglo-Indian education.
14. Fortnightly reports and preliminary special reports to the Government of India.
15. General service questions.
16. Office procedure.
17. Secretariat.
18. Matters of a general nature not allocated elsewhere. |
| 2. Yeomias, inams and hereditary pensions. | |
| 3. Water-supplies, irrigation and canals, drainage and embankments. Water storage and water power. | |

II.—Central Subjects.

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

4. The Hon. Mr. G. T. H. BRACKEN, C.S.I., C.I.E., I.C.S., Finance Member. Took his seat on the 19th March 1935 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. | 9. Public debt of India. |
| 2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz. | 10. Savings banks. |
| 3. Relations with States in India. | 11. Indian Audit Department. |
| 4. Political charges. | 12. Commerce, including Banks and Insurance. |
| 5. Communications. | 13. Trading Companies and other Associations. |
| 6. Posts and telegraphs and telephones, including wireless installations. | 14. Opium (Central questions regarding —). |
| 7. Sources of all-India revenues. | 15. Central Research. |
| 8. Currency and coinage. | 16. Ecclesiastical. |
| | 17. Archaeology. |
| | 18. Regulation of ceremonial titles, orders, precedence and civil uniform. |
| | 19. Reforms. |
| | 20. Subjects not allocated elsewhere. |

MINISTERS.

1. The Hon. Sir the RAJA OF BOBBILI, K.C.I.E., 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. Diwan Bahadur C. NATESA MUDALIYAR Avargal.

Panel of Chairmen.

Mr. M. S. SRESHTA.

Khan Bahadur YAHYA ALI SAHIB Bahadur.

Mrs. A. RUKMANI LAKSHMIPATHI.

Sir WILLIAM WRIGHT.

Secretary to the Council.

M.R.Ry. Diwan Bahadur R. V. KRISHNA AYYAR Avargal, B.A., M.L.
(on leave).

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

Assistant Secretary to the Council.

M.R.Ry. D. DHYRIANATHAN Avargal, B.A., B.L. (Acting).

**LIST OF MEMBERS OF THE MADRAS
LEGISLATIVE COUNCIL.**

Name of member.	Name and class of constituency.
1 Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2 Ahmed Meeran Sahib Bahadur, Moulvi Hafeez Anumanthakudi Mustapha.	Ramnad cum 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 Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
12 Bhanoji Rao, A. V.	NOMINATED.
13 Boag, G. T.	NOMINATED.
14 Bracken, C.S.I., C.I.E., I.C.S., The Hon. Mr. G. T. H.	EX OFFICIO.
15 Davis, O.B.E., J. A.	Anglo-Indian.
16 Devadasan, M.	NOMINATED.
17 Dharmalingam Pillai, Rao Sahib V.	NOMINATED.
18 Duraiswami Reddiyar, K. M.	South Arcot, N.-M. Rural.
19 Ellappa Chettiyar, Diwan Bahadur S.	Salem, N.-M. Rural.
20 Foulkes, R.	NOMINATED.
21 Gopalaswami Mudaliyar, Diwan Bahadur M.	Bellary, N.-M. Rural.
22 Harischandrudu Nayudu, A.	Godavari East, N.-M. Rural.
23 Indrayya, C.	Godavari West, N.-M. Rural.
24 Iswaran Pillai, I. C.	Tinnevelly N.-M. Rural.
25 Jagannadha Raju, Rao Bahadur G.	Vizagapatam, N.-M. Rural.
26 Jagannatham, H. M.	NOMINATED.
27 Jayaram Nayudu, Rao Sahib C.	Chingleput, N.-M. Rural.
28 Jones, I.C.S., C. E.	NOMINATED.
29 Kesavaramamurti Nayudu, K.	Cocanada City, N.-M. Urban.
30 Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly cum Srirangam, Muhammadan Urban.

Name of member.	Name and class of constituency.
31 Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural.
32 Koti Reddi, K.	Cuddapah, N.-M. Rural.
33 Krishnamurti, Rao Bahadur D.	NOMINATED.
34 Krishnan, C.	NOMINATED.
35 Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi.	NOMINATED.
36 Krishnayya Choudari, P. V.	Guntur, N.-M. Rural.
37 The Kumararaja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendrupa Bahadur Varu).	Nellore, N.-M. Rural.
38 Kumaraswami Reddiyar, The Hon. Diwan Bahadur S. (Minister).	Tinnevelly, N.-M. Rural.
39 Kuppuswami Choudari, J.	Guntur, N.-M. Rural.
40 Langley, W. K. M.	Madras Planters.
41 Madanagopal Nayudu, R.	Madras City, N.-M. Urban.
42 Madhusoodhanan Thangal, P.	NOMINATED.
43 The Maharaja of Venkatagiri (Sri Raja Velugoti Sir Govinda Krishna Yachendrupa Bahadur Varu, K.C.I.E., Lieutenant-Colonel).	North Central Landholders.
44 Mahboob Ali Baig Sahib Bahadur.	Northern Circars, Muhammadan Rural.
45 Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	South Kanara, Muhammadan Rural.
46 Manikkavelu Nayakar, M. A.	North Arcot, N.-M. Rural.
47 Moidoo Sahib Bahadur, Khan Bahadur T. M.	Malabar, Muhammadan Rural.
48 Moses, P. C.	Northern Districts, Christian.
49 Muhammad Meera Ravuttar Bahadur, K. P. V. S.	Madura cum Trichinopoly, Muhammadan Rural.
50 Muniswami Pillai, Rao Sahib V. I.	NOMINATED.
51 Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.
52 Muthiah Chettiyar, M. A.	Southern India Chamber of Commerce.
53 Muthu Chettiyar, Rao Bahadur P. C.	Madura, N.-M. Rural.
54 Nachiyappa Gounder, K. A.	Salem, N.-M. Rural.
55 Nadimuthu Pillai, A. Pl. N. V.	Tanjore, N.-M. Rural.
56 Nanjappa Bahadur, Subadar-Major S. A.	NOMINATED.
57 Narasa Reddi, T.	Cuddapah, N.-M. Rural.
58 Narasimhaswami, Rao Sahib D. V.	Godavari East, N.-M. Rural.
59 Narayanan Nambiyar, V. P.	Malabar, N.-M. Rural.

Name of member.	Name and class of constituency
60 Narayanaswami Pillai, Rao Bahadur T. M.	Trichinopoly, N.-M. Rural.
61 Natesa Mudaliyar, Diwan Bahadur C. (<i>Deputy President</i>).	Madras City, N.-M. Urban.
62 Obi Reddi, C.	Anantapur, N.-M. Rural.
63 Palat, R. M.	West Coast Landholders.
64 Pannirselvam, The Hon. Rao Bahadur A. T.	EX OFFICIO.
65 Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
66 Patnaik Mahasayo, Sriman M. G.	Ganjam, N.-M. Rural.
67 Patro, K.C.I.E., Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
68 Pattabhiramayya, K.	Kistna, N.-M. Rural.
69 The Pattagar of Palayakottai (Rai Bahadur Nallathambi Sarkarai Manradiyar).	Coimbatore, N.-M. Rural.
70 Peddi Raju, P.	Godavari West, N.-M. Rural.
71 Pooker Sahib Bahadur, B. . .	Malabar, Muhammadan Rural.
72 Premayya, G. R.	NOMINATED.
73 Rajagopala Pillai, P. V. . . .	NOMINATED.
74 The Raja of Bobbili, K.C.I.E., The Hon. Sir (Sri Ravu Swetachallapathi Ramakrishna Ranga Rao) (<i>Minister</i>).	Vizagapatam, N.-M. Rural.
75 The Raja of Kallikote (Raja Sri Ramachandra Marda Raja Deo Garu).	Northern Landholders, I.
76 The Raja of Parlakimedi (Sri Sri Krishna Chandra Gajapathi Narayana Deo Garu).	Ganjam, N.-M. Rural.
77 Rajan, The Hon. Mr. P. T. (<i>Minister</i>).	Madura, N.-M. Rural.
78 Ramachandra Padayachi, P. K.	South Arcot, N.-M. Rural.
79 Ramachandra Reddi, The Hon. Mr. B. (<i>President</i>).	Nellore, N.-M. Rural.
80 Ramakrishna Reddi, A.	Kurnool, N.-M. Rural.
81 Ramalinga Reddi, C.	Chittoor, N.-M. Rural.
82 Ramalingam Chettiyar, Diwan Bahadur T. A.	Coimbatore, N.-M. Rural.
83 Ramamurti, Rao Sahib Pandit Ganala.	NOMINATED.
84 Raman Menon, K. P.	Malabar, N.-M. Rural.
85 Ramaswami Ayyar, T. S. . . .	Madras University.
86 Ramaswami Mudaliyar, V. M.	North Arcot, N.-M. Rural.
87 Rameswara Rao, G.	Anantapur, N.-M. Rural.
88 Ranganatha Mudaliyar, A. . .	Bellary, N.-M. Rural.

Name of member.	Name and class of constituency.
89 Ranganatha Mudaliyar, G. . .	Tanjore, N.-M. Rural.
90 Ranganatha Mudaliyar, M. D. T.	Tinnevelly <i>cum</i> Palamcottai N.-M. Urban.
91 Rangaswami Reddi, M. B. . . .	North Arcot, N.-M. Rural.
92 Ratnasabhapatil Mudaliyar, Diwan Bahadur C. S.	Coimbatore, N.-M. Rural.
93 Ratnavelu Tevar, P.	Trichinopoly <i>cum</i> Shrinangan N.-M. Urban.
94 Reid, D. M.	European, Madras Presidency.
95 Rukmani Lakshmipathi, Mrs. A.	Madras City, N.-M. Urban.
96 Russell, I.C.S., T. B.	NOMINATED.
97 Sahajanandam, Swami A. S. . .	NOMINATED.
98 Santhana Gounder, I.	Tanjore and Trichinopoly <i>cum</i> Madura (Christian).
99 Scott Brown, I.C.S., W. . . .	NOMINATED.
100 Sessa Reddi, Rao Bahadur B. P.	Kurnool, N.-M. Rural.
101 Shetty, A. B.	South Kanara, N.-M. Rural.
102 Simhachalam Pantulu, Gade.	Guntur, N.-M. Rural.
103 Siva Raj, Rao Sahib N. . . .	NOMINATED.
104 Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
105 Smith, J. M.	Madras Trades Association.
106 Soundara Pandian, W. P. A.	NOMINATED.
107 Souter, C.S.I., I.C.S., The Hon. Mr. C. A.	EX OFFICIO.
108 Sreshta, M. S.	West Coast, Christian.
109 Srinivasa Ayyangar, T. C. . .	Ramnad, N.-M. Rural.
110 Srinivasan, Rao Bahadur R.	NOMINATED.
111 Sriramulu, G.	NOMINATED.
112 Stanes, F. J.	Madras Chamber of Commerce
113 Subbarayan, Dr. P. (The Zamin-dar of Kumaramangalam).	South Central Landholders.
114 Subrahmanyam Chetti, Rao Sahib P.	NOMINATED.
115 Subrahmanya Bhatt, U. C. . .	South Kanara, N.-M. Rural.
116 Sundara Rao Nayudu, T. . . .	Madras City, N.-M. Urban.
117 Syed Tajuddin Sahib Bahadur, Khan Sahib.	Tanjore, Muhammadan.
118 Thomas, Daniel	Ramnad <i>cum</i> Tinnevelly Christian.
119 Uzielli, C.I.E., I.C.S., H. R. .	NOMINATED.
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 Venkata Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K.	EX OFFICIO.
124 Venugopal Nayudu, Rao Bahadur R. K.	South Arcot, N.-M. Rural.
125 Yahya Ali Sahib Bahadur, Khan Bahadur.	East Coast, Muhammadan Rural.

Name of member.	Name and class of constituency.
126 Wright, Kt., Sir William ..	Madras Chamber of Commerce.
127 Yakub Hasan Sahib Bahadur.	North Arcot cum Chingleput, N.-M. Rural.
128 The Zamindar of Bodinayakanur (Kamaraja Pandia Nayakar, T. V. K.)	Southern Landholders.
129 The Zamindar of Chemudu (Sri Vyricherla Narayana Gajapati Raju).	Vizagapatam City, N.-M. Urban.
130 The Zamindar of Kirlampudi (Sri Raja Ravu Ramakrishna Ranga Rao).	NOMINATED.
131 The Zamindar of Minampalli (K. C. M. Venkatachala Reddiyar).	Trichinopoly, N.-M. Rural.
132 The Zamindar of Mirzapuram (Mirzapuram Raja alias Venkataramayya Appa Rao).	Northern Landholders, II.

Special Members.

133 Erlam Smith	Nominated for the consideration of the Madras Public Libraries Bill.
134 Krishnaswami Ayyar, Rao Bahadur K. V.	Nominated for the consideration of the Madras Public Libraries Bill.
135 Javad Hussain Khan Sahib Bahadur, Khan Bahadur.	Nominated for the consideration of the Madras City Municipal Act (Amendment) Bill.
136 Subbayya Nayudu, Rao Bahadur R.	Nominated for the consideration of the Madras Prevention of Adulteration (Amendment) Bill and the Hindu Maths Bill.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF
MADRAS.

OFFICIAL REPORT.

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

Monday, the 5th August 1935.

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

PRESENT:

Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K. V.	Krishnan, Mr. C.
Pannirselvam, The Hon. Rao Bahadur A. T.	Kuppuswami Choudari, Mr. J.
Souter, C.S.I., I.C.S., The Hon. Mr. C. A.	Madanagopal Nayudu, Mr. R.
Bracken, C.S.I., C.L.E., I.C.S., The Hon. Mr. G. T. H.	Maharaja of Venkatagiri, The.
Raja of Bobbili, K.C.L.E., The Hon. Sir the.	Mahboob Ali Baig Sahib Bahadur.
Rajan, The Hon. Mr. P. T.	Manikkavelu Nayakar, Mr. M. A.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Moses, Mr. P. C.
Abdul Hameed Khan Sahib Bahadur.	Maniswami Pillai, Rao Sahib V. I.
Alamelumangathayaramma, Mrs. K.	Muthiah Chettiar, Mr. M. A.
Annamalai Chettiyar, Mr. S. A. A.	Muthu Chettiyar, Rao Bahadur P. C.
Appadurai Pillai, Diwan Bahadur A.	Nachiyappa Gounder, Mr. K. A.
Arasu, Mr. V. T.	Nanjappa Bahadur, Subadar-Major S. A.
Ari Gowder, Mr. H. B.	Narasa Reddi, Mr. T.
Basheer Ahmed Sayeed Sahib Bahadur.	Narasimhaswami, Rao Sahib D. V.
Basu Dev, Mr. C.	Narayanan Nambiyar, Mr. V. P.
Beyabani Sahib Bahadur, S. M. K.	Natesa Mudaliyar, Diwan Bahadur C.
Boag, C.L.E., I.C.S., Mr. G. T.	Obi Reddi, Mr. C.
Davis, Mr. J. A.	Palat, Mr. R. M.
Devadasan, Mr. M.	Parthasarathi Ayyangar, Mr. C. R.
Dharmalingam Pillai, Rao Sahib V.	Patnaik Mahasayo, Sriman M. G.
Duraishwami Reddiyar, Mr. K. M.	Pattagar of Palayakottai, The.
Ellappa Chettiyar, Diwan Bahadur S.	Peddi Raju, Mr. P.
Gopalaswami Mudaliyar, Diwan Bahadur M.	Pocker Sahib Bahadur, B.
Harischandrudu Nayudu, Mr. A.	Premayya, Mr. G. R.
Indrayya, Mr. C.	Rajagopala Pillai, Mr. P. V.
Iswaran Pillai, Mr. I. C.	Raja of Parlakimedi, The.
Jagannatham, Mr. H. M.	Ramachandra Padayachi, Mr. P. K.
Jayaram Nayudu, Rao Sahib C.	Ramakrishna Reddi, Mr. A.
Jones, I.C.S., Mr. C. E.	Ramalinga Reddi, Mr. C.
Kesavaramamurti Nayudu, Mr. K.	Ramalingam Chettiyar, Diwan Bahadur T. A.
Kolanda Reddi, Rai Sahib C.	Ramamurti, Rao Sahib Pandit Ganala.
Koti Reddi, Mr. K.	Raman Menon, Mr. K. P.
Krishnayya Choudari, Mr. P. V.	Ramaswami Ayyar, Mr. T. S.
Krishnamurti, Rao Bahadur D.	Ramaswami Mudaliyar, Mr. V. M.
	Rameswara Rao, Mr. G.
	Ranganatha Mudaliyar, Mr. G.
	Ranganatha Mudaliyar, Mr. M. D. T.
	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.

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PRESENT—cont.

Ratnavelu Thevar, Mr. P.
 Reid, Mr. Douglas Muir.
 Rukmani Lakshmipathi, Mrs. A.
 Russell, I.C.S., Mr. T. B.
 Scott Brown, I.C.S., Mr. W.
 Sesha Reddi, Rao Bahadur B. P.
 Shetty, Mr. A. B.
 Simbachalam Pantulu, Mr. G.
 Siva Raj, Rao Sahib N.
 Smith, Mr. J. M.
 Soundara Pandian, Mr. W. P. A.
 Sreshta, Mr. M. S.
 Srinivasan, Rao Bahadur R.
 Sriramulu, Mr. G.
 Stanes, Mr. F. J.
 Subbarayan, Dr. P.
 Subbaya Nayudu, Rao Bahadur R.
 Subrahmanya Chetti, Rao Sahib P.

Subrahmanya Bhatt, Mr. U. C.
 Sundara Rao Nayudu, Mr. T.
 Syed Fajuddin Sahib Bahadur, Khan Sahib.
 Thangal, Mr. P. M.
 Thomas, Mr. Daniel.
 Uzielli, C.I.E., I.C.S., Mr. H. R.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venkatarama Ayyar, Mr. K. R.
 Venugopal Nayudu, Rao Bahadur R. K.
 Wright, Sir William.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Bolinayakkanur, The.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—SWEARING IN OF NEW MEMBERS.

The following Members made the prescribed oath or affirmation of allegiance to the Crown and then took their seats:—

Mr. G. T. BOAG.
 „ C. RAMALINGA REDDI.
 „ D. M. REID.
 Mrs. A. RUKMANI LAKSHMIPATHI.
 Mr. F. J. STANES.
 Sir WILLIAM WRIGHT.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Administration of Justice

Direct recruitment to the cadre of District Judges and Sub-Judges.

* 1 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state—

(a) how many appointments have been made by direct recruitment by the Government after 1920 to the District Judge's and Sub-Judge's cadre, and to which communities they belong; and

(b) whether there are now any proposals before the Government to make some appointments to the said posts by direct recruitment to make up for the deficiency in the representation of certain communities in those cadres?

A.—(a) *District Judges.*

Six—two Brahmans, two non-Brahmans and two Muham-madans.

Subordinate Judges—None.

(b) No.

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Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know, Sir, the reason why they have directly recruited six District Judges, while they have got several people in the cadre of Sub-Judges? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ If the Hon. Member is asking as to how the thing came about, I want notice. It was done long ago.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know, Sir, why the Government say in answer to clause (b) that they have no proposal before them to make some appointments by direct recruitment? Have they given up the policy of recruiting directly from the bar? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ It does not mean that.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the Government are aware of the system of recruitment to the courts of justice in England where direct recruitment from the bar is the order of the day and why it should not be followed here? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ The system already in force here is the answer to the question.”

Mr. M. S. SRESHTA:—“ Is there any reason why the Indian Christian community has been ignored in making these appointments? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ No particular reason, Sir.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know when the last of these six appointments was made? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ I believe about 1927 or 1928. I am not quite sure.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know what considerations weighed with them in making the recruitment directly from the bar? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ Considerations, I suppose, of the efficiency of the service.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ Do they not consider in the interest of the same efficiency that more appointments should be made directly from the bar now? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ I cannot directly answer the question. I suppose that five or six out of eleven listed appointments constitute a fair proportion for the bar as well as for those in service.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Is it not the reason that what the Government had in mind in directly recruiting from the bar was to give representation to various other communities which were not adequately represented in the District Judge's cadre? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ As I already said, the thing happened years ago. I am not now in a position to say exactly what they had in mind in making the appointments.”

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Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether any proportion of appointments for Sub-Judges will be set apart for direct recruitment? "

The Hon. Sir K. V. REDDI NAYUDU:—" No, Sir."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Some of these District Judges were appointed in about 1921. May I know whether any of them is going to retire shortly? "

The Hon. Sir K. V. REDDI NAYUDU:—" Probably yes."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I know whether for such vacancies the Government will appoint directly from the bar? "

The Hon. Sir K. V. REDDI NAYUDU:—" The matter will be considered."

Electricity

Scheme for the generation of electricity in Bezwada by means of thermo-electric installations.

* 2 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state with reference to his reply during the Budget debate—

(a) when the Government propose to start production of electricity in Bezwada with thermo-electric installations;

(b) whether the scheme is ready and if not, how long it will take them for starting the work; and

(c) if they have any such scheme under consideration, why they are granting licences to private bodies for supplying electricity in areas to be covered by that scheme?

A.—(a) & (b) The Chief Engineer for Electricity has been asked to investigate and survey the load conditions in and around Vizagapatam and Bezwada and submit a report before the 1st October. The survey is in progress and the Chief Engineer, who is in England on leave and deputation, is examining the question of the most suitable types of turbines and boilers for the purpose in view. If the survey shows that the proposal to establish power stations at either or both the places is likely to be a sound financial proposition and if it is possible, in consultation with the permanent Chief Engineer to prepare a complete scheme or schemes in time, an effort will be made to provide funds for at least the more promising of the two schemes in 1936-37.

(c) No licences are being granted in the areas referred to.

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact that the Government have granted certain licences in the area prescribed already under the Bezwada scheme? "

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The Hon. Sir K. V. REDDI NAYUDU:—" No new licences were granted. Perhaps there were one or two extensions which are not included in the answer to the question."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Will not an extension covering the whole district come under a new licence? "

The Hon. Sir K. V. REDDI NAYUDU:—" With regard to that point, we shall have to look into the Act for an answer."

Prisons and Prisoners.

Combination of the functions of the Superintendent of Jail and the Chief Medical Officer in one and the same person.

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

(a) whether it is a fact that in some central jails one and the same person is allowed to be the Jail Superintendent as well as the Chief Medical Officer for that jail;

(b) if so, in which of the jails such a practice is followed and who the persons holding such combined posts are;

(c) from which time such a step has been adopted, and whether objections have been received against the same; and

(d) whether it is a fact that the Jail Superintendents if they happen to be Chief Medical Officers too, sometimes place restrictions on the diet of convicts when they find them wanting in discipline?

A.—(a) The answer is in the affirmative.

(b) The jails and the names of the persons holding the combined posts are as follows:—

Penitentiary, Madras—Lieut.-Col. S. C. Contractor, I.M.S.

Central Jail, Vellore—Major C. S. V. Ramanan, I.M.S.

Central Jail, Vizagapatam—Major G. S. Gill, I.M.S.

Central Jail, Bellary—Captain M. S. Gupta, I.M.S.

Central Jail, Cannanore—Lieut. C. P. V. Shunker, I.M.D.

(c) The system has been in vogue for a long time and no objections appear to have been received against it.

(d) The Government have not the information.

Mr. K. A. NACHIYAPPA GOUNDER:—" In answer to clause (d), the Government say they have not the information. May I know, Sir, if the Government will enquire and find out whether such a practice is followed? "

The Hon. Sir K. V. REDDI NAYUDU:—" The question will be considered."

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Employment of long-term convicts as convict warders.

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

(a) whether it is a fact that convicts who have been sentenced to transportation for life or long terms of rigorous imprisonment on the charge of grave offences such as murder, etc., are employed as convict warders to have control over convicts who have been convicted for lesser periods on some minor offences; and

(b) if so, on what principles such a policy is pursued, and from which time?

A.—(a) & (b) Convicts are employed as convict warders in accordance with the principles and rules laid down in Chapter XXI of the Madras Jail Manual. The practice of appointing convicts as convict officers in jails has been in force for a long time.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know, Sir, whether the Government are aware that there are any objections to such a practice? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ Practice of what? ”

Mr. K. A. NACHIYAPPA GOUNDER:—“ The practice of employing long-term convicts as convict warders. ”

The Hon. Sir K. V. REDDI NAYUDU:—“ There are advantages and disadvantages, Sir. ”

Government Press

Counting service in the Lawrence Asylum Press towards pension under the Government.

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

(a) whether the employees of the Lawrence Asylum Press were in receipt of pensions;

(b) whether after the transfer of the Lawrence Asylum Press to Government, the question of counting service in the Asylum Press as under the Government of Madras was ever considered;

(c) if the answer to (b) is in the affirmative, what the decision of the Government was; and

(d) the number of persons claiming service in the Lawrence Asylum Press as counting for pension?

A.—(a) There was prior to the year 1898 a pension fund for the employees of the Lawrence Asylum Press. As no ‘ pension fund ’ was provided for employees in other private presses, the practice of granting pensions was discontinued by the Trustees of the Lawrence Asylum Press in 1898 for all future employees.

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(b) & (c) Before the Press was taken over by Government in 1913 the Trustees of the Press served notice of discharge on the entire staff, including the Superintendent. After the Press had been taken over by Government, the Superintendent, Government Press, provided employment for 150 men of the Lawrence Asylum Press who would otherwise have been left without employment. The men were engaged on a temporary footing as day extra establishment with the definite object of avoiding pensionary liabilities. As the Government thus did not undertake any pension liability when the Press was taken over by them in respect of these temporary employees, the question of counting service in the Asylum Press for purpose of pension did not then arise.

(d) A few employees of the Government Press have claimed that their service in the Lawrence Asylum Press should count for pension. It is not possible to state how many more may prefer such a claim.

Mr. A. B. SHETTY:—“ The answer to clause (d) says: ‘ A few employees of the Government have claimed that their service in the Lawrence Asylum Press should count for pension. ’ May I know how their requests have been disposed of? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ I do not think, Sir, I can answer without notice. ”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ In answer to clauses (b) and (c) it is said, ‘ The men were engaged on a temporary footing as day extra establishment with the definite object of avoiding pensionary liabilities. ’ May I ask whether the Government realize that apart from that reason there is such a thing as public policy and public interest which should impel them to grant the privilege to workmen? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ I cannot answer now on a matter that happened 22 years ago. ”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether he will consider the applications from Government Press employees pending before the Government from the point of view of grounds of public policy? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ Each case will be considered on its merits when the application comes up for consideration. ”

Counting of public holidays enjoyed by piece-workers in the Government Press against the leave admissible to them.

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

(a) whether in granting leave to piece-workers in the Government Press, public holidays actually enjoyed are counted against any leave admissible to them;

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- (b) whether Government servants are treated in this manner; and
 (c) whether piece-workers on permanent basis are not considered to be Government servants?

A.—(a) Gasetted holidays actually enjoyed may be counted at the option of the piece-workers in the Government Press against any leave admissible to them.

- (b) Government servants on fixed rates of pay are not subject to the leave rules framed for piece-work establishments, who are paid on the basis of actual outturn of work.
 (c) Yes.

Counting of 'inferior service' in the Government Press towards pension.

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

- (a) whether in some departments of the Government Press including that of piece-workers there are two grades of service—inferior and superior; and
 (b) whether service in the inferior grade is taken into account for purposes of pension?

A.—(a) The answer is in the affirmative.

- (b) Qualifying service in the inferior grade is taken into account for pension or gratuity.

Police

Shadowing by the police of ex-political prisoners.

* 8 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

- (a) whether it is a fact that persons who have gone to jail for political considerations are still watched and shadowed by the police after their release from jails; and
 (b) if so, what the reasons are therefor?

A.—(a) & (b) Except those whom it is considered necessary for purposes of the public good to keep in view by reason of their known character and past offences, persons convicted of political offences are not generally watched and shadowed by the police after their release from jail.

Alleged police interference in meetings held by the ryots of Taramangalam and Tiruchengodu to appeal against enhancement of revenue assessment.

* 9 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

- (a) whether it is a fact that the police have threatened the ryots in the Taramangalam and Tiruchengodu areas as well as in other parts of Salem district for holding meetings, and sending representations appealing to the Government in the matter of enhancement of assessment on account of resettlement in this district;

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- (b) if so, on whose orders such a course was adopted; and
 (c) whether a copy of the circular, if any, in the matter will be placed on the table?

A.—(a) No.

- (b) & (c) Do not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, whether any complaints have been received from the localities regarding the interference of these officers?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Not that I am aware of."

Irrigation

Prospect of constituting the Arbitration Committee for the Tungabhadra Project.

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

- (a) when the Government are going to constitute the Arbitration Committee for the Tungabhadra Project;
 (b) whether they are prepared to refer all the pending projects before the Government to that committee; and
 (c) if not, what the reasons are for not doing so?

A.—(a) The matter is one for the Government of India to decide and is under their consideration.

- (b) & (c) The attention of the hon. Member is invited to the answers to his supplementary questions under question No. 464, dated 23rd January 1935, and to the reply of the Hon. the Revenue Member to the discussions on "Demand VI—Irrigation" printed at page 267 of the Legislative Council Proceedings, dated 12th March 1935, in regard to the Kistna Reservoir Project.

Mr. P. V. KRISHNAYYA CHOUDARI:—"The answer to clause (a) says, 'The matter is one for the Government of India to decide and is under their consideration.' In view of that, may I ask whether the Government are aware that the Kistna was not in floods for a very long time and that it does require some reservoir?"

The Hon. Mr. C. A. SOUTER:—"My information, Sir, is that water over the Bezwada anicut is 7 feet at present."

Proposals of the Government of His Exalted Highness the Nizam for the construction of a bund on the river Kistna near Macherla.

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

- (a) whether it is a fact that the Government of His Exalted Highness the Nizam propose to construct a bund on the river Kistna above the Kistna anicut near Macherla;

(b) if so, in what way the Guntur district will be benefited by that anicut;

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(c) whether the Government have given their consent to the Nizam for its construction;

(d) what are the districts to be affected by that project and what percentage of water is going to be taken by this Government; and

(e) whether this question also is to be referred to the Arbitration Committee that is proposed to be appointed in connexion with the Tungabadra Project?

A.—(a), (b) & (d) The hon. Member's attention is invited to paragraph 3 of the answer to question No. 349, dated 21st January 1935. Details of the schemes on the Kistna referred to therein have not yet been received from the Hyderabad Government.

(c) Does not arise.

(e) The hon. Member's attention is invited to the answer to clauses (b) and (c) of question No. 10.

Mr. P. V. KRISHNAYYA CHOUDARI:—"In view of the answer to clauses (a), (b) and (d), may I know whether it has come to the notice of this Government that the Nizam's Government are thinking of constructing a dam there?"

The Hon. Mr. C. A. SOUTER:—"Perhaps if I may answer Mr. Krishnayya Choudari generally, I may tell him the fact that the Hyderabad Government have promised that before they put forward any scheme they will let us know what it is. Any scheme they may put forward will be carried out after we have had time to consider it fully. I have no reason to think that the Hyderabad Darbar will in any way go back upon that arrangement."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the dam proposed to be constructed by the Nizam's Government will come into clash with the reservoir proposed in connexion with the Bezvada anicut?"

The Hon. Mr. C. A. SOUTER:—"I think the answer shows that this Government do not know of any such dam. Once we do know, we will be in a position to answer the question."

S. M. K. BEYABANI SAHIB Bahadur:—"May I know whether the Government will take up the Sangameswaram project as an alternative in case the Tungabadra project is given up?"

The Hon. Mr. C. A. SOUTER:—"I hope, Sir, that the idea of the hon. Member that the Tungabhadra project will be given up is entirely wrong."

S. M. K. BEYABANI SAHIB Bahadur:—"May I ask the Hon. the Revenue Member whether it is a fact that the Government did actually investigate the Sangameswaram project and found it feasible? If so, will they take it up in case the Tungabadra project is given up?"

The Hon. Mr. C. A. SOUTER:—"Sir, again that is in case of giving up the Tungabadra project. We have no intention of giving it up."

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Reasons for the refusal of the Nizam's Government to agree to the Kistna Reservoir Project.

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

(a) whether it is a fact that the Nizam's Government are not prepared to agree to the Kistna Reservoir Project;

(b) if so, what are the reasons given by that Government for their not agreeing to it; and

(c) what the special reasons are for the Government of Madras consenting to the construction of the bund on the Kistna river by the Nizam's Government?

A.—(a) & (b) The position in regard to the Kistna Reservoir Project is stated in the answer given to question No. 349 at the meeting on the 21st January 1935. The Government have nothing to add to that statement.

(c) The attention of the hon. Member is invited to the answer to question No. 11.

Laccadives

Means of transhipment between the West Coast and the Laccadives.

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

(a) what kind of conveyance is employed between the West Coast and the Laccadives for the transhipment of passengers and goods;

(b) whether it is a fact that the conveyance consists of ordinary boats which are unsafe and which sometimes do not reach their destination in due time; and

(c) whether the Government propose to have better and safe kind of conveyance to these forlorn islands and, if so, what they are?

A.—(a) & (b) The Government do not run any kind of boat service between the West Coast and the Laccadives. Passengers and goods are carried in boats owned by private persons and these boats are those ordinarily in use in the islands. The Government have no information as regards the latter part of clause (b).

(c) The Government have no such proposal on hand.

Mr. K. A. NACHIYAPPA GOUNDER:—"The answer given is, 'The Government have no information as regards the latter part of clause (b).' May I know, Sir, whether the Government will be pleased to enquire and find out whether the conveyance used is quite safe for passenger traffic?"

The Hon. Mr. C. A. SOUTER:—"I do not think any useful purpose will be served by that. I may give the hon. Member just a bit of my personal experience, that I myself have been in such a boat, not only myself my wife also came with me, and we were quite safe, although the sea was very rough."

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Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I know whether the Government or any Port authority are exercising any control over private boats in the interests of public safety? "

The Hon. Mr. C. A. SOUTER:—" I want notice, Sir."

Proposals, if any, for the employment of steam boats for transhipment to and from the Laccadives.

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

(a) whether it is a fact that special steam launches are arranged for the inspection of the Laccadive islands by the Collector of Malabar in each year;

(b) if so, what the cost involved is for such an arrangement in each year for the past five years;

(c) what the officers are who are employed at the Laccadive islands;

(d) what kind of conveyance is permitted to them between the West Coast and the said islands;

(e) whether there are any complaints that it is unsafe for traffic and, if so, what action has been taken to remedy them; and

(f) whether there are any proposals to employ regular steam boats to and from the islands?

A.—(a) Small coasting steamers are hired for the inspection of the islands. The inspection is conducted only once in two years.

(b) The cost incurred in hiring steamers for the last three inspections was as follows:—

	RS.
1931	24,374
1933	17,150
1935	18,400

(c) Monigar, karanis, nadpals, kavalgars, peons, amins and gumastas.

(d), (e) & (f) The attention of the hon. Member is invited to the answer to question No. 13.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether besides monigars, karanis, peons, amins, etc., doctors and other officers like deputy tahsildars are employed there? "

The Hon. Mr. C. A. SOUTER:—" I do not know of any deputy tahsildars. There are certainly some doctors."

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Land Revenue Administration

Resolution of the Non-Gazetted Officers' Conference held at Salem regarding the grant of lands on darkhast.

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

(a) whether the resolutions of the Non-Gazetted Officers' Association held at Salem in December 1934 regarding the grant of lands on darkhast to the non-gazetted officials have been communicated to Government; and

(b) if so, what action the Government have taken or propose to take in the matter?

A.—(a) Yes.

(b) The General Secretary of the Non-Gazetted Government Officers' Association was informed that it was open to Government servants to apply for the grant of Government land under the ordinary darkhast rules, subject to the provisions of the Government Servants' Conduct Rules and that the Government did not consider that any special provision was called for in their case.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether in pursuance of the resolution of the Non-Gazetted Officers' Association and the reply of the Government, any Government servants were granted lands on darkhast in the South Kanara district? "

The Hon. Mr. C. A. SOUTER:—" Notice, Sir. I am not aware of it."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether it is not a fact that certain Government servants in the Mangalore Collectorate applied for lands in Pentlandpetta? "

The Hon. Mr. C. A. SOUTER:—" I think the question is answered under question No. 16."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether land was granted to them? "

The Hon. Mr. C. A. SOUTER:—" The answer is given under question No. 16 as 'no.' "

Mr. U. C. SUBRAHMANYA BHATT:—" Is it not a fact, Sir, that when these officers request the Government to consider their applications favourably the Government say the ordinary darkhast rules will apply, but when it comes to actual application they refuse? "

The Hon. Mr. C. A. SOUTER:—" I think the answer to question No. 16 covers all that."

[5th August 1935]

Rejection by the Board of Revenue of the proposal to assign certain house-sites in Mangalore to clerks at concessional rates.

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

(a) whether it is a fact that some clerks applied for small extents of assessed waste land in Pentlandpetta in Mangalore town for residential purposes at a concessional rate of site value to the Collector of South Kanara in view of the abnormal rents prevailing in the town; and

(b) whether it is a fact that the Board of Revenue has rejected the recommendation of the Collector and ordered the sale of the plots by public auction; and if so, why?

A.—(a) & (b) Five clerks employed in Government offices in Mangalore town applied for the assignment of sites in Pentlandpetta. The Collector recommended the sale of the sites at a concessional rate. The Board of Revenue did not accept the Collector's recommendation as it considered that there was no guarantee that when the clerks were transferred they would rent their houses to other Government servants. They would be in a position to make money out of the transaction and there would be no advantage to the Government or to the personnel of the department.

11-15 a.m. Mr. U. C. SUBRAHMANYA BHATT:—"May I ask whether it is not possible to grant these officers those lands on conditions of non-alienation and so on?"

The Hon. Mr. C. A. SOUTER:—"The last part of the answer answers that. We have no guarantee that when these clerks are transferred they would rent their houses to other Government servants. Otherwise the reason for the grant disappears."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not advisable, to grant such vacant lands to agriculturists in the neighbourhood?"

* The Hon. the PRESIDENT:—"The question before the House deals with the granting of lands to clerks."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government made any attempt to get a guarantee of the nature indicated in the answer, and may I ask if a guarantee of the nature indicated is forthcoming whether Government will consider the question of granting the lands?"

The Hon. Mr. C. A. SOUTER:—"I cannot answer that hypothetical question."

Mr. U. C. SUBRAHMANYA BHATT:—"May I ask whether the Government will consider the advisability of granting lands with this condition that they should not hire them out to others?"

The Hon. Mr. C. A. SOUTER:—"I do not think so."

[6th August 1935]

Proposals to increase the extent of village-sites in Guntur district.

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

(a) whether during the last survey in Guntur district any proposal was made to the Board of Revenue through the Collector of Guntur to increase the village-sites (called Gramagantams) in the district;

(b) if so, what the nature of that proposal is and what the orders passed by the Board of Revenue thereon are;

(c) whether there are any proposals now before the Government to increase the village-sites in view of the increased population without payment of any kist to the Government;

(d) if not, whether any such requests have been made to the Government; and

(e) if so, how they have been disposed of?

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

(c) No.

(d) & (e) The hon. Member who put the question has made certain representations in the matter, which the Government are considering.

Protection of Wild Birds and Animals

Number of human beings killed by man-eaters in South Kanara.

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

(a) the number of human beings attacked and killed by man-eaters (tigers and panthers) in 1934 and in 1935 in South Kanara; and

(b) the measures taken to destroy such man-eaters?

A.—(a) Five persons are reported to have been killed by tigers and panthers in the Coondapoor and Karkal taluks of the South Kanara district in 1934. No persons were killed by these animals in the other taluks during 1934. The Government have no information about the number of persons killed by these animals in 1935.

(b) Rewards are given for the destruction of tigers and panthers as laid down in Board's Standing Order No. 196.

In September 1934 the Tahsildar, Karkal, and the Forest Range officers hunted in the forests near Hebri and the neighbouring villages where a man-eating panther was reported to be at large. The animal is reported to have since disappeared.

Mr. A. B. SHETTY:—"May I know whether the Government will call for information regarding the number of persons killed in 1935?"

The Hon. Mr. C. A. SOUTER:—"A report will be received towards the end of this year."

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Mr. A. B. SHETTY:—" May I know, whether in view of the fact that these man-eating panthers are appearing again and again in South Kanara, Government will be pleased to take special measures for destroying these animals? "

The Hon. Mr. C. A. SOUTER:—" If the House will vote a special grant, I will consider the question."

Public Service

Restrictions on Government servants in the matter of filing suits against Government.

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

(a) whether orders have been passed in G.O. No. 581, Public (Services), dated 1st June 1934, warning Government servants in the matter of suing against the Government;

(b) if so, whether a copy of it will be placed on the table;

(c) what the reasons are that prompted the Government to pass such an order; and

(d) what alternative remedy is afforded to these servants instead of taking out suit against Government whenever they are aggrieved?

A.—A copy of G.O. No. 581, Public (Services), dated 1st June 1934, which is self-explanatory is placed on the table of the House.*

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask, Sir, whether in passing this G.O. No. 581, Public (Services), dated 1st June 1934, Government hope that they can prevent the Government servants from going to law courts to get remedy? "

The Hon. Mr. C. A. SOUTER:—" We hope so."

Mr. K. A. NACHIYAPPA GOUNDER:—" Was the Advocate-General consulted in the matter, Sir? "

The Hon. Mr. C. A. SOUTER:—" Notice, Sir."

Rules regulating the Criminal Judicial test examination.

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

(a) whether it is a fact that the candidates appearing for the Criminal Judicial test examination are required to pass in all the subjects at one and the same sitting in order to get a pass certificate;

(b) how many subjects the Criminal Judicial test consists of and what they are; and what the minimum marks prescribed are for each of the said subjects;

(c) what the numbers are of persons who have appeared and those who have passed at each of the said test examination for the past five years;

* Printed as Appendix I on page 102 infra.

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(d) whether the attention of the Government has been drawn by means of representations or otherwise about the desirability of allowing the applicants for the said test examination to pass the different subjects one after another at their convenience to have a pass certificate; and

(e) if so, from whom they were received and what action has been taken on them, and in what way they have been disposed of?

A.—(a) Yes.

(b) The following are the subjects of the test:—

- (1) The Indian Evidence Act of 1872.
- (2) The Indian Penal Code and the Acts amending the same.
- (3) The Code of Criminal Procedure and the Acts amending the same.
- (4) Medical Jurisprudence.

The following papers are set in the above subjects:—

- (1) The Indian Evidence Act—Three hours (with books).
- (2) The Indian Penal Code, General Principles—Three hours (without books).
- (3) The Indian Penal Code, Detailed Application—Two hours (with books).
- (4) The Code of Criminal Procedure, General Principles—Three hours (without books).
- (5) The Code of Criminal Procedure—Detailed Application—Two hours (with books).
- (6) Medical Jurisprudence—Three hours (with books).

Candidates should obtain 33 per cent of the marks in each paper and 40 per cent of the aggregate number of marks to secure a pass in the Criminal Judicial Test.

(c) The figures are given below:—

Year.	Number appeared.	Number passed.
June 1930	274	64
December 1930	300	68
July 1931	297	59
January 1932	210	25
June 1932	115	20
December 1932	123	37
June 1933	87	28
December 1933	122	17
June 1934	136	26
December 1934	133	30

(d) & (e) No representations have been received in the matter.

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Mr. K. A. NACHIYAPPA GOUNDER:—"In view of the very small number of passes in this test, will Government consider the desirability of allowing the candidates to pass in the different subjects one after another at their convenience, to have a pass certificate?"

The Hon. Mr. C. A. SOUTER:—"No, Sir. I may mention that I myself once had to pass the test."

Rules regulating the Revenue test examination.

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

(a) how many have appeared for the Revenue test and how many have passed in that test at each examination for the said test for the past five years;

(b) how many subjects does this test consist of, and what the examination fees levied is; and

(c) whether the candidates are required to pass all the subjects simultaneously or whether they can pass it one after another to obtain a pass in the said test examination?

A.—(a) The information is furnished below:—

	Number appeared.	Number passed.
June 1930	423	193
December 1930.. .. .	438	192
July 1931	355	95
January 1932	314	59
June 1932	161	35
December 1932.. .. .	211	24
June 1933	154	23
December 1933.. .. .	294	67
June 1934	207	45
December 1934.. .. .	285	43

(b) The following are the subjects of the test:—

(1) Revenue Acts and Regulations—

Regulation	XXV of 1802	Permanent Settlement.
Do.	XXVI of 1802	Malguzari lands.
Do.	XXIX of 1802	Duties of Karnams.
Do.	I of 1803	Board of Revenue.
Do.	II of 1803	Collectors.
Do.	XII of 1816	Boundaries.
Do.	VII of 1817	Charitable Endowments.
Do.	IX of 1822	Malversation.
Do.	VII of 1828	Subordinate Collectors.
India Act	VII of 1839	Tahsildars' Powers of Distrain.
Do.	XXIV of 1839	Ganjam and Vizagapatam Administration.
Do.	XII of 1851	Land Revenue, Madras.
Do.	I of 1858	Kudimaramat.
Do.	VI of 1878	Treasure Trove.
Do.	XIX of 1883	Land Improvement Loans.
Do.	XII of 1884	Agriculturists' Loans.
Do.	I of 1894	Land Acquisition.

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(1) Revenue Acts and Regulations—cont.

Madras Act	II of 1864	Revenue Recovery.
Do.	VII of 1865	Irrigation Cans.
Do.	VI of 1867	Land Revenue, Madras.
Do.	III of 1869	Revenue Summonses.
Do.	VIII of 1869	Inams.
Do.	I of 1873	Elephants.
Do.	I of 1876	Assessment of Alienated Estates.
Do.	V of 1882	Forests.
Do.	XIV of 1920	Local Boards as amended by Acts II of 1922, V of 1925, I of 1927, XI of 1930, III and IX of 1931, IV of 1932, V, XIV, XVIII, XXIII and XXV of 1933 and II of 1934.
Do.	II of 1890	Canals and Ferries.
Do.	II of 1894	Proprietary Estates Village Service.
Do.	III of 1895	Hereditary Village Officers.
Do.	III of 1896	Malabar Land Registration.
Do.	VIII of 1923	Survey and Boundaries.
Do.	III of 1899	Registration of Births and Deaths.
Do.	I of 1902	Court of Wards.
Do.	II of 1904	Impartible Estates.
Do.	III of 1905	Encroachments.
Do.	I of 1908	Estates Land Act.
Do.	VI of 1932	Madras Co-operative Societies Act.

(2) The Standing Orders of the Board of Revenue, Land Revenue and Settlement and Miscellaneous (1931 edition).

(3) The Excise Manual (Extract).

(4) The District Office Manual.

(5) The Stamp Manual.

(6) The Special Funds Code.

(7) The Manuals of Village and Taluk Accounts.

The fee to be paid for admission to the Revenue Test Examination is Rs. 12.

(c) The candidates are required to pass all the subjects simultaneously to secure a pass in the test.

Secretariat

Restrictions on Members of the Legislative Council in respect of the use of certain books in the Chief Secretariat Library.

* 22 Q.—Mr. P. V. KRISHNAYYA CHUDARI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that Members of the Legislative Council are prohibited from using certain books in the Chief Secretariat Library; and

(b) if so, what the special reasons are for prohibiting the use of books which are placed in the Secretariat Library?

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A.—(a) Yes.

(b) The Secretariat Library is primarily intended to serve as a general reference library for all departments of the Secretariat and for all Government offices in the Madras City, and contains some unpublished books which are used solely for this purpose and are consequently not available to the general public or non-officials.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Unless they are confidential books, when they are once placed in the library, why should they not be lent to Members of the Legislative Council? ”

The Hon. Mr. C. A. SOUTER:—“ If any Member personally comes to me and asks for some of those books, I shall have no objection. I shall be happy to help him; but I cannot give permission in general that Members of this House can go to the library and take out what they want.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know whether the Government will be pleased to exempt the Members of this Council as distinct from the general public and non-officials and allow them permission to take out books? ”

The Hon. Mr. C. A. SOUTER:—“ I think hon. Members of this House should recognize the fact that they are not members of the Secretariat.”

Mr. YAKUB HASAN SAIT:—“ Is this prohibition confined only to unpublished books? Are other books available to Members of the Legislative Council? ”

The Hon. Mr. C. A. SOUTER:—“ It is confined to those books which are not published; published books are available in the Council library.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government are prepared to make out copies of those books and have them kept in the Legislative Council library so that we can have access to them? ”

The Hon. Mr. C. A. SOUTER:—“ I shall be quite prepared to take the latest volume and allow the hon. Member to copy it if he wishes to do so.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ Will not Government be prepared to consider the case of the Legislative Council Members differently from the general public? ”

The Hon. Mr. C. A. SOUTER:—“ I do not think so.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know why such a distinction should be made with regard to unpublished works? ”

The Hon. Mr. C. A. SOUTER:—“ They may contain matter which it is not advisable to publish.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I draw the attention of the Hon. Member to the fact that the Settlement Report of Guntur, which is a published document, was refused to be given to me? ”

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The Hon. Mr. C. A. SOUTER:—“ I believe the Report on the Guntur Settlement has only just been published—two days back.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ I am speaking of the previous Settlement Report which was published; I just wanted to have it and I addressed the Government.”

The Hon. Mr. C. A. SOUTER:—“ Will the hon. Member specify which report? ”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ 1860 Report; the report prior to 1903 settlement.”

The Hon. Mr. C. A. SOUTER:—“ That is a very long time ago.”

Provincial Finance

Rate of interest for 1935-36 charged by the Government of India on loans issued to Provincial Governments.

* 23 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government of India have announced the rate of interest for 1935-36, which they propose to charge on loans taken by Provincial Governments;

(b) if so, what it is; and

(c) whether this rate will be applicable only for loans taken during 1935-36 or for all other loans taken previously also?

A.—(a) No.

(b) Does not arise.

(c) Only to loans taken during 1935-36.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know, Sir, when the information with regard to the rate of interest will be forthcoming? ”

The Hon. Mr. G. T. H. BRACKEN:—“ I cannot say.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government of Madras have addressed the Government of India as to the reduction? ”

The Hon. Mr. G. T. H. BRACKEN:—“ We have tried to get as much reduction as possible.”

Reforms

Progress in regard to the delimitation of constituencies for the local Legislative Council and the Legislative Assembly.

* 24 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(a) what steps have been taken with regard to the delimitation of constituencies for the local Legislative Council and the Legislative Assembly, both upper and lower houses under the new constitution;

(b) what conclusions have been arrived at in this behalf; and

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(e) when the new elections for the local Council and the Assembly are proposed to be conducted and what the franchise is for voting in those elections?

A.—(a) A Committee has been constituted to advise the Government on the subject.

(b) The Committee has not yet formulated its proposals.

(c) It is not possible now to say when elections for the Legislative Assembly and the Legislative Council under the new constitution will be held. The franchise qualifications for electors to the new Legislatures will be definitely known after the Government of India Bill is passed into Law.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether the Government will consider the desirability of making the report available to the Members of this House as soon as it is ready? "

The Hon. Mr. G. T. H. BRACKEN:—" I am in a position to supplement the information given here. The Delimitation Committee have now almost concluded their labours, and it is proposed to publish their report, if possible, next week, with the comments of the Government. We shall ask for representations from the public on this report; those representations will then be further considered by the Delimitation Committee and the Government and forwarded to the Central Delimitation Committee presided over by Sir Laurie Hammond. Sir Laurie Hammond's Committee will visit Madras in due course, probably in November, and will no doubt receive further representations from the public during the course of their visit."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Will this Council have an opportunity to discuss it? "

The Hon. Mr. G. T. H. BRACKEN:—" I believe the report of the Franchise Committee was not considered by this House; but if there is a general desire for this House to discuss the report, the matter will be considered."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the Government are prepared to place on the table the materials supplied to the members of the Delimitation Committee so that members here may also study and express their opinion? "

The Hon. Mr. G. T. H. BRACKEN:—" Those papers are already placed on the table of the House."

Local Self-Government

Appointment of a Commissioner to the Mayavaram Municipality.

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

(a) when was the Commissioner first appointed to Mayavaram Municipality and who was the person appointed and what are his qualifications, pay and scale of pay;

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(b) How many changes have so far been made and who are the persons so far appointed and what is the qualification, pay and scale of pay of each, and what is the service of each as Commissioner in that municipality;

(c) for how long the said municipality was actually without a Commissioner even after introduction of Commissioner to that municipality;

(d) who the present Commissioner of that municipality is, what his qualifications, pay and scale of pay and allowances are and the appointment held by him and the pay and scale of pay drawn by him prior to this appointment; and

(e) when he joined duty in the present post?

A.—(a) The first appointment of Commissioner to the Mayavaram Municipality was made in November 1934. The particulars in regard to the name, etc., of the officer are given in item (1) of the appended statement.*

(b) There was one change in the personnel of Commissioner appointed to this Municipality. The name, qualifications, etc., of each of the Commissioners are shown in the appended statement.*

(c) There was no Commissioner during the period from the 21st December 1934 to 15th April 1935.

(d) The attention of the hon. Member is invited to the entries in item (2) of the statement.

(e) On the 16th April 1935.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know why a Commissioner was not appointed to this municipality from 21st December 1934 to 15th April 1935? "

The Hon. Sir the RAJA OF BOBBILI:—" I believe I have already answered that question once before. The reason was that none of the candidates selected was found suitable."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know whether the suitability of the applicants was considered even before the appointment was made? "

The Hon. Sir the RAJA OF BOBBILI:—" I have not understood the question."

Progress of the bifurcation of district boards.

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

(a) how many district boards have so far been bifurcated;

(b) on what basis the bifurcations are taken up;

(c) what the district boards are that are proposed to be bifurcated in the course of 1935-36;

* Printed as Appendix II on page 102 infra.

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(d) what the annual normal income, extent and population are of each of the district boards which have been bifurcated; and
(e) what the annual normal income, extent and population are of the Salem District Board?

A.—(a) Two.

(b) Attention is invited to the answer given to question No. 478 given at the meeting of the Legislative Council on 23rd January 1935.

(c) Attention is invited to the answer given to question No. 910 given at the meeting of the Legislative Council on 18th March 1935.

(d) & (e) Particulars as to the normal income under general account of the old district boards of Tanjore and Vizagapatam and of the Salem District Board are given below:—

	RS.
Old Tanjore District Board	15,49,270
Old Vizagapatam District Board	9,13,840
Salem District Board	8,29,242

For particulars as to the population and extent of the above district boards attention is invited to the figures published in Part III of Census of India, Volume XIV, Madras.

Mrs. A. RUKMANI LAKSHMIPATHI:—" May I know whether the Government have decided to bifurcate all the district boards? "

The Hon. Sir the RAJA OF BOBBILI:—" No. It is decided to bifurcate three more district boards."

Mrs. A. RUKMANI LAKSHMIPATHI:—" On what principle is bifurcation based? "

The Hon. Sir the RAJA OF BOBBILI:—" All those districts which are considered unwieldy and which are capable of being bifurcated as a result of the abolition of the taluk boards, are bifurcated in the interests of better and more efficient administration."

Mr. M. A. MANIKKAVELU NAYAKAR:—" May I know at what stage the question of the bifurcation of North Arcot district is? "

The Hon. Sir the RAJA OF BOBBILI:—" I cannot give any precise date as to when it would be bifurcated, but I may inform the hon. Member that the examination of the question is very near being concluded."

Mr. V. T. ARASU:—" May I know whether Government have considered or are considering still the question of bifurcating the Chingleput District Board? "

The Hon. Sir the RAJA OF BOBBILI:—" The matter is still under consideration."

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Mrs. A. RUKMANI LAKSHMIPATHI:—" Is bifurcation to be proceeded with in the case of districts in which elections are to be held this year? "

The Hon. Sir the RAJA OF BOBBILI:—" So far, five district boards have been selected; two of them have been bifurcated and the examination of the other three is going on; we have not selected any other district board."

Mrs. A. RUKMANI LAKSHMIPATHI:—" I wanted to know if the Government propose to bifurcate those district boards in which elections are to be held this year? "

The Hon. Sir the RAJA OF BOBBILI:—" I presume North Arcot is one of the districts that Government have finally decided to bifurcate, and elections will be held there this year."

Mrs. A. RUKMANI LAKSHMIPATHI:—" Are the Government aware that elections in four district boards are to be held this year, namely, South Arcot, North Arcot, Tinnevely and Trichinopoly? "

The Hon. Sir the RAJA OF BOBBILI:—" I have mentioned only North Arcot but I may say that elections in 12 districts will go on this year."

Mr. V. T. ARASU:—" May I know whether the Hon. Minister remembers that on a previous occasion he has made a statement on the floor of this House that he will see that orders of bifurcation are passed so as to coincide with the termination of the life of the existing district boards? "

The Hon. Sir the RAJA OF BOBBILI:—" I have never denied that statement."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I know if it is only districts for which elections are to be held that will be bifurcated? "

The Hon. Sir the RAJA OF BOBBILI:—" I cannot answer that question. So far I have taken up five districts, and the examination of them has not yet been completed. After the examination of these cases the question of others too will come."

Mrs. A. RUKMANI LAKSHMIPATHI:—" Is it a fact, Sir, that the bifurcation of district boards is being done in view of the coming general elections? "

The Hon. Sir the RAJA OF BOBBILI:—" If the hon. Member has followed the discussions on the abolition of the taluk boards, it will be seen that the scheme of abolition of taluk boards and the bifurcation of larger districts is taken up as a single scheme."

Mrs. A. RUKMANI LAKSHMIPATHI:—" Is it not a fact that the Government propose to bring in taluk boards once again? "

The Hon. Sir the RAJA OF BOBBILI:—" There is no proposal for reviving the taluk boards as such."

[5th August 1935]

Alleged physical unfitness of three of the candidates selected for appointment as District Board Engineers.

* 27 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 Public Services Commission selected eight candidates for appointment as District Board Engineers;

(b) whether it is a fact that the Surgeon-General objected to the selection of three of those candidates as being physically unfit;

(c) whether it is a fact that on receiving such a report from the Surgeon-General, the Public Services Commission selected three other candidates;

(d) whether it is a fact that the Government have now sent those three candidates who were once declared medically unfit for a fresh medical examination; if so, why and what is the report of the Surgeon-General; and

(e) what the Government propose to do with the three candidates who were subsequently selected?

A.—(a) Yes.

(b) Yes, as their vision was considered defective.

(c) Yes.

(d) Yes. The Government considered that before finally rejecting the candidates on the certificates of the local medical officers the opinion of an eye specialist should be obtained. The report is confidential.

(e) The additional three names were selected in the place of those who were previously rejected as unfit. As these have now been accepted as fit, the Government do not propose to consider the three additional names.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government have themselves undertaken to send these three candidates to the eye specialist for expert opinion? ”

The Hon. Sir the RAJA OF BOBBILI:—“ In the first instance, the applicants submitted certificates of fitness from district medical officers to the Services Commission. Subsequently the Surgeon-General applied certain tests which are not embodied in the rules and which have not been approved so far by the Government. On those tests, it was considered that those applicants did not come up to the standard. Subsequently the Government have ordered that they should be examined again, with reference to the particulars of the original examination and subsequent examination.”

1.30 a.m. Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I ask the Hon. Minister to say who took the initiative in the matter of sending these men again to the medical officers for reconsidering their opinion? ”

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The Hon. Sir the RAJA OF BOBBILI:—“ The Services Commission first sent in a list of approved candidates and, subsequently, when we were issuing orders in one particular case, reported that three of them did not come up as regards eye-sight test fixed by the Surgeon-General. It is the Government therefore that ordered that these candidates should be re-examined.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I ask whether there was any application from the candidates themselves that they should be re-examined? ”

The Hon. Sir the RAJA OF BOBBILI:—“ As far as I know there was no application.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ When the Surgeon-General definitely expressed the opinion that the applicants selected were not suitable for the post on account of defective eye-sight, may I know what made the Government feel that the test of the Surgeon-General was wrong, and what is the basis on which they acted? ”

The Hon. Sir the RAJA OF BOBBILI:—“ The Surgeon-General did not make any eye-test. Before they applied for the posts, the candidates were examined by the district medical officers and were certified to be free from defects in eye-sight. The Surgeon-General, however, considered that they did not come up to a certain standard he has fixed.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Is it not a fact that the Services Commission sent up the medical certificates granted by the district medical officers to the Surgeon-General for his remarks as to whether they were properly granted or not? What is the opinion of the Surgeon-General on that reference? ”

The Hon. Sir the RAJA OF BOBBILI:—“ I cannot give the exact technical words used. He has stated that they did not come up to a certain standard. The real point is that those standards have not been fixed or approved by the Government.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I ask whether the Government consider the standard fixed by the Surgeon-General to be too high? ”

The Hon. Sir the RAJA OF BOBBILI:—“ The Surgeon-General has not so far submitted those standards for the approval of the Government.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Is it not a fact that their medical certificates were rejected after they were selected by the Services Commission? ”

The Hon. Sir the RAJA OF BOBBILI:—“ There is no question of the Services Commission asking to have the candidates re-examined. When vacancies arose, the Commission submitted three names to be considered as the three candidates originally selected by them were declared to be unfit.”

[5th August 1935]

Provincialisation of the service of Local Fund Assistant Engineers.

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

(a) whether there are any proposals for provincialising the services of the Local Fund Assistant Engineers and, if so, what they are; and

(b) what action has been taken by the Government on the resolution passed by the conference of District Board Engineers recently on the subject?

A.—(a) No.

(b) The matter is under the consideration of the Government.

Mr. K. A. NACHIYAPPA GOUNDER:—“In answer to clause (a) of this question, the Government say “No,” and in their answer to clause (b), they say that the matter is under consideration. May I know what sort of consideration the said resolution is receiving?”

The Hon. Sir the RAJA OF BOBBILI:—“The negative reply to clause (a) means that there is no proposal for provincialising the service of Local Fund Assistant Engineers. The answer to clause (b) means that the resolution submitted to the Government is under the consideration of Government.”

Mr. K. A. NACHIYAPPA GOUNDER:—“May I know Sir, what sort of consideration is being given by the Government? Is it with a view to give effect to that resolution or not?”

The Hon. Sir the RAJA OF BOBBILI:—“When they receive representations, Government always consider whether they are practicable, acceptable or desirable.”

Proposals, if any, to form the service of maistris under local bodies on a permanent basis and into a regular cadre.

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

(a) whether there are any proposals to bring the service of maistris under the local bodies on a permanent basis and regular cadre, and, if so, what they are;

(b) whether any representations have been received in this behalf; and

(c) if so, from whom and how they have been disposed of?

A.—(a), (b) & (c) Proposals for the constitution of a permanent staff of maistris have been received from the Ganjam, (old) Tanjore and Salem district boards. The orders* passed by the Government on these proposals are laid on the table.

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Mr. K. A. NACHIYAPPA GOUNDER:—“May I know when proposals from Ganjam, Tanjore and Salem were received?”

The Hon. Sir the RAJA OF BOBBILI:—“I am afraid I cannot give the exact dates. This correspondence originally started in 1927 or 1928.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“May I ask whether the Hon. the Chief Minister is aware that an army of maistris are out of employment for several months, and if so, what steps he has taken to ensure their continuous employment?”

The Hon. Sir the RAJA OF BOBBILI:—“There is no permanent cadre for these men, and if we are to make them all permanent, it would cost lakhs for pensionary charges, leave allowance, etc. Always they are treated as temporary servants for the period that there is work. It is not possible to ask the district boards to incur heavy additional expenditure.”

Mr. K. A. NACHIYAPPA GOUNDER:—“May I ask whether proposals for employing them on a permanent basis have not been received from the Salem District Board recently?”

The Hon. Sir the RAJA OF BOBBILI:—“I must ask for notice.”

Decision, if any, of the Government regarding the reintroduction of tolls.

* 30 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Local Self-Government be pleased to state whether Government have come to any decision regarding the reintroduction of tolls with a view to rehabilitate the finances of local bodies?

A.—The question is still under consideration.

Mr. A. B. SHETTY:—“Am I to understand from the answer that the Hon. Minister has not taken up any definite view on this question?”

The Hon. Sir the RAJA OF BOBBILI:—“The Government have not taken a definite view as will be seen from the answer which says that the matter is still under consideration.”

Mr. P. V. KRISHNAYYA CHAUDARI:—“May I ask the Hon. Minister whether he did not declare in his presidential address at Tiruttani that the tolls have been abolished and whether the answer to this question that the matter is still under consideration is correct? May I know which statement of the Hon. Minister is correct?”

The Hon. Sir the RAJA OF BOBBILI:—“Both are correct; the tolls have been abolished and the matter is under consideration.”

Mr. A. B. SHETTY:—“May I know if the Hon. Minister claimed the abolition of tolls as one of the achievements of his party in his speech at the Conference referred to by my hon. Friend?”

The Hon. Sir the RAJA OF BOBBILI:—“That is quite true.”

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Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I ask if the Hon. Minister is aware that public opinion is now in favour of the reintroduction of tolls?"

The Hon. Sir the RAJA OF BOBBILI:—"I cannot say that public opinion is all in favour. I believe generally those in charge of the administration of local boards are in favour of it."

Rao Sahib V. I. MUNISWAMI PILLAI:—"May I know when the Government will come to a decision on this matter?"

The Hon. Sir the RAJA OF BOBBILI:—"It is very difficult to say."

Diwan Bahadur C. S. RATNASADHAPATI MUDALIYAR:—"May I know if the municipalities have not applied to the Government to reintroduce tolls at least in municipalities?"

The Hon. Sir the RAJA OF BOBBILI:—"Yes, Sir. On many occasions they have addressed Government about the necessity for re-introducing the tolls."

Diwan Bahadur C. S. RATNASADHAPATI MUDALIYAR:—"What action have the Government taken on those proposals?"

The Hon. Sir the RAJA OF BOBBILI:—"Various proposals are being considered and no decision has been arrived at."

Mr. P. V. KRISHNAYYA CHOUDARI:—"In view of the Hon. Minister's speech at Tiruttani, may I ask whether the Government could not say that the tolls would not be re-introduced and let the public understand the true facts?"

The Hon. Sir the RAJA OF BOBBILI:—"I do not think it would be right on my part to commit the Government for all time to come."

Medical Administration

Shifting of the rural dispensary, Elur, Salem district.

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

(a) whether the Government have ordered in G.O. Ms. No. 635, P.H., dated 9th March 1934, the transferring back of the rural dispensary of Elur in Salem district to Elur proper from Dattadripuram to which place it was temporarily shifted even without the previous sanction of Government, on condition of procuring a suitable building for rent for the location of the dispensary within four months' time;

(b) whether a copy of the said Government Order will be placed on the table;

(c) whether it is a fact that the Panchayat President of Elur (Salem district) got a suitable building which has been specially constructed for the purpose on lease for the occupation of the dispensary, and reported the fact in due time to Government as required in the said order of Government;

(d) what orders the Government passed thereon and whether a copy of it will be placed on the table;

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(e) whether the order referred to in clause (d) is in violation of their definite orders contained in G.O. Ms. No. 635, P.H., dated 9th March 1934, where it is unmistakably stated that the dispensary should be transferred back to Elur;

(f) whether it is a fact that the District Medical Officer, Salem, and the Surgeon-General were consulted and their remarks duly considered before the issuing of G.O. Ms. No. 635, P.H., dated 9th March 1934;

(g) if so, what the reasons are that weighed with the Government for retracting on their definite orders originally passed in the said G.O. Ms. No. 635, P.H., dated 9th March 1934;

(h) whether the Government are aware that a new building has been constructed for the occupation of the dispensary on lease, by a private party on the orders of the Panchayat President of Elur relying on the orders of Government;

(i) if so, whether the Government have examined whether they are liable for civil action for damages to the house-owner who got the building ready at a considerable cost on the orders of the panchayat president who acted on the strength of the orders (G.O. Ms. No. 635, P.H., dated 9th March 1934) of Government; and

(j) whether the Government Pleader was consulted in the matter, and, if so, whether a copy of his opinion will be placed on the table?

A.—(a) Yes.

(b) No.

(c) The President, Panchayat Board, Elur, reported that there were two suitable and decent buildings available at Elur for the location of the dispensary.

(d) The Government permitted the retention of the dispensary at Dattadripuram. They do not consider that any useful purpose will be served by placing a copy of the order on the table.

(e) The Government have on the recommendation of the President, District Board, the District Medical Officer and the Surgeon-General authorized the retention of the dispensary at Dattadripuram.

(f) Yes.

(g) The President, District Board, Salem, the District Medical Officer, Salem, and the Surgeon-General recommended its retention at Dattadripuram.

(h) No.

(i) The Government do not consider that there can be any claim for damages against them.

(j) No.

Mr. K. A. NACHIYAPPA GOUNDER:—"In view of the answer to clause (a) of this question, may I know, Sir, what justification the Government had to go back on their previous order?"

The Hon. Sir the RAJA OF BOBBILI:—"I do not see any objection to revising an order once passed if a better alternative is found afterwards."

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Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask, Sir, whether the Government can, after making an assurance in a previous order, go back upon it as they like?"

The Hon. Sir the RAJA OF BOBBILI:—" Not as they like. Consulting the interests concerned, it is always open to the Government, in the public interest, to revise their orders."

Preference to rural medical practitioners in making appointments of Sub-Assistant Surgeons in local fund dispensaries.

* 32 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 orders have been issued by the Government that preference should be given to rural medical practitioners in the filling up of posts of Sub-Assistant Surgeons in local fund dispensaries;

(b) if so, whether a copy of it will be placed on the table;

(c) whether steps are taken to see whether these orders are observed by the presidents of local boards and, if so, what they are; and

(d) whether any violations of such orders of Government have been brought to their notice and, if so, by whom and what the actions taken or proposed to be taken are in cases where these orders are not observed?

A.—(a) & (b) A copy * of G.O. No. 625, P.H., dated the 19th March 1935, is laid on the table.

(c) No.

(d) No.

Public Health

Restrictions on the appointment of midwives under rural medical practitioners.

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

(a) whether the Government have cancelled the order restricting the power of district board presidents to appoint midwives under rural medical practitioners; and

(b) if not, what are the reasons for not doing so?

A.—(a) & (b) The hon. Member is presumably referring to G.O. No. 472, P.H., dated 3rd March 1932, which prohibits the appointment of midwives in rural dispensaries subsidized by the Government where they had not been employed till then. Owing to financial stringency the restriction has not been removed. Local boards may, however, appoint midwives in these dispensaries at their own cost.

* Printed as Appendix IV on pages 103-106 infra.

[5th August 1935]

Mr. P. V. KRISHNAYYA CHOUDARI:—" In view of the fact that it is now the policy of the Government to improve the villages, may I ask whether the Government could not relax the Government Order passed by them restricting the powers of district board presidents to appoint midwives under rural medical practitioners?"

The Hon. Sir the RAJA OF BOBBILI:—" The question will be carefully considered by the Government."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact that this question has been brought to the notice of the Hon. Minister several times during the last three years and has he not been promising to consider it all these three years? May I know if the scheme which the Hon. Minister wants to develop will not be advanced if he cancels this Government Order and gives relief to the people at once?"

The Hon. Sir the RAJA OF BOBBILI:—" There seems to be some misapprehension as regards this Government Order. All that the Government Order says is that the local boards should not expect, as a matter of course, the half-grant for the employment of additional midwives. I do not think the Government can pass a general order now removing this restriction without knowing the financial commitments it would involve."

Scheme, if any, for rural reconstruction.

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

(a) whether there are any schemes under the consideration of the Government for the reconstruction of the rural areas; and

(b) if so, whether the Government will be pleased to place such schemes on the table of the House before they are actually taken up for consideration?

A.—(a) No.

(b) The question does not arise.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask whether the object of constituting economic councils is not to improve the condition of the rural areas?"

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

Mr. P. V. KRISHNAYYA CHOUDARI:—" If that is so, may I ask why the Hon. Minister says that there are no rural reconstruction schemes under consideration?"

The Hon. Sir the RAJA OF BOBBILI:—" The fact is that a provincial economic council is being created to take up these questions."

Scheme by the Director of Public Health for intensive work in certain areas.

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

(a) whether a scheme of intensive work in certain areas of the Presidency has been submitted by the Director of Public Health; and

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(b) if the answer to (a) is in the affirmative, what the nature of the scheme is?

A.—(a) A scheme of intensive health work in a select area of the Sriperumbudur taluk of the Chingleput district has been submitted by the Director of Public Health and is under the consideration of the Government. It is intended to demonstrate the benefits that will accrue to the health and welfare of the rural population by a well organized public health effort so as to stimulate health consciousness amongst the rural population.

(b) The health unit which will work in the area will attend to the following matters:—

(A) Administration—

- (1) Vital statistics.
- (2) Health education.
- (3) Supervision.

(B) Hygiene—

- (1) Ante-natal.
- (2) Natal and Post-natal.
- (3) Infant and pre-school child.
- (4) School child.
- (5) Adult.
- (6) Industrial, domestic and social hygiene.

(C) Sanitation—

- (1) Water-supply.
- (2) Drainage.
- (3) Conservancy—
 - (i) Rubbish and manure.
 - (ii) Nightsoil.
 - (iii) Provision of latrines.
- (4) Nutrition and food supply.
- (5) Housing.
- (6) Dangerous and offensive trades.
- (7) Control of animals and their sheds.
- (8) Disposal of dead.

(D) Control of communicable diseases—

- (1) Notification.
- (2) Epidemiological investigations.
- (3) Vaccination and Preventive inoculation.
- (4) Malarial control.
- (5) Special campaigns such as, hookworm, filariasis, leprosy, tuberculosis, venereal diseases, etc.

(E) Laboratory work.

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Religious and Charitable Endowments

Constitution and functions of the Committee appointed for the selection of Commissioners of the Hindu Religious Endowments Board.

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

(a) whether a copy of the orders constituting the Committee for the selection of the President and Commissioners of the Hindu Religious Endowments Boards and instructions, if any, to the Committee will be placed on the table;

(b) whether the Committee called for applications, and, if so, in what way; if it is by means of advertisement, whether a copy of the same will be placed on the table;

(c) whether the Committee interviewed the applicants in person;

(d) whether the report of the Committee has been received and, if so, whether a copy of it will be placed on the table;

(e) what the names are of persons with their qualifications and addresses selected by the Committee for the appointment of President, and Commissioners;

(f) whether orders have been passed making the appointment, and if so, whether a copy of the same will be placed on the table; and

(g) if there are any deviations from the recommendations of the Committee, what the reasons are therefor?

A.—(a) A copy* of G.O. No. 1193, L. & M., dated 22nd March 1935, is placed on the table.

(b) A copy* of the notice issued by the Government inviting applications is placed on the table.

(c) The Government have no information.

(d) & (e) The recommendations made by the Committee are confidential and cannot be published.

(f) Copies* of G.Os. No. 2067, L. & M., dated 14th May 1935, and No. 2318, L. & M., dated 12th June 1935, are placed on the table.

(g) The attention of the hon. Member is invited to the answer to clauses (d) and (e).

MR. K. A. NACHIYAPPA GOUNDER:—“The answer to clause (c) says that the Government have no information. May I ask whether the Government have not given any instructions to the committee in the matter of interviewing the applicants?”

THE HON. SIR THE RAJA OF BOBBILI:—“I am not aware whether the committee has interviewed applicants.”

MR. K. A. NACHIYAPPA GOUNDER:—“My question is whether the Government have given any instructions to the committee in the matter of interviewing the candidates?”

THE HON. SIR THE RAJA OF BOBBILI:—“As far as I am aware no instructions have been issued.”

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Mr. K. A. NACHIYAPPA GOUNDER:—"In view of the fact that interviews are considered necessary even for the selection of small and minor appointments, may I ask whether it is not desirable to adopt that course in selecting men for these posts carrying higher salaries?"

The Hon. Sir the RAJA OF BOBBILI:—"I think it is desirable and I am sure the committee, before sending up their recommendations, have satisfied themselves by their personal knowledge that the candidates are suitable for the post."

Agriculture

Recommendations of the Marketing Officer for improving the condition of the ryots.

* 37 Q.—**Mr. P. V. KRISHNAYYA CHODARI:** Will the Hon. the Minister for Public Works be pleased to state—

(a) what the suggestions are that have been made by the Marketing Officer for improving the condition of the ryots;

(b) whether any report has been sent by him to the Government and, if so, whether it will be placed on the table of the House;

(c) in what way he has improved the market value of agricultural produce;

(d) what the suggestions of the Provincial Marketing Board are for improving marketing facilities; and

(e) whether the Government will be pleased to place on the table of the House the proceedings of the meetings of the Marketing Board subsequent to 16th November 1934?

A.—(a) to (c) Monthly reports of the Provincial Marketing Officer's work are submitted to the Government. Information on the work done by the officer till the end of November 1934 was already furnished to the hon. Member in answer to his question No. 484, answered on the 23rd January 1935. The reports* of the officer for December 1934 to April 1935 are appended. The suggestions made by the Marketing Officer are under the consideration of the Director of Agriculture.

(d) & (e) A copy of the first meeting of the Marketing Board held on 16th November 1934 was furnished in answer to question No. 693 answered on 23rd February 1935. A copy* of the proceedings of the Board, dated the 23rd March 1935, is appended. No meeting was held subsequent to the 23rd March 1935. The recommendations of the Board to Government are under their consideration.

* Printed as Appendix VI on pages 106-129 infra.

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Co-operation

Establishment of Co-operative Land Mortgage Banks in the Presidency.

* 38 Q.—**Mr. K. A. NACHIYAPPA GOUNDER:** Will the Hon. the Minister for Public Works be pleased to state—

(a) how many co-operative land mortgage banks have been newly opened during each of the years 1933, 1934 and 1935 (up to date) and in which places;

(b) in how many places the matter of establishing such banks is being investigated and what those places are; and

(c) how many co-operative land mortgage banks are operating in each district at present and in which centres and what the area of operation of each is?

A.—(a) & (c) Two statements* furnishing the information are appended.

(b) Investigation for organization of primary land mortgage banks has been completed at the following places:—

- (1) Avanigadda (Kistna district).
- (2) Gudur (Nellore district).
- (3) Pithapuram (East Godavari district).
- (4) Rajampet (Cuddapah district).
- (5) Vellore (North Arcot district).
- (6) Udumalpet (Coimbatore district).
- (7) Rasipuram (Salem district).

Investigation for organization of banks is in progress at the following places:—

- (1) Kurnool (Kurnool district).
- (2) Anakapalle (Vizagapatam district).
- (3) Duggirala (Guntur district).
- (4) Wandiwash (North Arcot district).
- (5) Polur (North Arcot district).
- (6) Villupuram (South Arcot district).
- (7) Dharapuram (Coimbatore district).
- (8) Karur (Trichinopoly district).

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know if any difficulty has been brought to the notice of Government in the matter of carrying on the work of the Land Mortgage Banks?"

The Hon. Mr. P. T. RAJAN:—"If any specific question is put I would be able to give an answer."

Mr. K. A. NACHIYAPPA GOUNDER:—"I am referring to difficulties experienced in the matter of investigating loan applications and loan disbursements?"

The Hon. Mr. P. T. RAJAN:—"Not that I am aware of."

* Printed as Appendix VII on pages 130-134 infra.

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Exclusion of villages lying in proprietary estates from the operation of Land Mortgage Banks.

* 39 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Public Works be pleased to state—

- (a) whether it is a fact that villages of proprietary estates are not allowed to form part of the area of operation of the land mortgage banks;
- (b) if so, on what principles and what the reasons therefor are; and
- (c) what remedy the Government are going to give for the people of such villages?

A.—(a) No.
(b) & (c) Do not arise.

Public Works*Provision of residential quarters for Government subordinates.*

* 40 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Minister for Public Works be pleased to state—

(a) in how many districts of the Presidency residential quarters for Revenue Department clerks and other Government subordinates have been provided by the Government, and in what towns; and

(b) what the scale of rent charged for each of the quarters to the various grades of subordinates is?

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

(b) The rent charged is the standard rent of the quarters fixed in accordance with Fundamental Rule 45-A III (b) or 10 per cent of the monthly emoluments of the occupant, whichever is less.

If the occupant is a Government servant holding a post the average pay of which is less than Rs. 50 per mensem, he is allowed to pay rent at the following concessional rates or the standard rent of the quarters whichever is less:—

	Concessional rate of rent.
	RS. A. P.
(1) Government servants the average pay of whose grade is less than Rs. 50 but not less than Rs. 35	2 8 0
(2) Government servants the average pay of whose grade is less than Rs. 35 but not less than Rs. 25	1 8 0
(3) Government servants the average pay of whose grade is less than Rs. 25 but not less than Rs. 15	1 0 0
(4) Government servants whose average pay is less than Rs. 15	0 8 0

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Mr. U. C. SUBRAHMANYA BHATT:—“ May I ask whether there are quarters available for Government servants in the subordinate ranks of the district establishment? ”

The Hon. Mr. P. T. RAJAN:—“ At the headquarters, quarters are available for subordinate ranks.”

Mr. U. C. SUBRAHMANYA BHATT:—“ How many and in what places are they available? ”

The Hon. Mr. P. T. RAJAN:—“ The Government do not think it worth while to collect that information.”

Veterinary*Touring Committee for the selection of candidates for admission into the Veterinary College.*

* 41 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Committee for the selection of candidates for the Madras Veterinary College has been constituted this year again;

(b) how many centres they have to visit;

(c) what is the personnel of the Committee;

(d) for how many terms these members have been serving on that Committee;

(e) what are the special reasons for continuing them on the same Committee;

(f) whether there are any proposals before the Government to constitute a committee for every centre which the present committee has to visit in order to reduce the expenditure; and

(g) if not, what are the reasons for not doing so?

A.—(a) Yes.

(b) Two. Madras and Bezwada.

(c) (1) Principal, Madras Veterinary College (ex officio President).

(2) Khan Bahadur S. K. Razak Sahib Bahadur, Saidapet (Member).

(3) M.R.Ry. N. Sivaraj Avargal (Member).

(4) M.R.Ry. P. C. Moses Avargal (Member).

(5) Dr. D. Govindarajulu Nayudu Garu (Member).

(d) Messrs. Sivaraj and Govindarajulu Nayudu have served on the committee for two terms, the others for one term.

(e) The Director of Veterinary Services recommended their continuance as members on the committee.

(f) No.

(g) One committee for both the centres secures uniformity in the selection of students.

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Mr. P. V. KRISHNAYYA CHOUDARI:—"Are the members of the Committee experts in veterinary science?"

The Hon. Mr. P. T. RAJAN:—"Far from it."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know the reasons for re-appointing them for the third time?"

The Hon. Mr. P. T. RAJAN:—"The reason is that their names were recommended by the departmental head."

11-45 a.m. Mr. P. V. KRISHNAYYA CHOUDARI:—"Has it not been the policy of the Director of Veterinary Services to recommend only certain names of persons to be appointed as Members of the Selection Committee and cannot the Government suggest other names, because I find the same gentlemen are repeatedly nominated?"

The Hon. Mr. P. T. RAJAN:—"Government have no reason to be dissatisfied with the Members who have been recommended by the head of the department."

Education

Scrutinization of the report of the Select Committee on the Public Libraries Bill.

* 42 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government have taken any steps to scrutinize the report of the Select Committee on the Public Libraries Bill; and

(b) if not, how long they propose to take to do the same?

A.—The report in question has been examined by the Government.

Imposition of tuition fees on students in the training schools and colleges.

* 43 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether there are any proposals before the Government to charge fees for students in the training schools and colleges;

(b) if so, whether the Government are prepared to exempt the candidates applying for admission from the necessity for previous service in a school; and

(c) if not, what are the reasons for not charging fees for at least 50 per cent of the students?

A.—(a) No.

(b) The question does not arise.

(c) It is not the present policy of Government to levy fees from any students attending either training schools or training colleges.

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Programme, if any, for the introduction of compulsory education.

* 44 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government have prepared any programme according to the new system of introducing compulsory education in the districts;

(b) if not, what are the reasons for not doing so;

(c) whether there are any proposals to pass an order for all municipalities including major panchayats which were originally known as union boards; and

(d) if not, what are the objections for doing so?

A.—(a), (b), (c) & (d) The preparation of a programme for universal primary education is under consideration.

Enforcement of the 'Champion Scheme.'

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

(a) in how many places the 'Champion Scheme' has been brought into effect, and when;

(b) how does it work in those places;

(c) whether any special report has been called for and received in this behalf and, if so, whether a copy of it will be placed on the table; and

(d) when the scheme is proposed to be introduced in other places?

A.—(a) Amalgamation and concentration of schools has been given effect to in a few areas in the Presidency in the course of the last two years.

(b) There is no reason to suppose that this amalgamation and concentration has been otherwise than successful.

(c) No special report has been called for.

(d) Active steps are now being taken by the Director of Public Instruction in conjunction with local bodies to put these schemes into effect in other areas.

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to the answer contained in clause (b) that 'there is no reason to suppose that this amalgamation and concentration has been otherwise than successful,' may I ask, Sir, if the Government can definitely reply whether the scheme has been working successfully or not?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"No report has been received from the authorities concerned."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the Government will consider the desirability of placing on the table the special report which they have called for when received?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"It is said in answer to clause (c) that no special report has been called for."

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S. M. K. BEYABANI SAHIB Bahadur:—" May I know whether it is the policy of the Government to enforce the introduction of the Champion scheme in every institution? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The orders of Government on the subject have been placed on the table of the House. "

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Since the introduction of the Champion scheme, has no special report been called for? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" So far as I can recollect no report has been called for and no report has been received. "

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether the Government do not think it advisable to call for a special report with regard to the working of this scheme in places where it has been introduced in order to satisfy themselves whether the continuance of the scheme is desirable or not? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It does not seem necessary. The Inspecting officers will, however, make their own reports. "

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" The answer given to clause (b) says ' there is no reason to suppose that this amalgamation and concentration has been otherwise than successful. ' May I know on what ground or on what basis they have made this reply? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" They are convinced about the soundness of the general policy of the scheme. "

Orders of the Government, if any, on the ' Champion Scheme. '

* 46 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government have passed any orders on the Champion Scheme; and

(b) if so, whether they will be pleased to lay it on the table of the House?

A.—(a) In March last, the Director of Public Instruction proposed to Government a procedure to be followed in giving effect to the schemes of consolidation and concentration which were prepared last year. This procedure was one involving close consultation with local bodies and District Educational Councils. Government gave their general approval to the proposals of the Director of Public Instruction and action is now being taken on these lines by the Director of Public Instruction.

(b) There is no Government Order in this connexion which can usefully be laid on the table of the House.

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Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know what are the principles on which the Director of Public Instruction is going to base his future programme? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The principles have been embodied in the Government Orders which have been issued on the subject. "

Enforcement of the Government Order regarding the frequent change of text-books.

* 47 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government are enforcing the Government Order which was published regarding restrictions on change of text-books; and

(b) if not, what the reasons are for not enforcing their own order?

A.—(a) Yes.

(b) Does not arise.

Mr. C. BASU DEV:—" May I know from the Hon. Minister what are the means by which the Government propose to enforce compliance with their orders? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No cases have yet arisen for action in which the local bodies have shown any disregard of the Government Order. "

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether some of the district boards and municipalities have not made any representations to the Government that it has not been possible for them to carry out the orders of Government this year with regard to prescription of more text-books? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Government are not aware of any such representations. "

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know what steps the Government are going to take against such of those schools which have prescribed more text-books than one after this Government Order has been issued? "

Mr. C. BASU DEV:—" May I know whether the Government will consider the withholding of subsidy or grants in cases of violation of their orders? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot say. It may be one of the methods. "

Mr. M. A. MANIKKAVELU NAYAKAR:—" Will the Government be pleased to take the initiative in preventing frequent change of text-books? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" We have already called for a report. "

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Mr. BASHIR AHMED SAYED:—" May I know whether the Government are convinced that the prescription of only one text-book is in the interests of the poor parents? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:--" Yes."

Application of the proceedings of the Director of Public Instruction regarding the prescription of a single text-book to the lower classes.

* 48 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government are aware that the Director of Public Instruction has issued proceedings that boys of lower classes, such as, first, second and third standards should not be burdened with more books than one prescribed text-book; and

(b) whether the Government are prepared to enforce the same proceedings in local board schools by issuing a Government Order insisting on the local bodies to do so?

A.—(a) No order in these terms has been issued by the Director.
(b) Does not arise.

Mr. P. V. KRISHNAYYA CHOUDARI:—" The order of the Director of Public Instruction is that as far as possible more than one text-book should not be prescribed for first, second and third standards. That being so, I do not understand what explanation he has got to give for the use of more than one text-book in certain schools? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The Director of Public Instruction has only said that the excessive use of the text-books should be discouraged."

Industries

Proposals for the utilization of the grant of the Government of India for the development of the hand-loom industry.

* 49 Q.—Mr. A. B. SHERRY: Will the Hon. the Minister for Education and Excise be pleased to state how the Government propose to utilize the grant received from the Government of India for the development of the hand-loom industry?

A.—The hon. Member is referred to G.O. No. 368, Development, dated 8th March 1935, copy of which is placed in the Council Library.

Measures for improving cottage industries.

* 50 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) what steps the Government have taken for improving the cottage industries in each district; and

(b) what are the cottage industries in each district to which the Government are now giving State aid?

A.—(a) & (b).—The help rendered to cottage industries is detailed in the administration reports of the department to which the attention of the hon. Member is invited.

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Mr. T. S. RAMASWAMI AYYAR:—" With reference to the answer given to this question in the agenda, may I know what provision has been made in the budget for help being rendered to cottage industries? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot say without looking into the figures."

Mr. T. S. RAMASWAMI AYYAR:—" May I know whether any amount has been allotted in the budget? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I think there has been allotted a certain amount."

UNSTARRED QUESTION.

Local Self-Government

Exemption of visiting motorists from the operation of the Madras Motor Vehicles Taxation Act.

51 Q.—Mr. W. K. M. LANGLEY: Will the Hon. the Minister for Local Self-Government be pleased to state whether the Government are aware that in the Madras Presidency no exemption from motor vehicle taxation is granted to visiting motorists, who, immediately on entering the Presidency, become liable to tax for the quarter then current or the remaining calendar month or months thereof according to scheduled scale?

A.—The answer is in the affirmative. The Government are, however, considering the question of issuing temporary permits to visiting motorists for a period of one week on payment of a fee of Rs. 5 and for a period of one month on payment of a fee of Rs. 15.

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

III.—ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

* The Hon. the PRESIDENT:—" I have to announce that the under-mentioned Acts received the assent of His Excellency the Governor-General on the dates mentioned against each:—

(1) The Madras Christian Marriages Validation Act, 1934	24th March 1935.
(2) The Madras State Aid to Industries (Amendment) Act, 1935	30th April 1935.
(3) The Madras Compulsory Labour (Amendment) Act, 1935	1st May 1935.
(4) The Madras Elementary Education (Amendment) Act, 1935	11th May 1935.
(5) The Madras Hindu Religious Endowments (Amendment) Act, 1935	17th May 1935.
(6) The Madras Local Boards (Amendment) Act, 1935	5th June 1935."

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

* The Hon. the PRESIDENT:—"I have to announce that the under-mentioned Acts received the assent of His Excellency the Governor on the dates mentioned against each:—

(1) The Madras Estates Land (Second Amendment) Act, 1934	25th March 1935.
(2) The Madras State Aid to Industries (Amendment) Act, 1935	25th March 1935.
(3) The Madras Elementary Education (Amendment) Act, 1935	27th March 1935.
(4) The Madras Compulsory Labour (Amendment) Act, 1935	4th April 1935.
(5) The Madras Hindu Religious Endowments (Amendment) Act, 1935	12th April 1935.
(6) The Madras Local Boards (Amendment) Act, 1935	7th May 1935."

V.—PANEL OF CHAIRMEN.

* The Hon. the PRESIDENT:—"I have to announce to the House that, under rule 3 (1) of the Madras Legislative Council Rules, I have nominated the following four Members of the Council to be a panel of Chairmen for this session of the Council:—

- (1) Mr. M. S. Sreshta.
- (2) Khan Bahadur Yahya Ali Sahib Bahadur.
- (3) Mrs. A. Rukmani Lakshmipathi.
- (4) Sir William Wright."

VI.—ELECTION OF FIVE MEMBERS TO THE SENATE OF THE ANNAMALAI UNIVERSITY.

* The Hon. the PRESIDENT:—"The Vice-Chancellor of the Annamalai University having requested me that arrangements may be made for the election according to the principle of proportional representation by means of the single transferable vote of five members of this Council to the Senate of that University, I have directed that elections should be held in accordance with the regulations made under Standing Order No. 78. In accordance with these regulations I fix 2 p.m. on the 6th August as the latest time by which notice of nominations should be sent to the Secretary. If the number of candidates nominated exceeds the number of vacancies to be filled there will be an election between 12 noon and 3 p.m. on the 8th August 1935."

VII.—HOUSE COMMITTEE.

* The Hon. Rai Bahadur Sir K. V. REDDI NAYUDU:—"Mr. President, I beg to move that with a view to appoint a House Committee in pursuance of Standing Order No. 82, this Council do proceed to elect six members to be members of the said Committee according to the principle of proportional representation by means of the single transferable vote."

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The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I second it."

The motion was put and carried.

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

VII-A.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1935-36.

(1) GRANT VIII—HEADS OF PROVINCES AND EXECUTIVE COUNCILS—RESERVED.

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"On the recommendation of His Excellency the Governor I beg to move—

'that Government be granted a further sum not exceeding Rs. 62,400 under Grant VIII—Heads of Provinces and Executive Councils—Reserved.'

"In the explanatory note * which has been circulated and which is in the hands of hon. Members of this House the necessity for this grant has been set forth."

* Mr. BASHEER AHMED SAYEED:—"I rise to move that this Demand be reduced by Rs. 100. The object of my motion is this: there is no doubt that only a small sum like Rs. 62,400 and odd is being asked for to furnish the apartments of His Excellency the Governor as the last renewal of furniture was five or six years ago. It is quite a simple matter and this Council must sanction the necessary amount for the furniture, etc. I do not at all dispute that. But my point in moving this cut motion is to find out how exactly the Government dispose of the furniture that has been in use for the last five or six years. Then I should also like to know the method by which it is disposed of. There are some methods now in vogue, methods which are approved and unapproved, by which it is disposed of. I want to know what method the Government are adopting to dispose of the furniture. Then I would also like to know exactly how the proceeds of the sale of this furniture are utilized and under what head of account they are shown. These are the three points on which I should like to have some information and if that information is satisfactory I may not be pressing this motion."

Mrs. A. RUKMANI LAKSHMIPATHI then rose to speak on her motion.

* The Hon. the PRESIDENT:—"The hon. Member may choose to speak on this cut motion instead of speaking on her cut motion."

Mrs. A. RUKMANI LAKSHMIPATHI:—"I shall move my own cut motion, Sir."

* The Hon. the PRESIDENT:—"The hon. Member will have to wait until this cut motion is disposed of or she can speak on this particular motion and ask for a vote on her motion."

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Mrs. A. RUKMANI LAKSHMIPATHI:—"I shall do the former."

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noon.

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, I want to have the same information as the hon. Member Mr. Basheer Ahmed. In addition to that I want to know also whether it is quite essential to have all these things now. His Excellency assumed office in November last, and I think he has been satisfied with the existing furniture during the last nine months. If that be so, I wish to ask whether it is necessary to make this allotment now. I want to have this information."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Sir, with reference to the points that have been raised by the mover of the cut motion and by the other speaker I wish only to point out that the old furniture which is of no use and no longer required is sold and the proceeds credited to Government. This grant is what is called the inauguration grant to meet the expenditure connected with the refurnishing of the Government House when a new Governor takes charge. The amount is found from savings in the maintenance grants of the preceding Governor's term of office."

Mr. BASHEER AHMED SAYEED:—"What is the agency through which it is sold?"

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The Military Secretary to His Excellency makes the best possible arrangement and gets the best price possible. Whether he arranges for a public auction or whether he adopts any other method of auction, I am not in a position to say."

* Diwan Bahadur C. S. RATNASAMHAPATI MUDALIYAR:—"Mr. President, Sir, if I intervene in this debate, it is only with a view to clear a misapprehension. Generally the old furniture of the Government House are auctioned by one of the public auctioneers. During April and May this year, Messrs. Murray & Co., conducted a public auction of old Government House furniture on three or four consecutive Sundays. Some of the Members of this House went there and purchased some furniture, but we were surprised to find that the Government House contained such old and broken furniture and that it had taken such a lot of time to reject them. All of them were rickety and unserviceable. That is the information that I want to give this House."

Mr. BASHEER AHMED SAYEED:—"I do not want to press this motion as the Government strangely enough are not in a position to give all the required information."

The motion was, by leave, withdrawn.

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Sir, I move—

'that the allotment of Rs. 62,400 under Demand VIII—Heads of Provinces and Executive Councils—Reserved, be reduced by Rs. 100.'

"Sir, the demand made by the Hon. the Home Member for reallocation of a sum of Rs. 62,400 being the unutilized portion of the appropriation for 1934-35 which was meant to be spent for the maintenance

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of the furniture and other household equipment of the official residence of the Governor is, I consider, uncalled for and is a most extravagant piece of expenditure. The explanatory note says that out of the maintenance grant for item No. (1), 2½ per cent may be spent annually and the balance of 5 per cent accumulated during the term of one Governor and placed at the disposal of the in-coming Governor as an inauguration grant to enable such larger renewals and repairs as are required to be effected. The statement of reasons given in this Explanatory Note for the reallocation of the unspent portion of the inauguration grant is no doubt consistent with the irresponsible manner in which public funds are administered and handled. Of course, to an irresponsible Government and to an irresponsible executive which owes no sense of responsibility to the legislature public funds do come in very handy. Now, Sir, as the House is well aware and as everybody else outside this House is well aware, this allotment of Rs. 62,400 is contributed by the taxpayer. In these days of economic depression and acute financial distress, when retrenchment is sought to be effected in every department of public life—I know for a fact that in some departments of Government too retrenchment has been effected—when the people of our country have been suffering from the effects of economic depression for the past five years since 1930 and have been subjected to inconceivable hardships particularly in the field of trade and commerce, is it proper on the part of the Government to ask for legislative sanction for such a demand as this which is a clear waste of public funds? It is the duty of every Government which exists for the welfare of the masses and which exists for the people and which is conducted by the people, and the primary function of such a Government to save every possible pie. There is poverty all round, there is disease and pestilence. At present we are being faced with famine in Anantapur and every nerve is being strained both by the Government and by the public to adopt relief measures to help the famine-stricken people. May I therefore ask the Hon. the Home Member what is the necessity for allotting this sum as an inauguration grant every five years when a new Governor comes into office? May I ask, Sir, what happens to the old furniture, crockery and cutlery which were used in the Governor's household? What happens to all that? Do these heavy hangings—I presume they are heavy hangings made of satin wear out within a period of five years? Do the several pieces of furniture get rickety within a period of five years? I want to be enlightened on all these matters by the Hon. the Home Member. I take it that in the Government House everything is polished and perhaps dusted half a dozen times in the day and I also suppose the furniture is not handled rudely by the staff of the Governor's household. So there is no chance of the furniture being broken. Such being the case, is there any necessity to renew this inauguration grant every five years?

"Then again, Sir, I would not mind this grant being made, provided the things bought for the household of the Governor are of indigenous manufacture, and are of swedeshi manufacture. Perhaps the cutlery and the crockery used in the Governor's household come from Birmingham and Sheffield. I hope the Hon. the Home Member will

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enlighten me on this matter because he belongs to a party whose members frequently go to the Government House and partake of the lunches provided for them."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I have not taken the trouble to find out where the cutlery comes from."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Anyhow it is for the Hon. Member to enlighten the Members of this House. Perhaps Irish linen also is used. May I therefore suggest why khaddar should not be used, why the household linen should not be made of indigenous cloth? If the cloth of this country and if the crockery and cutlery made in this country are bought and used for the Governor's household, they will go to encourage the indigenous industries. It is urged that in order to meet the social obligations it is necessary for the Governor to maintain an expensive household consistent with his political status. May I ask, Sir, whether all this pomp and splendour is necessary to maintain his political status? The other day I was reading the annual report of the Surgeon-General in which it was stated that the Government could not find sufficient funds for the establishment of a hospital for mentally defective children. Well, Sir, that is an amenity which ought to be provided for and that is an immediate necessity. It is a pity that the Government do not find funds for this ameliorative measure."

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"Therefore, in view of all these considerations, is the Government justified in making this demand for Rs. 62,400 which is surely a waste of public funds and a burden to the taxpayer? With these few words I oppose the Demand and move my cut motion."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, I might confess at once that I have been completely taken by surprise at the turn this debate has taken, more particularly at the hands of the first elected woman representative in this House—a representative of the womanhood of South India, womanhood which is so proverbial for its generosity to its visitors and guests. I believe, Sir, that in any circumstance, His Excellency the Governor is a guest among us and an honoured guest occupying the topmost place in this Province and it seems to me that it would come with ill-grace from any Member of this Council to criticize the demand made merely for providing the necessary comforts to His Excellency the Governor in the strain in which the first elected hon. lady Member of this House has done. As far as funds being wasted on the Government House is concerned, we have just now heard the testimony of my hon. Friend from Coimbatore, Mr. Ratnasabhapaty Mudaliyar, as to the extent to which furniture which once comes to the Government House is used before it finds a place for public auction or for sale. That would be proof enough that it is not from a mere whim or fancy that furniture is being changed in the Government House. I am sure the hon. the lady Member herself, when she, as I hope she would, visits the Government House, will find that a considerable portion of the furniture and carpets provided there would not stand favourable comparison with the furniture which is found in some of the houses of prominent men in our own city and

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I can only say that to enable His Excellency to live in comfort and decency and to keep up the position which we expect him to, this demand is absolutely essential; as has been stated, it is quite necessary that a certain amount has to be provided for what is called inauguration on the advent of a new Governor. If this demand has been made at this stage, it is merely due to the fact that the Governor assumed charge late last year and the total amount could not be spent within the financial year. In order to make necessary provision in the budget for this year this demand has been made. That is the sole ground on which this supplementary demand is made now. I can only express the hope that this House will pass the demand which has been made."

Rao Bahadur P. C. MUTHU CHETTIYAR:—

"கனவான்களே! கவர்ன்மெண்டு ஹவுஸ் பர்னிச்சர் வகையறு சம்பந்தமாய் வந்திருக்கும் கிராண்டுக்கு சில வார்த்தை சொல்ல நினைக்கிறேன்."

"ஜனங்களின் பணத்தை அதிகம் விரயம் செய்யப்படாதென்பதை நான் முக்கியமாய் கருதுகிறேன்."

"இப்போது கிராண்டுக்குரிய பர்னிச்சர், விரிப்பு, லாரி இவைகளை சில மாசங்களுக்கு முன் மரே கம்பனியில் பார்த்தேன். அவைகள் வெள்ளைக்காரர்கள் உபயோகம் செய்யக்கூடிய கால அளவுக்குமேல் உபயோகித்திருக்கவேண்டுமென தோணிற்று."

"அன்னியில் மதிப்புள்ள பெரும் விஸ்தீர்ணமான கவர்ன்மெண்டு கட்டிடத்திற்கு அதற்குரிய சாமான்கள் வேண்டியது அவசியம்."

"நம் கவர்ன்மெண்டு ஹவுசுக்கு விருந்தினராக அநேக சுதேச ராஜாக்கள் வருவதற்குரியது."

"நம் ஜனங்களின் பெருந் துக்களை எதிர் பாராது விரயஞ்செய்யக்கூடிய அநேக அயிட்டங்களை ஆசேடித்து சொல்லவேண்டியவைகள் ரொம்பயிருக்கின்றன. அதைப்பார்க்கிலும் இதில் முக்கியமாய் ஆசேடிக்கவேண்டியதாய் தோணவில்லை."

* Mr. C. RAMALINGA REDDI:—"Mr. President, Sir, I had no intention to take part in the proceedings of this Council at this stage, but the very curious reply given by the Hon. the Home Member to the criticisms of my hon. Colleague Mrs. Rukmani Lakshmipathi compels me to say a word not so much in her defence as to make her meaning clearer. My Hon. Friend propounded the theory that an Indian woman should look after her honoured guests first and she should not stint entertaining them and he thought that by the remarks with which Mrs. Rukmani Lakshmipathi supported her motion, she fell below the standard of true Indian woman. May I ask in what sense His Excellency is an honoured guest, invited or imposed? In what sense are the famine-stricken people intruders or outsiders in their own country? The whole point of my friend was this: this is an expenditure which, according to your standards, may be very necessary but these are not the standards which any person who has any acquaintance with the economic condition of the country would consider even in his maddest moments as applicable to us. Let our expenditure and the direction of expenditure be attuned to the conditions prevailing in our country. If you can meet all the dire necessities of our country first, if you can do all that a civilized Government ought to do for our famine-stricken

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areas and for all the starving millions going about without medical aid and most of the necessities of life, by all means spend this money in the ways you propose to do. But, taking the relative interests in our country into consideration, my hon. Friend pleaded and I think there is much to be said in justification of that plea, that this mode of spending is not the best way of making any Government popular. Further she asked: when you are spending all this money of the Indian taxpayer, can you not spend it in directions that will promote our own industries and commerce, in directions that would promote swadeshi? Surely, an Indian woman should think of her honoured guests; but should she therefore be forgetful of the starving children that she herself has borne."

The cut motion was put and lost.

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

(2) GRANT XXVII—MISCELLANEOUS DEPARTMENTS—RESERVED.

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

'that the Government be granted a further sum not exceeding Rs. 100 under Grant XXVII—Miscellaneous Departments—Reserved.'

"The reasons for moving this demand have been explained in the explanatory memorandum."

* Mr. A. B. SHETTY:—"Mr. President, Sir, I move that the allotment of Rs. 100 be reduced by Re. 1. The object of my motion is not to oppose this grant. On the other hand I am heartily in sympathy with the objects for which this grant is being moved. I have, more than once in this House, pointed out the necessity for appointing an Economic Council and for preparing a plan of development for this Province, if not, for the whole of this country. The other day in a public speech at a Ryots' Conference the Hon. the Raja of Bobbili spoke of the constitution of this Provincial Economic Council as the most important measure undertaken by the Government since the inauguration of the Montford Reforms. There can be no two opinions regarding the importance of this measure or the necessity for it. I think the measure is rather long overdue. In most of the leading countries in the west, they have set up such Economic Councils and they have undertaken economic plans for the development of their countries. We do not know the particulars of the plans they are carrying out in most of these countries. We know that in Soviet Russia a five-year plan was openly proposed and executed on a nation-wide scale and very good results have followed as a result of the working of this plan. The first five-year plan has been followed by a second five-year plan. In this Province we had so far, no definite scheme or plans for augmenting the income or the wealth of the Province. In

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1925, the Government of India appointed a Committee for preparing a scheme of economic survey; this Committee made certain proposals; but unfortunately the Government of India seem to have taken no action thereon. In 1931, they invited Sir Arthur Salter of the League of Nations and he submitted in accordance with their request a scheme for an economic organization for this country. I am afraid, Sir, that no proper action or no sufficient action has been taken on this proposal also.

"Sir Arthur Salter advised the constitution of a central Economic Council and of Economic Councils for every province. The situation calls for a comprehensive plan, a bold advance in this direction. I wish to know whether Government propose to make an economic survey of this province and prepare a plan of development and reconstruction for the whole province. The scheme as explained by the Hon. the Raja of Bobbili in his speech at the Conference referred to, I think, places too much emphasis on agricultural improvement and gives a secondary importance to industrial development. In all modern countries it has been recognized that no country can become rich and progressive unless it builds up its prosperity on the development of industries and trade. I hope, Sir, Government will bear this fact in mind. The note on this grant says that the functions of the proposed Council have not yet been clearly defined. I wish to know what exactly the functions of this Council will be, when this Council will seriously enter upon its duties, who are the non-officials that will be co-opted, who are the economic and educational experts whom Government are going to consult and what funds Government propose to spend on the scheme. In most of the leading countries of the world, the Government have adopted a system of planned economy; and they have borrowed large sums for the purpose. I do not think this Government ought to hesitate to get the necessary funds, even by taking loans for carrying out schemes which the proposed Council is going to put before them. I wish to know, Sir, further particulars about the constitution and functions of the proposed Economic Council, the finances which will be made available for it and that is the object of my motion."

MR. BASHEER AHMED SAYEED:—"Mr. President, Sir, I have given notice of three cut motions. I take it, Sir, that you expect me to speak on all of them under this head.

"As I have stated in the notice itself with reference to my cut motions, they are intended to discuss the constitution and functions of the proposed Economic Council, the nature and scope of the schemes proposed by the Government and also to discuss the methods of expenditure and the nature of financial control over the execution of the schemes. My friend Mr. Shetty has already stated that there are very many particulars required, to enable this House to know whether its vote is going to be a considered vote or whether it is going to be a *carte blanche* to the Government which has at present no definite schemes or ideas or views with regard to the manner in which the

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funds to be now placed at their disposal are to be expended. Now, Sir, the explanatory note might be made much of by the Government or the Secretary who prepared it; but let me say this: that the note is as vague as anything can be. It says that the Council is to be constituted in order to advise the Government on certain schemes; then it goes on saying who all should constitute the Council. In the first place, I do not see why there should be any need for a separate Economic Council to advise the Government on the proposed schemes. There are already several advisory committees, and those advisory committees contain many members of this Council. Those committees may therefore be very well consulted by the Government on any schemes which they might desire to execute with the funds at their disposal.

"Then, with regard to the proposed constitution, it is said that the Council will include ten or twelve permanent officials of the Government. Who wants advice and from whom? If Government want advice, why do they want it from a Council consisting of their own permanent officials? I do not see why permanent officials who belong to the services and who are bound to help the Government with their advice, should form this Economic Council, perhaps along with a few non-officials.

"If the Government want a merely consultative or advisory body, then the names of the officers who are mentioned here may as well be excluded; because, the permanent officers will always be easily available for such help as is desired. I find that almost all the heads of departments are included here. The note says:

'The Council will consist of the following heads of departments as its permanent members, with authority to co-opt non-officials representing banking, commerce, industry, agriculture and local bodies and economic and educational experts for purposes of consultation on specific schemes.'

We do not know how these representatives of interests are going to be co-opted—on what principle. I think, Sir, that the reverse principle would be the proper procedure to adopt, i.e., to constitute a committee of experts from non-officials and then have all these heads of departments co-opted in order to give them advice; you can co-opt these heads of departments whenever subjects relating to their departments are to be considered by the committee. Instead of that, the Government have put the cart before the horse.

"Even as regards the schemes, it is said that 'the Government propose to constitute a Provincial Economic Council for the purpose of advising them on schemes of economic and educational uplift of the people of the province.' I want to know what exactly are those schemes. The public and the press have been agitating that in the other provinces, some schemes have been placed before the public for their consideration and that in this province also, the Government should do the same. An incessant demand has been made by the public, by the press and by public associations that if the Government have already any schemes; however rough they may be, they should be made available to the public for criticism. But so far, except that we have heard time and anon from the newspapers that the Economic Council

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was going to be constituted, that so and so might be the Chairman or so and so the Secretary, or that there was going to be a Commissioner, etc., we have not heard anything to show what the nature or scope of the scheme is. In what directions have the Government examined the question and what is it that the permanent officials of Government would be able to do in that direction? Are the permanent officials more competent to advise the Government? I say 'no'. If the Government want anybody to help them in the testing of the schemes, if they want to have correct ideas about those schemes, etc., they must go to the non-officials who are acquainted with the real difficulties of the existing educational system and the real economic problem or social difficulties. The Government officials after all move in a certain groove and they will always be of some use, provided you direct them properly. But such direction must come from an outside agency, not from within. That is my contention, Sir.

"Then, with reference to the schemes themselves, I understand that each department has already been called upon to submit certain schemes. I do not know how far I am warranted to say that. I hear that some departments have submitted as many as 4,000 and 5,000 schemes, some others about 2,000 and some 500. What are these schemes and where are they? Why are they not made into a compendium and published for public information? Where is the necessity, before the schemes themselves are ready, for the constitution of this Economic Council? Government might say that in order to formulate the schemes, there should be this Council constituted; but with an efficient staff at their disposal, with a huge secretariat with so many different departments and with a large district administration, I think there could not be any difficulty for the Government to put forward proposals for non-official public opinion. The note says that 'on special schemes' they want to consult the opinion of experts. In that case, Sir, I say those schemes also should be made available to the public.

"Again, in the next paragraph we find: 'It is not proposed at present to appoint any staff for the Council as there is not likely to be any appreciable amount of secretarial work until the functions of the Council are more clearly defined and it seriously enters upon its duties.' I submit that already four months have elapsed since the amount was made available by the Government of India. If I may use information given in the newspapers, I know it was stated in the press that even then the Government were considering seriously the constitution and functions of such a Council as this. Still, although four months have gone, they come before this House and say that they are not yet clear about the functions of the Council. That means that when those functions are more 'clearly defined' the Government will come before the House with proposals for the appointment of clerical staff, etc. At least a month before the close of the present financial year, i.e., even in March last, the Government knew that a certain amount was going to be made available to them. If they come here now only for a token grant after these four or five months, we should know when

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the schemes themselves are likely to be taken up in right earnest. If they had got any scheme already ready and then approached the House for a token grant, then I can understand it; but the policy of the Government seems to be to have this amount voted and then have a free hand in determining the schemes and to do whatever they please. I therefore suggest to this House that before any such thing is done, it ought to be possible for the Government to let us know what exactly is the scope of the Economic Council, what are its functions, who all will constitute the Council and what principle will be followed in its constitution.

“There is only one other point, Sir, which I would refer to before resuming my seat. That is with regard to the nature of the expenditure and the financial control. I would only say that Government ought to be able to say what the system is by which they are going to control this expenditure. Is this going to be a Transferred or a Reserved subject? If it is going to be the Transferred Half that will control the expenditure, I may say at once that it will not inspire much confidence in the public. Already several doubts have arisen, and I do not think it will be fair or in the interests of the public or even of the Government of India which has given the amount, that the Transferred Half should have control over this expenditure.

“Sir, my attention has been drawn to another fact, viz., that this motion is not in connexion with the money given by the Government of India. But, Sir, the note does not say anything with regard to that question. My remarks will apply to any sum that might be spent. It was quite open to the Hon. the Finance Member to have corrected me if I was in the wrong; but whatever it be, whether the amount mentioned here is the one given by the Government of India or is one to be made available from out of the provincial revenues, it is after all public money and it is not money belonging to any individual. It is therefore necessary that the Government should have definite schemes, should formulate a definite method of control of the expenditure and also furnish us with information as to who will be in charge of the schemes, who will be the authority to control the expenditure, etc. With these remarks, Sir, I support the motion that is before the House.”

12-45
P.M.

* Mr. P. V. KRISHNAYYA CHOUDARI:—“Mr. President, Sir, the question of the formation of the Economic Council has been hanging fire for the last one year and everybody is anxious to know what its constitution is going to be and what it is actually going to do. The explanatory note that has been circulated to members does not give the necessary information, but it only says that they are proposing to constitute a Council; and when they are not in a position to explain what the functions of the Council are going to be and how it is going to be constituted, it is premature on the part of the Government to come forward to-day with this token demand of Rs. 100. If, on the other hand, the Government had explained their position very clearly, I am

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sure, as pointed out by Mr. Shetty, we would have very willingly supported this demand which is intended to give relief to the distressed ryots.

“While on this question, I would like to ask, what benefit we have derived from the compulsory education scheme introduced by the Hon. the Education Minister. He deserves special mention for the introduction of the scheme because other provinces also are adopting the scheme proposed by him. Though the scheme was started more than a year ago, nothing definite has been undertaken. Government have not even drafted the rules so far. When we ask why it has not been brought into effect, they say they have no funds. I saw a speech of the Hon. the Chief Minister in which he says that Government are going to improve cattle breeding. We cannot understand the policy of Government in these matters. While they have closed the Chintaladevi breeding farm on one side, they say they are going to improve conditions in other parts. There is yet another thing. The Hon. the Chief Minister has stated that the Government are going to spend five crores on roads according to the scheme of Mr. Vipan. If they are going to spend this amount on roads, what about the other purposes which need improvement. What I would suggest therefore is, that instead of constituting a number of bodies, you can appoint an independent body like the Imperial Council of Agricultural Research and allot some funds. Then it can function properly. There is no point in constituting another advisory body when you have already got such bodies for the Industries Department, Education Department and the Local Self-Government Department. I can understand if the activities of these various advisory bodies are co-ordinated instead of their being mere black boards as at present. If not they can be abolished and Government must come forward with concrete proposals for doing this work. The work which this proposed advisory body will be called upon to do will be more cumbersome than before, because the Ministers, if they want to bring forward any measure, they have to go to the Economic Council for sanction. If, on the other hand, the Ministers have funds at their disposal, they can themselves spend the money for the purpose for which they want instead of going before the Economic Council, and they can consult their colleagues and thus co-ordinate their activities. In case they have to go to the Economic Council, I feel there will be delay in getting the proposals through. If the proposal is really going to be to the benefit of the ryot, we certainly welcome such an idea. But things must be done more briskly and relief afforded to the people who need it. I hope that Government will come forward with their proposals as early as possible and do something tangible for the benefit of the people.”

* Mrs. A. RUKMANI LAKSHMIPATI:—“Sir, when we are on the eve of the inauguration of a new constitution and when we are on the eve of general elections, I am at a loss to understand the necessity for constituting an Economic Council at present, because I feel that when the new constitution is inaugurated the Ministers will be in charge of all the departments when large sums of money will be placed at their

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disposal to spend towards programmes that might be drawn up by the Economic Council which, I think, Sir, can be constituted after the new Ministry under the new constitution comes into force. I therefore see no necessity for the constitution of such an Economic Council at present.

“Further, Sir, granting that such an Economic Council is essential now, I would like to know the *bona fides* of such a Council and what the policy and the programme underlying this Economic Council are going to be. Moreover, Sir, the Economic Council which the Government at present contemplate to bring into existence may not be acceptable to the future Ministry under the new constitution and it may not after all be to their taste; they may perhaps bring another Economic Council into existence, they may have their own programme and policy to follow. Therefore, I do not see what useful purpose will be served by bringing into existence such an Economic Council at this stage. As I said before, we are on the eve of the general elections, we are expecting a new constitution perhaps within the course of the next year or the year after, which I am unable to say at present. Sir, I take it that the formation of this Economic Council is but a ruse to evade the electorate because I am of the conviction and I do believe that the idea of bringing the Economic Council into existence now is for the purpose of serving party interests. Sir, the other day when the Hon. the Chief Minister presided over the Zamindari Ryots' Conference at Tiruttani, he gave to the members of the conference a very comprehensive scheme of rural reconstruction for bringing about relief to the agriculturists and for relieving them from the burden of indebtedness. He has mentioned in his address item after item of a big and comprehensive programme of rural reconstruction for bringing about relief to the agriculturists to a very large extent. I would like to ask the Hon. the Chief Minister whether he proposes to accomplish it within a period of a year or a year and a half or two years as the case may be. Further he has adumbrated a ten-year plan which will take ten years to come to fruition or to be an accomplished fact. Perhaps the Chief Minister expects to continue in his office for another period of ten years. Unless he is sure of being in office for ten years, he would not have thought of a ten-year plan, because who knows in the next general election which party might come into power, whether the Congress Party or the Justice Party will come into power and will be in a majority in the Council. I am really surprised at the confidence with which the Hon. the Chief Minister spoke and gave to the members of the conference a ten-year plan, probably he felt that he was sure to be returned at the next elections. Granting that such an Economic Council is absolutely essential now, I would like to know the proportion of non-official members to official members. Unless non-official members are in a much bigger majority than the official members—and I find in the explanatory note that the Economic Council is to comprise of heads of the various departments—and unless the non-official members have a real influence on the Council and are not members for mere consultation, there is no use of having such a Council.

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“May I ask how many non-officials the Government propose to have on the Council? We have not as yet been given an estimate of the expenditure likely to be incurred nor have we been apprised of any definite scheme. The House is not in a position to consider the financial implications or the amount of money that will be expended with regard to this Economic Council. The explanatory note only says that in the light of actual experience gained in working, it will be possible to frame a definite estimate of the financial commitments involved by the constitution of the Council. There is nothing definite. Further it calls this a new service. How can a new service be brought into existence without the House knowing or having on hand all the particulars about this Council? With these few remarks, I move the cut motion standing in my name.”

* The Hon. the PRESIDENT:—“The cut motion has already been moved. I presume the hon. Member is supporting the motion.”

Mrs. A. RUKMANI LAKSHMIIPATI:—“I support it, Sir.”

* Mr. V. P. NARAYANAN NAMBIYAR:—“Mr. President, Sir, the proposals to inaugurate a Provincial Economic Council merit serious consideration. If the proposals have been made really with a view to adopting such measures as are within the provincial sphere to ameliorate the condition of the agriculturists and to mitigate their hardships, then that is a step in the right direction; but if the whole scheme is merely in the air and has been made only to capture the imagination of the people of the province with a view to gain rebirth, then surely the Government must be made to realize that they have not a ray of hope in this era when only solid achievements count. The simple question before the House is, ‘Which of the two positions is the correct one.’ The note explaining the demand is barren of ways and means that will result in the economic and educational uplift, is devoid of indications of a clear-cut policy and definiteness, is unable to throw any light on the financial commitments involved and what is more, is not in a position even to state that the Provincial Economic Council will straightaway enter upon its duties seriously. I respectfully invite the attention of the House to the opening sentence in paragraph 2 where it is said, ‘It is not proposed at present to appoint any staff for the Council as there is not likely to be any appreciable amount of secretarial work until the functions of the Council are more clearly defined and it seriously enters upon its duties.’ Sir, if the Government meant business, that should not have been the state of affairs. But it is not on the floor of the House that the possibilities of the Economic Council are laid bare; it is not within this Hall that the glorious Ten-year plan is explained; it is the sacred soil of Tiruttani that has been adjudged to be the fertile ground to rear this plant, for it is there that the Hon. the Chief Minister is reported to have been at pains to establish that the constitution of the Economic Council is undoubtedly the most important measure which has been taken up by the Provincial Government since the inauguration of the Reformed Councils. I have read carefully a report of the speech and I am not speaking

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in a light vein when I say that the impression portions of the speech relating to the Economic Council made upon me was that the Hon. the Minister for Development and the Hon. the Minister for Education have all these years been sleeping away. I am not, in the least bit concerned with the attempt, if there be any, to make the two Hon. gentlemen *namki vastai* Ministers; but, that certainly is not a ground for the creation of the Economic Council. That being so, and as the whole question is loosely suspended in the air, the one irresistible conclusion is, that the proposed Economic Council is not going to usher in the promised millennium. The most important reform after the Montague-Chelmsford Reforms is to be inaugurated after the Government of India Bill has received the Royal assent and has become an Act. I do not want to explain why it is so. I shall but refer to the "Madras Mail," not an unfriendly critic of the Government. This is the epitaph written by the daily on the great edifice:

'But if the Chief Minister's programme appears to be too ambitious, that is a fault which may be excused at election time. It is to his credit that he has given the electorate something to discuss and his supporters something to follow up.' (The *Madras Mail*, leader, dated 3rd August 1935.)

Mr. President, I will leave it at that, and have but to add that in the absence of telling reasons to inaugurate a Provincial Economic Council at the fag end of the term of this Council, I shall be constrained to vote against the motion."

Mr. DANIEL THOMAS:—"Mr. President, Sir, after hearing the speeches on the floor of the House on the formation of the Economic Council, I am inclined to think that all the opposition put forward with reference to the scheme is of a mixed character. I believe not even the most strenuous opponent of this measure will say that in principle there is anything objectionable. Time and again, representations have been made both in the House and elsewhere that the Government of the day is engaged in a sort of conglomeration of activities disconnected with, and at times repelling—each other and that it is necessary that the efforts and labours of the departments of the Government should be co-ordinated. There has been some agitation even on the floor of the House, myself not excluded, that there is lack of co-ordination and even co-operation between the various heads of departments. I believe, therefore that the proposal will be supported by all sides of the House. There can be no question that the function of the Economic Council will in course of time be extended to the districts in the mufassal. There can be no question that such a scheme will result in great good to the masses. I believe that some of the criticisms that have been put forward with reference to this scheme are based on a misapprehension. It is not that the Goddess Athene burst out fully armed from the head of Zeus; or that the scheme for an Economic Council has burst out fully equipped from the brains of the Madras Government. It is in deference to public opinion and for the betterment of the rural population in the province that they have brought forward this scheme which is capable of development and which is being moulded in such a way as to re-act to public

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opinion. The criticism has been made that the financial implications of the proposals have not been put forward in the explanatory note. I plead that the Government have good reasons for not doing so, one of the reasons being that they are not in a position to anticipate definitely the financial commitments and schemes in this regard. (Mr. C. R. Reddi: Hear, hear.) If, as a matter of fact, the Government put forward a cut and dry scheme, in such a case the Government will be able to put the financial commitments involved before the House and we shall not have so much opportunity to discuss about and influence the formation and activities of the body. I think it is a proper thing for the Government to put forward a general outline of a scheme which is capable of being amended, developed or modified so as to respond to public opinion expressed both in this House and outside. In this view of the case, I think that the proposal will receive support from all sides of the House.

"It has been suggested that a certain number of non-officials should serve on the Committee. I believe there will not be a single Member in any part of the House who will demur to that suggestion. If the Committee is to be of any real use non-official opinion should have a voice—I may say a dominant voice—in the Councils of the Committee. I am sure that the Hon. the Chief Minister and the Hon. the Finance Member will give adequate representation for non-officials in the Committee.

"I may also suggest—I believe it is in the mind of the Government—that, to give authority and weight to the recommendations of the Committee, it would be well, if sub-committees consisting of members who have intimate knowledge of the subjects go into the questions and I think it is unnecessary that the heads of departments like the Electrical Engineer or the Director of Public Health should be on the Committee dealing with general questions. If any question of public health or electricity were to come up for discussion, they should be there to guide the sub-committee by their knowledge.

"I would also submit to the Government that the number of officials in the Economic Council should be limited to a few, who would be in a position more or less to tackle general problems. At the same time, there should be effective and adequate representation both of expert opinion and also of non-official opinion.

"It has been objected again, Sir, that we are on the eve of a new constitution. I am now referring to the remarks of the hon. Lady Member from Madras City. I was rather surprised at the rosy picture she drew of the financial condition under the new constitution. It has been suggested that you will have only to shake the pagoda tree and the pagodas will rain in all directions and that we will have only to scramble about to gather as many as we can possibly do. I am afraid that it is not likely to be the case at any rate in the near future after the inauguration of the new constitution. I believe the inauguration of the new constitution will be an additional burden on the tax-payers of the province. It has been suggested that, because this new constitution is just about to be introduced, it is not worth while to start or

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inaugurate this new scheme of Economic Council. I would submit, Sir, for the consideration of the hon. Lady Member and other hon. Members of the House whether it is not worth while to watch the actual working of this Economic Council with a view to finding out the difficulties and the disadvantages in the way, so that we may be in a position to gather actual experience as a result of the working of the council and also to chalk out the possible lines of development and improvement. I ask whether this actual experience of working will not be an additional asset to start a better Economic Council under the new constitution."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Sir, on a point of personal explanation, I should like to point out to the hon. Member, whose name I do not know, that I did not say that there would be more finance at the disposal of the new Ministers. But I said that they would have better and fuller control of the finances that might be placed at their disposal."

Mr. DANIEL THOMAS:—"I am thankful to the hon. Lady Member for clarifying the position which she developed in her speech. After all, that does not mean any difference in the actual merits of the matter. Whether more funds will be available or whether greater control of the available funds will be possible for the Ministers, it does not alter the position taken in my main argument, namely, that we will not be any the losers by working up this scheme and gaining experience for future development and improvement. I should also suppose that as a Member representing the Congress she should be the first to welcome any measure of this kind which will inure to the good of the masses of this province. At the present stage, only the outlines of the scheme are placed before us, and it has yet to take a fuller shape. One hon. Member suggested that it will be inopportune to launch out this scheme before the actual inauguration of the new constitution, and that it is an electioneering stunt. But what are the actual realities for making such a charge? As a matter of fact, such a charge can be brought home if you have any substantial reasons to put forward. At this stage, we are putting forward a scheme. Why should you look upon it with suspicion and say many unkind and uncharitable things about it? Does not the Congress think of such schemes for the masses? The Justice Party is equally at liberty to put forward any scheme that it thinks good for the development of the masses. I would submit, Sir, that in all fairness the scheme should be given a good chance to see whether it is only a paper scheme or whether it will be capable of carrying out anything for the betterment of the people. On the question of principles involved and also on the question of the far-reaching results that are likely to ensue if this scheme is properly worked, I would expect all sections of this House to accept this scheme and give it a fair trial."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, if at this stage, the Hon. the Chief Minister who is really responsible for the scheme will tell us what he has at the back of his mind and for what purpose the scheme is being propounded, we will be in a position to judge it on its merits."

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* Mr. C. RAMALINGA REDDI:—"I rise merely to request you to ask the Member of Government to take part in the debate, so that we may know where we are."

The Hon. the PRESIDENT:—"That is exactly what is being proposed now."

Mr. C. RAMALINGA REDDI:—"Thank you very much, Sir."

* The Hon. Sir the RAJA OF BOBBILI:—"We have only ten minutes more before we rise for lunch. Meantime, we may hear any further remarks from other hon. Members before the Government reply."

The Hon. the PRESIDENT:—"The House will now adjourn and meet again at 2-30 p.m."

After Lunch (2-30 p.m.).

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, with reference to the remarks so far made by hon. Members of this House on the motion for a token demand, I find there has been a great deal of misunderstanding about the whole position. In all countries where economic councils have been working, their functions are purely advisory. It was never intended that it should be a statutory body with statutory functions, and with independent financial resources. It has been found that of late the tendency has been for various departments of Government to work more or less in watertight compartments; and in order to give the necessary co-ordination and co-operation between the various nation-building departments, the idea was first conceived of constituting an economic council wherein every activity of Government could be reviewed and definite proposals and well-thought out programmes extending over a period of years could be prepared. The present proposal of the Government, as has been stated in the note, is first of all to constitute all the heads of departments mentioned in the note supplied to hon. Members, as a permanent body to collect all the necessary materials and data available in the departments of Government for the purpose of preparing some of the schemes. As explained in the note, this token demand has been moved to meet the expenditure connected with the payment of travelling allowance to non-official members who would be co-opted on this committee."

"Criticism has been made that the note refers only to heads of departments and that no useful purpose would be served unless non-officials were associated with this body. It is certainly the intention of the Government to co-opt persons who by their expert knowledge and experience would be able to advise the Government and whom Government could consult on important schemes. One or two Members have fallen into the error of thinking that this council is being constituted for spending the Central Government grant. So far as that grant of 14 lakhs is concerned, this Government have already decided to spend it in rural areas, for rural water-supply, village communications, anti-malarial measures and borehole latrines. These are some of the directions in which the Government of India have suggested that these

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amounts might be expended. Some of the moneys have already been sanctioned. It will be clear from what I have stated that this council will not be entrusted with the responsibility of spending the central grant. So the criticism that the Government have wasted four or five months' time since the Government of India have placed this money at our disposal falls to the ground.

"The other criticism that has been made is that no cut and dry schemes have been placed before the Council for its acceptance. In the working of these economic councils in the various countries, it will be seen that the very purpose of constituting the councils is for drawing up schemes and they will not be entrusted with the execution of these schemes. The duty and responsibility of this council will consist in formulating various schemes and plans, which will have to be examined in the various departments of the Secretariat and noted upon by the Ministers concerned: then they will have to receive the approval of the Government. So all that we are now asking this House to agree to is for incurring some expenditure on the travelling allowance of non-official members who will be co-opted on this council. I am sure hon. Members will realize that at this preliminary stage, before even the council is constituted, it will be impossible to estimate with any degree of accuracy, the number of committees or sub-committees that will have to be constituted, the number of members that will have to be co-opted and the number of meetings that will have to be held. Therefore, when the note says that it is not possible to estimate the expenditure on this head, we only mean the expenses on daily allowance and travelling allowance of non-official members. It does not mean that the Government in constituting this council have no ideas about its functions as to what it should do or in what direction it should work. I feel therefore that I have made it clear that in asking the hon. House to approve this demand we are not expecting them to sign a blank cheque as regards the incurring of the necessary expenditure for any schemes that would be prepared by this council and that could be approved by Government. All that we are now asking is to sanction the necessary amount of travelling allowance that will be incurred, and as in the opinion of Government this is a proposal of far-reaching importance, we desire that full opportunity should be given to this House to discuss the various aspects of this question, so that in further dealing with the subject, Government will be guided by the opinions expressed by this hon. House. It is certainly the intention of the Government to associate with this committee as well as the sub-committees, non-officials who are qualified to assist us in the furtherance of the objects of this council. Of course, it must be understood that the functions of this council are purely advisory; it is not the intention of this Government, at least for the present, to inaugurate or constitute a body with independent powers.

"Now, I shall briefly refer to the various points raised by hon. Members. I am glad to find my hon. Friend, Mr. A. B. Shetty, generally approves of the proposals underlying this scheme. Of course,

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he has made a reference to my speech at Tiruttani, and has said that too much stress has been laid on the agricultural aspect. I may state for his information that I have, in my remarks at the conference at Tiruttani, confined myself to the proposed activities of the council, mainly with reference to agriculture.

"It is not the intention of Government that the scope of this committee should be limited only to these schemes. It will be open to the committee to recommend any scheme for the economic and educational development of the province. 2-45 p.m.

"My hon. Friend, Mr. Krishnayya Choudari, has stated that in his opinion there is no case for constituting an independent body like this. There are already other departmental Advisory Committees, he said. I may tell him that the whole idea of the Government in coming forward with this proposal is to bring about the necessary amount of co-ordination which is now lacking in the working of the various departments. This will therefore be a body common to all departments enabling each department to know and understand what is going on in the other departments.

"Then, Sir, it has been stated that this proposal is likely to result in considerable delays in the putting into force of these schemes. To this, I may say that it is not at all intended that every executive action of the Government or every step taken in the departments in the normal course of their activities should be first discussed in this Provincial Economic Council and that it should receive its approval. It is not proposed that this council should interfere with the day to day administration of the Local Government or the departments. The committee will mainly deal with schemes or proposals of provincial and national importance and lay down a definite programme for a period of years."

MR. C. RAMALINGA REDDI:—"May I know how the Hon. the Chief Minister proposes to finance the schemes which may be put forward by a council like this, and whether he proposes to borrow extensively from the Government of India?"

THE HON. SIR THE RAJA OF BOBBILI:—"Before I close my remarks I shall be very happy to supply the information asked for by my hon. Friend representing Chittoor.

"Now coming to the remarks of my hon. Friend, Mrs. Rukmani Lakshmipathi, I have to state that I do not see the merits of her argument that this Government should not undertake any new scheme or proposal on the eve of the inauguration of the new constitution. To prove the bona fides of the programme underlying these schemes I shall now place before the House in detail what the exact scope and functions of this economic council are. I do not find any mystery connected with these proposals.

"Another point urged by the hon. the Lady Member is that as there might be a change in the Government after the next elections, this Government should not undertake any new scheme. If we extend that principle, it would mean that unless a Government is a permanent

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fixture, it should not undertake anything which its successors might not approve of. At the same time I am glad to note that, further on, she was generous enough to state that it is not quite certain whether the Congress may be returned to power or the Justice Party may be returned to power. Whatever it is, I am sure that the proposals we have now on hand will receive the solid support of the people whichever party happens to be in power.

"Some of my friends have referred to this proposal saying that this is a big election stunt. As regards that I may say that from our little experience we have realized that the electorate will be sufficiently wise not to be led away by any wild or other statements or schemes that only exist on paper, and, as a politician I realize that whatever credit we may get for a scheme of this kind will depend ultimately on the results that would be achieved out of the work of this Economic Council and not by merely constituting this council with a flourish of trumpets. Of course, if my hon. Friends wish to know in further detail what is going to be the work of this Economic Council, if they would bear with me, I would refer to one or two subjects. For example, I will now take up the question of education with special reference to elementary education which is perhaps one of the most important needs of our province. One of the important proposals which the Provincial Economic Council will consider and draw up a scheme for is the extension of elementary education at a more rapid rate than has been the case in the past. They will lay down a definite programme for a period of say ten years within which period adequate provision will be made for bringing to school all children of school-going age and for the teaching staff. Some of the questions which they will consider will be the present system of grant-in-aid in all its aspects. At present, grants to the aided schools are paid not with reference to the strength of or the results achieved in the schools, but with reference to the qualification of the teachers employed. Alternative proposals will be considered to find out whether it would not be more efficient if we revise our rules so as to give grants to these aided elementary schools not only with reference to the qualification of the teachers employed, but also with reference to the strength of and the results achieved by the schools. They would base the grants on the number of children that would every year pass the primary standard. Then again."

Mr. P. V. KRISHNAYYA (CHODARI):—"There is a certain grant given to teacher-managers. Are they going to increase that grant?"

The Hon. Sir the RAJA OF BOBBILI:—"At this stage I cannot say whether they are going to increase or decrease the grant. If the new principles are applied, it will probably be found that in some institutions there will be a decrease and in others run efficiently, there will be an increase."

"Coming now to higher education, the Economic Council will have to consider the various measures that should be adopted to solve the present problem of educated unemployed and see whether the present system of higher education is suitable to the needs of the country. It

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has been asked in certain quarters whether the Government Arts Colleges serve the purpose for which they were originally intended and as, owing to the present financial conditions the Government are not in a position to maintain them as model institutions, whether it is not desirable that Government should devote more attention to professional and technical education not only to provide the young men with just the kind of education which is most useful to the country but also in the interests of the economic development of the province, and also whether it would be cheaper, instead of Government running the colleges, without loss of efficiency, to encourage aided institutions.

"As regards agriculture, we are proposing to afford greater facilities to the ryots. The most important problem connected with the ryots will be the question of the reduction of agricultural debts. Then, as I have stated in my speech in another place, we propose to adopt measures for more intensive cultivation by the provision of good seeds and manure, by the provision of agricultural implements and by adopting measures to improve the breed of cattle.

"Another part of the work of this council will be to encourage, by all measures within the power of this Government, minor industries known as cottage industries or handicrafts. For this purpose, the Government have already, with the help of the Government of India grant, constituted a society to encourage handloom weaving and provide better marketing facilities. A special sub-committee of this Economic Council will be entrusted with the responsibility of drawing up schemes for the encouragement of other cottage industries.

"As regards road communications, we have practically drawn up 3 p.m. a scheme of road development which will provide all of us communications to every important village in the rural areas. It is proposed to finance this scheme, which is ultimately estimated to cost about five crores, by making use of the facilities which have been offered to us by the Government of India. The Government of India have offered us money at a low rate of interest and the interest charges on the five crores of rupees required for development are to be met from the Government of India grant of Rs. 16 lakhs which is our share."

Mr. C. RAMALINGA REDDI:—"May I know what is the rate of interest which the Government of India will charge?"

The Hon. Sir the RAJA OF BOBBILI:—"The rate of interest varies from time to time according to the rate at which they borrow from the open market. Probably it may be 3½ per cent.

"I may also state for the information of hon. Members that some of the sister provinces have already taken advantage of this proposal and I believe the United Provinces and the Punjab have already borrowed large sums of money and started schemes of road construction. The Province of Bengal has now applied to the Government of India for a similar loan.

"As regards the other schemes, I am not unaware of the fact that finance is the main thing without which we cannot hope to complete

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them and it is therefore proposed to lay down the rate of progress and expansion within the limits of our finances. I have no doubt by a careful husbanding of our resources by cutting down some of the less important activities, we will be able to find sufficient funds to show an appreciable progress with reference to the various schemes that have come up before the Government. I may also state that any scheme approved by the Government which will involve expenditure will certainly come up before this House for their sanction and criticism. It is not at all intended as some have been misled to think that the moment this council is inaugurated it will proceed to spend moneys without scrutiny or without sanction.

"In conclusion I may state that after careful consideration of the various aspects of this problem, financial and otherwise, Government have come to the conclusion that the present is the opportune moment. As some hon. Members have put it, a measure of this kind is long overdue and I am sure with the co-operation of this council and of the people of this Presidency we will be able to achieve results in the best interests of this country. I believe, Sir, I have taken a good deal of time already in answering some of the points raised by hon. Members. If any further information is required, I shall only be too glad to place it at the disposal of this House."

Mrs. A. RUKMANI LAKSHMIPATHI:—"May I ask the Hon. the Chief Minister as to why he did not think of inaugurating this Economic Advisory Council soon after he came into office, because he said just now that it has been long overdue."

The Hon. Sir the RAJA OF BOBBILI:—"Considering the various problems financial and otherwise I felt that this was the most opportune time for this Economic Council to come into being. I have always felt as some hon. Members have said this morning that this measure is long overdue. As regards the point raised by the hon. the Lady Member I may state that it will not be possible for one to bring forward all the schemes that occur to his mind all at once, as soon as one has taken up his office."

* Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, some hon. Members on the other side were remarking that we were smelling a rat in the proposal. My feeling is quite the other way. From the beginning I smelt nothing because there is nothing behind it. In spite of the speech of the Hon. the Chief Minister I am sorry to say that no clear idea as to the scope and functions of the Economic Council has been conveyed to me. I am no better than I was before I heard his speech."

"Well, Sir, taking for instance the two specific points which the Hon. the Chief Minister said this particular council is going to consider, viz., elementary education and agriculture, I should like to know from the Hon. Minister what exactly he means is the duty of Hon. Ministers of this Council towards the respective subjects which they are in charge of. Is it not the duty of the Hon. Minister for Education to frame

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a proper scheme for elementary education and come to this House for the approval of that scheme? The complaint has so far been that Hon. Ministers have done nothing, and they have been simply marking time. This is a complaint that has been heard everywhere, both in this House and outside. I am not complaining about the time or the period at which this council is being inaugurated. My only complaint is that in the proposal put before us there is no definite scheme outlined. Well, Sir, it looks as if the Hon. Minister simply wants to say hereafter whenever he is charged with inaction, 'I have appointed a council and that council is going to bring forward schemes for execution later on.' To the charge legitimately made by this side of this House that this is all election stunt there has been no satisfactory explanation. The idea of the Hon. the Chief Minister seems to be this: 'Well, I have appointed a council and it is for that council to frame schemes.' Hitherto what the people were saying was, 'The Hon. Ministers were doing nothing.' Hereafter they will say that the Hon. Minister has brought this council into being with a view to excuse himself from the charge that he has done nothing. That seems to be the only purpose for which this council is brought into being.

"With reference to the other point that this Council is going to consider the question of development of agriculture, I do not see what the Hon. the Minister for Development was doing all these years he was in office. Evidently from the statement made by the Hon. the Chief Minister, he admits that there has been very little progress in these matters and we are afraid that this council is being established merely to serve as an excuse or to take cover under when questions are asked in future. That is practically admitting the failure of the Ministers in not having done anything in their several departments hitherto."

"Again, Sir, it is not made clear what this Provincial Economic Council is for and what it is going to do. The Hon. the Finance Member who moved it put the thing before us as if he did so on behalf of somebody else, because it is no scheme of his. He did not tell us what this Provincial Economic Council meant except that it is recognized as a new service. It is the duty of the Hon. Member in charge to say what exactly is the new service which he wants to bring into being. He did not take the trouble to explain it. That shows clearly that he was doing the thing—shall I use the word which is not liked in this House, viz., 'benami.' It may be that he deliberately kept quiet about the scheme itself. If the scheme has been accepted by the gentleman in charge of the subject, he is responsible for it. Well, how do we stand? The explanatory note supplied to us says that this huge and imposing committee is only to advise on schemes placed before it which are framed presumably by the Ministers or which come from the departments concerned. This huge committee is only to advise on those schemes. I do not know how a committee consisting of such gentlemen as the Director of Agriculture, the Director of Industries, the Director of Veterinary Services, the Registrar of Co-operative Societies, the

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Director of Public Health, the Surgeon-General and so on and so forth is going to consider a scheme of elementary education that is going to be put forward by the Hon. Minister in charge or the department concerned. Sir, it seems to me an absolute waste of money, time, energy and everything else—if the new committee is to look into the proposals or the schemes put forward by the department concerned. For such proposals or schemes definitely put forward by the departments, the Ministers or the Members in charge will have to be responsible if they accept them.

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“Well, Sir, that is what the explanatory note says. It says that it is the function of this Committee only to advise on schemes placed before them. But from the speech of the Hon. Minister, I inferred that it is also the business of this Committee to frame schemes for five years or so. There again, there is some confusion. In all the countries in which they have prepared schemes of economic development, they did not appoint huge committees like the one proposed. For instance the national recovery schemes in America were entrusted to a committee of three people, I believe. In England again, I believe it was only a committee of two. In other countries also there were not more than two or three at the most; they were all small committees. Again, Sir, the committees were composed of non-officials alone. There was no question of departmental heads being members of these committees. What was done was this. Two or three non-officials were put in charge of the work. They drew up schemes, and in the course of drawing up schemes, if they wanted any information or advice, the departmental heads such as the Surgeon-General and the Director of Public Instruction were called in to give the necessary advice or information. The non-official committee got the necessary information and advice and framed the schemes. But what do we find here? We have a huge imposing committee of officials—heads of departments—and non-officials come in only as persons who may be consulted instead of being made responsible for the framing of schemes. Instead of allowing the non-officials to frame schemes in consultation with departmental heads where necessary, we find that the departmental heads are asked to frame schemes in consultation with non-officials where necessary. The process is reversed. Again, Sir, there is a third idea also in the mind of the Hon. the Chief Minister. He wanted this Council to co-ordinate the work of the several departments. Sir, the House knows that the Agricultural Commission has observed that there was very little co-operation or co-ordination among the several departments and recommended the establishment of a Development Board or the appointment of a Development Commissioner to co-ordinate the work of the various departments. The same view was expressed by the Townsend Committee who recommended the establishment of a Development Board consisting of the heads of the Departments of Agriculture, Co-operation, Veterinary Services and Industries and two or three non-officials connected with work in these branches. This board should frame schemes for being actually carried out by the Government. They should not be mere advisory bodies, but bodies whose schemes ought to be carried out. The

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Townsend Committee also proposed that there ought to be similar committees in the districts for the purpose of seeing whether what was proposed at the headquarters was being carried out in the districts. The Hon. the Chief Minister while he spoke of this council said that it would be the business of this council to co-ordinate the work of the several departments without saying at the same time that it was their business to frame schemes and see that they are being carried out by the departments. As a matter of fact he went further and said that it would not be the business of this council to interfere with the day-to-day administration of the departments nor would it be their business to see whether their schemes were being carried out or not. Therefore in this matter he has gone wide of the mark of the recommendations of both the Agricultural Commission and the Townsend Committee. Therefore, Sir, I have to say that the whole idea of this Provincial Economic Council is a jumble of several things. I hope the Chief Minister would not think it offensive but there is no other way of explaining the thing than this. The Hon. Minister said to himself, ‘In other countries they have economic councils; we have none here and so we should have one.’ But as regards what the council should be like and how it should work and so on, he has no clear idea. That is the position in which things stand. Sir, it is not my intention to stand in the way of anything being done, but at the same time I should very earnestly tell the Hon. Minister that the proposal he has put forward would not work. It is impossible that a thing like this could work. A standing committee of heads of departments, a huge imposing committee of eleven people with a few non-officials being co-opted as and when occasion arises—this is not a body which is capable of doing anything. I can understand for instance a body like the Irrigation Board working. What is done there is, the proposals mature in the Public Works Department and in the final stage they go before the Irrigation Board for their scrutiny. A thing like that could work. But to ask a council like the one proposed to frame schemes seems to be quite impossible.

“There is also this constitutional principle involved. By the imposition of an economic council, the Hon. Ministers want to give up their responsibility for framing schemes and co-ordinating the work of the various departments under them. By depriving themselves of that right, they are depriving this Council also of that right, because they are there as representing the majority of this Council—whether they do so at the present moment or not does not matter. They are supposed to represent the majority in the Council and it is their responsibility to frame schemes and bring them before this House and carry out those particular schemes which are approved by this House. Now by calling this council into existence and giving them advisory powers—of course the word ‘advisory’ has different meanings in different places—they want to surrender practically all their rights. The Hon. the Chief Minister proposes to offend by this proposal a sense of business, a sense of responsibility and also a sense of capacity to carry out anything that is recommended by this House.

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"As regards funds, the Hon. the Chief Minister very conveniently said that if we husband our resources properly we will be able to find the necessary money. What the Hon. the Chief Minister says is not quite clear. Whenever a much desired improvement was suggested in this House, the invariable answer has been, 'No funds; there is the economic depression.' But now the Hon. the Chief Minister very conveniently says that if we husband our resources we will find enough money. I remember sometime in March there was a talk about raising a big loan for the purpose of financing schemes of elementary education and tank restoration. Now even that idea of doing something which is very desirable and necessary has gone underground, because we find no reference to any such loan in the speech of the Hon. the Chief Minister. If we are only going to husband our resources and find funds for these schemes, we may as well wait for ever. With regard to the funds that will be available after the Reforms I am not very hopeful as several other people. We cannot reduce the salaries of the officers nor can we reduce the number of posts in the Indian Civil Service or the Provincial Civil Service without the sanction of the Secretary of State. Such being the case how are you going to find the necessary money to finance big schemes especially when your expenditure is going to be increased very much by a bigger Council and a second chamber? Unless there is going to be a bold step taken, unless something radical is going to be done, unless the Hon. Ministers even though it be in the last stage of their terms, come forward with bold schemes, I am afraid they will not be able to do anything except, as it has been remarked, put forward mere election stunts. Let the Hon. Minister put forward some bold scheme even though it happens to be at a late stage of his term of office, let that be a scheme for five years or ten years—it does not matter. I do not object to it at all. I do not at all object whether it is Justice Party or any other party in this Council that undertakes to put forward a scheme provided it is a well-thought out and workable scheme. Whether the next Council will approve of it or not, whether they will continue to work it or not, is not our concern. Let us satisfy ourselves that the scheme is well-thought out and workable. Let the Hon. Minister put forward a scheme like that instead of putting forward a scheme like this which has nothing behind it of a financial or administrative character. Let the Hon. Minister put forward a bold, practical and really progressive scheme. I assure him that he will have the full support of this Council. But with a scheme like the one put forward before us at present, I submit, it is mere waste of money and energy to go forward."

* Mr. C. RAMALINGA REDDI:—"Mr. President, Sir, we now realize, I am sure the House has realized, what a most important motion has been put down for discussion in this manner. The Hon. the Finance Member who moved this token grant for Rs. 100, I believe, and wanted the sanction of this House to set up a Provincial Economic Council recommended that proposal in the most economical speech I have ever heard in this Council. (Laughter.) I was half afraid that the results

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of the whole scheme would be just as economical. We ought to be thankful to the Hon. the Raja of Bobbili for taking us a little more into his confidence and for allowing us to get a glimpse of the financial and other enormities which for the moment are screened by this hundred-rupee vote. What does my Hon. Friend want this council for? In the first place, as Mr. Daniel Thomas pointed out, there is a general desire for economic progress everywhere. The object aimed at may be estimable. But the mere fact that the objects are unquestionably good is absolutely no ground whatsoever either from the point of view of finance or of administration that this proposal should be accepted and swallowed wholesale. What is it that my Hon. Friend wants to achieve which he cannot achieve through the existing machinery? One thing I would like to impress on this House. There is a danger always of multiplying machinery without reference either to the finances of the State or to the actual good that would accrue by such multiplication. Unless it is shown that it is necessary to have a council like this, I am sure my hon. Friends will agree that we should not agree to this proposition. I remember, Sir, years ago, in 1922, a token grant was moved in this House for a hundred rupees as usual, to get the House to agree in principle for the digging of a canal for ocean-going steamers across the Pamban. I note that my Hon. Friend, Mr. Rajan, recognizes the debate and its implications, and when during the debate it was found that the Rs. 100 was the thin end of the wedge which finally was to cause a financial commitment to the tune of Rs. 2 crores as estimated—and estimates were sure to be exceeded—the House rejected the token motion. Now, my Hon. Friend comes with the usual Rs. 100 grant. The Hon. the Chief Minister told us that he is not so lacking in details as the official note would lead one to believe, that he has thought out certain developmental schemes, and that at the back of his mind he has the idea of borrowing some Rs. 5 crores from the Government of India on the mortgage of the share of the petrol tax to which this Presidency could lay claim to."

3-30
p.m.

* The Hon. Sir the RAJA OF BOBBILI:—"I have not stated, Sir, that we were going to borrow Rs. 5 crores. I said that the whole scheme to be completed, was estimated to cost Rs. 5 crores. The amount that is to be borrowed and the amount that can usefully and economically be spent in a year are matters for consideration."

* Mr. C. RAMALINGA REDDI:—"I thank my Hon. Friend for the personal explanation; but I anticipated him when I said it; although he did not say so in set terms, he had it at the back of his mind. Very well, that he cannot deny. Such being the case, I ask: is it fair to the new Constitution that this House should, on principle, accept here and now a scheme which ultimately according to its most enthusiastic sponsor, would mean a debt of Rs. 5 crores and to a very large extent mortgage our financial resources? Furthermore, what is the necessity for it, I ask? Take for instance the concrete schemes mentioned by my hon. Friend. Every one of them is worthy of approval, viz., the cancellation or mitigation of rural indebtedness, the improvement of

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rural communications, the question of the spread of elementary education and the reform of our higher education and the Arts colleges. Now, I ask: take this question of the reform of our colleges. What is the Director of the Veterinary Department going to do in regard to schemes for the reformation of the Presidency College at Madras? My Hon. Friend may say: 'Oh no, I have taken care about that; I have suggested that these problems will be dealt with by sub-committees.' Then what is the good of this council? If every one of these problems can be dealt with by sub-committees, could not Government deal directly with the reports of these committees without calling them 'sub,' and asking them to send their papers through another 'council?' Believe me, Sir, when this council is put in operation, each department would have its final say in the matter of the schemes which it considers either necessary or desirable and even such committees will become nominal authorities and formal channels.

"Then, Sir, my Hon. Friend says: 'I want somebody to co-ordinate all these schemes.' Well, if Government had not done that or functioned in that way so far, they ought to have abdicated long ago. What is this Government for? They are not supposed to be departmental specialists; they are supposed to bring their fund of commonsense to bear on all the schemes submitted to them. And what has been the function of the Hon. the Finance Member all these years except trying to co-ordinate all the developmental schemes which are placed before the Government and for which he has necessarily to find finances, and distribute what he has got, to all of them? That is essentially the function of the Government. Unless you are going to turn round and confront this Council with this strange argument: 'Here is a council established by your own consent, you have approved the principle of it, it now recommends, therefore don't you question'—which means to that extent an abdication both of ministerial responsibility and of the position of this Legislature, its authority as the ultimate judge of all these schemes, unless some such position is going to be adopted, or the temptation for adopting it is going to be created, what is the necessity for this Provincial Council?"

"My Hon. Friend mentioned the fact that other provinces were going ahead. I can quite realize the anxiety of the Hon. the Raja of Bobbili when he sees the United Provinces and other sister Presidencies getting large loans from the Government of India. His mouth waters (laughter) and he wants to get large loans. Why does not he get them as a Member of Government; why does not he get the Madras Government to put forward the schemes? And I say there are some schemes of which, speaking generally, and without going into details one would like to approve and wish development in particular directions to take place. Does he fear that the Government of India will not lend unless there is a committee or council of this kind, which would speak, as it were, in the name of the Presidency? Cannot the Government speak in the name of the Presidency? Should you have a committee of

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departmental officers to strengthen your hands? Could you not otherwise get a loan from the Government of India? I do hope that I will not be understood as speaking in a spirit of what may be called antipathy to everything. I am not at all opposed to the general ideas that must have actuated the proposal; but after going through the list carefully and through the speech of my Hon. Friend, the Chief Minister, I have come to the conclusion that this is not merely unnecessary but that it carries with it grave financial and constitutional disadvantages. Different departments work out under the general direction of the Government; and it is for the Government, more especially in the Finance Department, to see how many of these schemes could be adopted and how far progress could be made. Merely to create a machinery and to go away with the idea that we have done something to accelerate progress is a fallacy which I trust we will not succumb to.

"Then my Hon. Friend must excuse me if I put it also on a constitutional ground. The criticisms levelled by my hon. Friend, Mrs. Lakshmipathi, have been received by the Raja Sahib of Bobbili in what I must frankly say, a sporting spirit and his replies have been distinguished by courtesy and consideration. He put it that some other party coming into power and responsibilities being different under the new Constitution could not be urged as a justification for offering this scheme. No doubt, he might have been thinking of what obtains in England and other countries where though different parties come into power, the general principles of administration are maintained to a large extent and there is continuity of policy. But it is my duty to point out that this present Council is in a peculiar position. It has outlived its time. It is here not on a mandate of the people but by the grace of His Excellency. He has been extending its life; and therefore we have a right to say that the competence of this body may be questioned without the least discourtesy to individual members thereof and that the principle of continuity cannot be laid down as a rule as the present Ministry are not functioning as the agents of our common master, the Electorate. Furthermore, my Hon. Friend, the Chief Minister, has been perfectly frank about the successes of the Congress. He has never belittled them and he has spoken of them in terms of sportsmanlike appreciation. If therefore there is reason to believe that the Ministry does not command the confidence of the country, is there anything wrong in our holding that, under these circumstances, the placing of large funds in its hands or the voting in principle to-day for the placing of large funds in its hands, is opposed to all true principles of constitutionalism? I do not wish to labour this point further, but I do trust hon. Members on the other side will recognize that in so talking and in making this particular point plain, we are not—in fact so far as I am concerned—thinking of a party as such, but of the ultimate rights of the people and the electorate which have to be promoted and safeguarded by all parties alike, in so far as we claim to be democratic.

"Well, Sir, I make one appeal to my Hon. Friend. I am thankful to him that he has brought out some schemes. He must have been

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working at them. May he not agree to an adjournment of this debate, say for a couple of months, by which time a more detailed scheme may be prepared and circulated to hon. Members giving us an idea as to what exactly this Council could do and what procedure it will adopt, and the other details without which we shall be necessarily voting in the air? Above all, there is no principle more dangerous to a democracy than this 'assenting in principle without knowing the details.' Nothing leads to worse consequences than saying 'We assent in principle' as though in politics you can think of principles without their application any more than you can think of concrete details without the principles actuating and illuminating them. The whole idea of bringing in token grants to get the Council to agree in principle to schemes which have not been elaborated appears to me, except in extraordinary cases, as one which could not be supported. I will only say one thing: that in general, I am not opposed to the principle of borrowing, especially where we have no intention of repaying (laughter). I remember my Hon. Friend, Sir K. V. Reddi, years ago—I do not know whether he remembers it—saying it on the additional authority of Sir M. Ramachandra Rao, that it would be good for this Government to borrow as much as possible from the Government of India, so that when we apply for their financial aid, they may think us to be very poor and be more generous towards us. But, Sir, I think borrowing under these conditions, when you have got a new constitution about to be inaugurated, and have no schemes worked out, is highly inadvisable.

"One of the things I noticed in the speeches of the predecessor of the present Hon. the Finance Member has been his anxiety to leave the financial position of this Presidency in a splendid condition, as a heritage to the new authorities that will be installed. And before you borrow and embark on all these schemes, you must have the power and the authority to make as large a retrenchment in your present expenditure as possible.

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a.m.

"I ask my Hon. Friend, the Chief Minister, even if he is in favour of the most drastic retrenchment, does he think he is in a position to give effect to his wishes in the matter? Is he sufficiently free, is he sufficiently strong, can he take the ultimate decision without which the Ministerial will can never prevail? Therefore, I appeal to all my friends, irrespective of party, not to prejudice the future by this vote. Let us all unitedly concentrate our attention on effecting the biggest possible retrenchment in our expenditure, give all opportunities to the best possible schemes to develop, try to meet them by our resources to some extent and by borrowing from the Government of India as much as possible—I have no objection to that—and in that way make the future far better than what it has been. Above all, do not let us queer the pitch before the elections for the new constitution and the new authorities. I should not mind my Hon. Friend coming back and occupying the seat as at present, but he will not come back the same as he goes out or the same as he is to-day; he will come back if he comes back at all with an added moral authority which he lacks at

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present. Do not let us queer the pitch for the new Council and the new authorities—whoever they may be—who will be saddled with this responsibility, as a result of the elections."

* Diwan Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I want to speak to-day practical politics. Sir, this Economic Council is a necessity because all departments should come together and co-operate and there should be co-ordination in their activities. Public health, education and health go together. So also with engineering and other departments. Experts may administer the departments but there is no opportunity for them to come together. For instance, in the departments of Public Health and Education there may be experts working in their own way, but they must be given opportunities to come and work together. At present we feel this difficulty in our Corporation. What happens is, very often, the Commissioner convenes a conference of the various officers, the Health Officer, the Engineer, the Electrical Engineer, the Educational Officer with the Chairmen of various committees and they confer together. Here, I wish to quote a small example. The Engineering department sends people to take the silt and throw it on the sides of roads and the Health department sends the cart at a different time to remove the rubbish and the result is, what the Engineering department was doing, the Health department was spoiling. What the Commissioner now does is, he brings the Health Officer and the officers of the Engineering department together and tells them at the time when the Engineering department people remove the silt and deposit it on the sides of the roads, the Health department should send the cart to remove it without delay. Hon. Members may perhaps know that the Kelly's drain has been in existence for the last 30 or 40 years. The water in this drain was being emptied into the Coom. Now Coom is silted up and is on a higher level than the drain itself. In such a case, what can the Health department do? All Legislative Council Members may probably know that the water in the drain is stinking. What the Health Officer does is, he takes the assistance of the special engineer; and they both must devise some method and we have every hope that the Kelly's drain will flow over into the Coom. Of course, the head of the Agricultural department may be an expert; so also the head of the Engineering department; but they should put their heads together and consider what best they could do for the people of the Province. Otherwise, there would be non-co-operation and non-co-ordination. I am for co-operation. This Economic Council on a larger scale is a necessity. Why should it be postponed? We, who belong to all parties, should serve the country, i.e., humanity. I say that the Justice Party is serving humanity thousand times better than any other party. Every one, whether belonging to the Justice Party or Swarajist Party, all of us are having as our goal the elevation of our country. Justice Party thinks of the elevation of the country and of the community; without the elevation of the community there cannot be the elevation of the country. What about the Adi-Dravidas whom the Hindus did not allow to come within ten yards of their houses?

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Now on account of the Justice Party, one of the members of the community was received by the King Emperor in Buckingham Palace. If the Justice Party had not sacrificed everything that belonged to them for the elevation of the communities, do you think that so many of the depressed classes, backward communities, and even the Muslims would have come to the state in which they are at present? Where were they fifteen years back? And what is their position to-day? So, why should we deprive the people from getting advantages under the Raja of Bobbili's scheme of economic improvement? I always had an admiration for the I.C.S. officer because whenever he comes to occupy a place even for one hour, he thinks he is going to occupy it permanently and propounds schemes and lays down policies. What he does is, he thinks he should do something good to the people and the place while he is there. Now, the Hon. the Raja of Bobbili has taken a leaf from these I.C.S. officers and I am very glad for it. He does not care for himself. He says: whether I am to continue as a member or not I will see that the country prospers. Sir, the Justice Party has revolutionized the whole country and laid down certain policies. Dr. Subbarayan when he became a Minister, in addition to what he did, took them up and accomplished them in a splendid way possible. So when a party comes into power, whether it is the Swarajist Party or the Justice Party, we politicians should do some substantial good to the country. That should be our aim. They say, they want Swaraj. Justice Party wants Swaraj as well. They (the Justice Party) want all the highest political privileges that they could get under the British Empire. They are not behind the Swarajists in their aims. It should be the aim of every politician not to think that he will continue to be in power till the scheme he projects ripens. "Work we have the right to, but not to the fruits thereof," has been the policy of the Justice Party from the commencement. Thousands of the people were benefited through Justice Party; nay the whole province. Did they care for the fruits when they were defeated? They had the satisfaction, namely, that it was the one Party which elevated all the communities and made the country fit for Swaraj under the British Government. Of course, the Hon. the Raja Sahib of Bobbili is a democrat of democrats. In the Estates Land Act, he made zamindars sacrifice everything for the sake of ryots. If there are only ten Tamil newspapers to do propaganda work, I am sure a temple would have been built for him by the people of Madras Presidency. Tolstoy laid down his principles not with the intention that he is going to live to see present Russia. What about the Inams Bill? Here again he has sacrificed his zamindari inam rights for the sake of the ryots."

Mr. U. C. SUBRAHMANYA BHATT:—"On a point of order, Mr. President, all this does not seem to have a bearing on the discussion of this demand."

* The Hon. the PRESIDENT:—"I think the hon. Member is trying to explain in his own peculiar method."

Diwan Bahadur C. NATESA MUDALIYAR:—"Sir, a tried politician and a tried democrat as Raja Sahib of Bobbili is, he cannot but do

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everything that is good to the people. Sir, if there is one man whom the ryots of the whole Presidency should worship to-day, it is not the Swarajist, but it is the Raja Sahib of Bobbili. With these few words, I resume my seat."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, on hearing these speeches one wonders whether he is in the Legislative Council or on the political platform. The speech just delivered by my hon. Friend, Dr. Natesa Mudaliyar looks like an election speech."

Diwan Bahadur C. NATESA MUDALIYAR:—"Such speeches were made, Sir, and so I made such a speech."

Mr. M. S. SRESHTA:—"However, I am not going to deal with that point now. Sir, to most of us the motion for a token demand was a surprise. We do not understand whether anything was behind it, or as my hon. Friend, Mr. Ramalinga Reddi says, there is nothing behind it or there was too much behind it. The difficulty we feel is that we are unable to come to a decision as to what we should do. We were therefore very glad when the Raja of Bobbili explained to us exactly what was behind his mind. He has told us that his intention is to develop the country and so far as I can see, what he means is, he wants the co-ordination of the efforts of the various departments. To that extent, I must admit we must all agree to the establishment of this Council so that there may be co-ordination of the efforts of the various departments. Now, each department works as it were in a water-tight compartment and we often find one member saying, that is not a question for me and so on. Therefore, we find difficulty in getting the information we want and also we find difficulty in pushing the schemes we have in mind. It is therefore desirable that there should be co-ordination of effort."

"I would like to point out another instance. The Hon. the Finance Member, I think, finds the burden on him very heavy. He has got to consider the demands made by the Members and Ministers and ultimately come to a decision. When the question of broadcasting arises he knows something about wireless and sanctions it. But when an application is made for Ceramic Industry, he says it is all waste of money, it is all nonsense; and so the post of Ceramic expert is retrenched. Or, it may be a question of a fish trawler. For years much money has been spent in this province in pushing forward deep sea fishing industry. All that goes now. I do not know who is responsible for it. The Finance Department says that the fishing trawler is a very expensive item and that it may be sold; and after many years of experience and after spending a lot of money, the trawler is sold away for a song. There are many such cases to my knowledge. In fact I was once on the Finance Committee and I felt very helpless in the committee and there have been many cases in which I felt something must be done and ultimately some decision is arrived at which is not satisfactory to all concerned. In matters of this sort, it is desirable that there should be a regular committee to go into all the questions concerned, so that we may see how we can retrench one scheme and spend on another

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important scheme, as the Hon. the Raja of Bobbili said, cut out something from higher education and spend it on elementary education, and so on. There may be many questions of this sort which may be disposed of by such a Council.

"Then comes the question: is the machinery which is proposed to be formed going to effect these things? In this connexion I may be permitted to say, it would be better if the Members and Ministers of the Cabinet could get together, talk it over with their Secretaries and decide the question instead of such a huge Council being constituted. Only for purposes of co-ordinating the activities of the various departments, is it necessary to have such a huge committee of 11 or 12 members, drawing away all the heads of departments from their regular duties; and also appointing some fifteen non-officials and incurring very heavy expenditure on account of their travelling allowances—that is only the thin end of the wedge, but there may be other expenses—Is all this justifiable merely for the purpose of deciding how much you can add to one item or subtract from it. If that is all the object, such a committee seems to me to be unnecessary.

"I find very little said about how money is to be raised. It has been said that no part of the money which comes from the Central Government is to be spent on any of the schemes except perhaps on roads. But how are you going to carry on the work?

1 p.m. "Suppose a very big scheme is thought of, such as a sugar factory, a cement factory or the ceramic factory. These are industries which have been proved to be useful and profitable. How are you going to raise money? I was hoping that the Raja Sahib would tell us what the schemes are and how he was going to find out money, how the necessary money could be raised, either by getting loans from the Central Government or by local debentures. No such scheme has been put forward by the Raja Sahib, we are going to find out not only how to economize our new schemes; we are also going to find out how we can finance very big schemes that are before us and ought to be before us. If he told us some ways by which he is going to collect money, I think we would be quite ready to approve of his policy. We are not satisfied with the information given to us. If all the cards are placed on the table, if all information is placed before us, we would be able to consent. I heartily support the recommendation made by my hon. Friend, Mr. Reddi, that the matter be adjourned till October; there is no particular hurry. This matter has waited for years; in fact one of the charges made against the Ministry is 'why they waited till this moment; why have they brought it just on the eve of elections?' That is the question; it is a very natural question. I must admit at the same time that there is much to be said for the Raja Sahib's suggestion. We on this side, to whichever section we may belong, have been moderate in our criticisms; our moderate demand is that we put this off till October by which time the Hon. the Chief Minister can give us details of the schemes he has in view and as to how the money necessary may be realized. The Tiruttani speech gave a very good account of the proposed schemes; in that speech he referred to a 10-year

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plan; the plan is very good. But why stop with cottage industries; why not have large scale industries? There is advantage in starting big industries. All the schemes suggested by the Raja Sahib are schemes which take away money from us; they are not giving us money. By starting a Government sugar factory, a glass factory and a porcelain factory, we can get money. The Hon. the Chief Minister must have read recently the speech of the Diwan of Mysore in which he has gone into all the big schemes which are being carried on in Mysore. Many of those schemes are very remunerative. For the first time I had the opportunity of visiting some of the factories recently and I may express the opinion that they are all working well and they are bringing considerable profit to the Government. * I was wondering why in the Madras Province—we call ourselves enlightened—we have no glass industry and no porcelain factory. Insulators required in this Province may be made locally; certain districts were surveyed recently; we have all the necessary materials. With the expenditure of a small sum of money, very good factories can be established in some of the districts. I do not want to mention these districts because it may be said that I am burning with local patriotism; only certain districts are suited for that purpose. If the Government launch remunerative schemes, they would bring in much profit. For many years we have been following a *laissez faire* policy and we have allowed things to drift, because in Great Britain that policy is followed. As I explained on the floor of the House, some time back there is historic justification for Great Britain following that policy. In England industrial concerns were already flourishing when the Parliamentary system of Government was introduced; there was no necessity therefore for any aid to industrial schemes. It is otherwise here. It is necessary that the Government should abandon the policy of *laissez faire* and adopt the policy of supporting these industries; I should like that the schemes brought forward by the Hon. the Chief Minister should include schemes for big scale industries which would bring in lots of money.

"I must, in this connexion, refer to the question of elementary education; the department itself can go into the whole matter; what is the necessity for the Economic Council to go into elementary education? I should think that the Education Department is best able to deal with educational matters. It is possible that this Council will approve of the Hon. the Chief Minister's scheme; but we ask for further information, more detailed information not only as regards how you are going to spend money but also as regards how you get money. With these words I strongly support the remarks made by many Members of this House and I trust that our request that the matter be deferred till October will be complied with."

* Mr. C. BASU DEV:—"Mr. President, Sir, if I rise at this late stage to intervene in the debate, it is not because I am presumptuous enough to think that I can add anything to the very detailed and exhaustive reply of the Hon. the Chief Minister to the criticisms levelled against the proposal to establish the Economic Council. With all my respect for the various Members who have spoken on this question, I must say

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that criticism against the institution of the Economic Council is definitely partisan. I have heard the rhetorical feast of the hon. Member from Chittoor and I cannot but characterize his speech also as deliberately partisan. What is it that this proposal asks for? It only asks that some institution may be created by which co-ordination of the activities of the various departments may be made. Practically the whole House is unanimous in the opinion that at the present time co-ordination of the activities of the various departments is lacking. If there is any measure of co-ordination, that, certainly, is not adequate or satisfactory. If it is the unanimous opinion of this House—supported by the opinion of my hon. Friend, Mr. Sreshta, from Mangalore—that there should be very effective co-ordination of the activities of these departments, I fail to understand how Members are justified in voting against the institution of the Economic Council. At the present moment there is nothing that can prevent either the Hon. the Chief Minister or other Ministers or any Member of the Government consulting all the heads of departments. The proposal now is that the Government may have the privilege and the advantage of having expert non-official opinion. I am sorry I have to repeat my argument. I say that the Government are at perfect liberty without incurring the least expenditure to call for a conference of the heads of departments, as often and as many times as they like. In carrying out the efforts of the various departments and in adumbrating the proposals for the benefit of the rural masses, all the departments may be asked to participate. It may be that, when we are considering some proposal about the Veterinary Services, the Commissioner of Labour need not be present. But the Economic Council will be as exhaustive as possible. It must compose of all heads of departments who work for the uplift and amelioration and advantage of the rural masses. Some hon. Members have felt considerable nervousness and they stated that if they accepted the principle of appointing the Economic Council, they would be committing themselves to the rest of the details of the programme which this Council may hereafter adumbrate. I may point out at once that every proposal which the Economic Council may put forward will certainly be put before this House to be examined thoroughly and critically by all the Members and parties of the House. Not a single project will be carried on not a single pie spent without the consent of this House.

“Some point has been made about the recommendations of the Council being only advisory in their character. Hon. Members ought to know that no Government worth the name would abdicate their right to carrying out their programme; they cannot hand over this function to any body which the Government themselves might create. It is left to the Government to accept or not to accept the proposals made by the Council which they might appoint. My hon. Friend for the City of Madras, Dr. Natesa Mudaliyar, has very aptly and relevantly pointed out to the wasteful expenditure incurred by the Corporation of Madras till very recently. I know, Sir, of cases where the Engineering Department would lay the road and the Drainage Department would dig it up for laying drainage pipes. At the instance of some Councillors like

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my friend, Dr. Natesa Mudaliyar, the Commissioner of the Corporation thought it fit to consult every head of department before any scheme was taken up. What the Government are now trying to do is just what the Corporation of Madras has been doing for some time past in a humble sphere.

“The hon. Member from Chittoor said that the Hon. the Finance Member was co-ordinating the activities of the various departments. I must confess that my knowledge of the working of the Cabinet or the functions of the various Members of Government is certainly very little and meagre. But as far as I know, the Hon. the Finance Member was doing his best to go into the demands of the various departments, find out the urgency of these demands and grant as much money as he could. I do not think that till now the Hon. the Finance Member has done anything by way of bringing together all the departmental heads to find out how far any particular measure is necessary or how far a particular measure is calculated to promote the general happiness of the people of this Presidency or attempt at any co-ordination of these departments. One hon. Member asked what has the Director of Public Health to do with regard to elementary education. Education—whether it is elementary, secondary or collegiate—would be absolutely useless without a definite plan. We are producing graduates, S.S.L.C. holders whether eligible or ineligible; we are producing men with varying degrees of academic qualification passed intermediates, failed intermediates, passed B.As. failed B.As. All these persons with varying qualifications rush in competition even for attenders' or a constable's post. The present educational system of our country is bad without any planning and has no purpose. If only the various departments can come together, find out, exchange views and see to what extent educated people of different classes are required, certainly there would not be such an unhealthy rush and competition for appointments. There are hundred and thousand ways in which the activities of the various departments when co-ordinated result in an effective treatment of the rural masses of this Presidency. For a long time especially after the unprecedented depression, the condition of the rural masses has been persistently forcing itself upon the attention of the Government. In response to this insistent demand of the masses, the Government have come forward with this proposal. If one has any quarrel with the Government, it is not because that they have come out with this proposal, but that they woke up so late in the day. Better late than never. This is a salutary proposal; I hope the whole House will accord to it an unanimous vote.”

* Dr. P. SUBBARAYAN:—“Mr. President, I do not think the Hon. the Finance Member when he put forward this proposal for a token grant gave us any indication of what was behind the proposal except a reference to the note which has been circulated which says that they wanted some travelling allowance to non-official experts who were going to advise the Economic Council. That was the reason why I asked that some hon. Gentlemen representing the Government might give us an idea of what lies behind the proposals. I am afraid even,

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after the Hon. the Chief Minister chose to give us the idea of what was behind the Economic Council, we have not got any clear idea of the scheme. We knew to some extent what was in his mind because he laid it bare at the Conference which he opened at Tiruttani. But even after the speech, I am not satisfied that at this late stage of this Council—this Council has certainly outlived its time not by one or two years but by three years—we ought to be launching on a venture like this which may mean an investment of crores of rupees. The hon. Gentleman himself said that he had proposals for road development and that other provinces were going ahead of us. There were the United Provinces and the Punjab who had borrowed pledging their security of the petrol tax. As the hon. Gentleman from Chittoor, Mr. Ramalinga Reddi, said, is it right, when we have outlived our time, to pledge a security which might be a useful one in the hands of the future Government? Is it right for a Government which has outlived its time and does not enjoy the confidence of the electorate, to put forward a scheme like this? The election to the Assembly and the Legislative Council has shown beyond doubt that they do not enjoy the confidence of the electorate. It was said that they were not serious in opposing the candidates for the Assembly elections. But when the elections for the local Council came off, the three Hon. Ministers met on a platform in opposition to the Congress candidate. What was the result? The electorate returned her by a big majority. It certainly shows that, as far as the electorate is concerned, they have lost its confidence. Therefore, is it time for the Government to launch on this kind of schemes which may mean crores of rupees just at the fag end of the Council? I do not think it is treating the constitution fairly or that you are making conditions propitious for the future reforms, if you are going to pledge the credit of the country in this manner just at the fag end of the Council.

"I fear the Hon. the Chief Minister has not given us enough details for the setting up of the Economic Council. I would like to ask the Hon. the Chief Minister whether it is not possible even now to co-ordinate the activities of all the departments concerned without inaugurating a Council of this kind. Besides, I find from the papers that the Hon. the Chief Minister is to be President of the Council. Neither of his colleagues, the Hon. the Minister for Public Works or the Hon. the Minister for Education, finds a place in this Council. When a scheme of improvement of elementary education and of spreading it in a manner not undertaken during the last four years, is to be introduced, I, for one, would like to ask why should not the Minister in charge of the subject be on the committee. I feel if anybody understands the problem, he ought to be able to understand it far better after long years of office. He has his own educational advisers in the person of the Director of Public Instruction. I am sure that they have schemes for the spread of elementary education and would give the committee advice on a scheme of that kind. But I ask what his voice is in a Council of 11 which consists of the Director of Veterinary Services, Director of Industries and such other luminaries of this type, who perhaps have not understood what elementary education means.

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"I am sure the Hon. the Chief Minister will not lose anything by agreeing to the postponement which has been asked for by my hon. Friend the member for Chittoor, so that the House may consider the proposals when the Government are able to place before it definite schemes for this Economic Council and also what would be the ultimate expenditure that may be undertaken if such a scheme were propounded by the Economic Council. I am sure he will be doing the right thing if he and the other Members of Government would give a certain amount of time for the members of this House to digest the proposals that may be put forward in a manner which they have not as yet chosen to do. I would therefore appeal to the Hon. Gentleman the Finance Member that this motion may be postponed to the next meeting of the Council. Three months are not going to mean much. If really they meant business, they could have done it long ago. It is two and a half years since the Chief Minister took office. He might have taken a year to prepare the scheme and might have presented it to us even a year ago. When he has waited for a year, I do not think he will lose very much if he waits for three months. Then we shall not be accused of venturing into oceans without knowing where we were going."

Mr. M. A. MUTHIAH CHETTIYAR:—"Mr. President, Sir, an important question of policy has been placed before the House in the shape of a mere token grant which has all the appearance of a formal motion but the discussion which has taken place has to a great extent brought out its importance. I am glad that the Government have recognized that schemes for the economic and educational uplift of the country are to be dealt with more effectively than hitherto; but I think the proposed Economic Council does not raise much hope in that direction. We read something about this in the newspapers and we thought that we would get some further information from the note. It is very short, and one cannot find anything referred to therein except the payment of some travelling allowance. No doubt the Hon. the Chief Minister gave out some of his proposals at Tiruttani; but I do not know whether those views are his own or those of the Government as a whole. I hope they are the views of the Government as a whole. Only in that event there is some chance for the scheme to be pushed through. I confidently hope that most of them may be accepted by the Government. I would have wished that the Hon. Minister explained the proposals in detail to enable us to participate in the discussion and also agree if possible to the demand.

"As for the formation of the Economic Council, with the meagre details before us, I am afraid, it is too premature to decide whether an Economic Council is necessary. I do not think that the co-ordination of departments could not be achieved otherwise than by the formation of the Council. They might have a Standing Committee and they might ask that the heads of departments might be present at the meetings of the Committee to present their case. If it is the intention of the Government to collect statistics, I can understand their constituting a Council for the purpose of collecting statistics with regard to various economic issues and problems.

[Mr. M. A. Muthiah Chettiyar] [5th August 1935]

"The most important question is the question of finance; I thought that the Hon. the Chief Minister would at least be able to tell us what amount of money he requires for the first or second year of his plan. Indeed, we would not ask for particulars of expenditure for all the ten years involved in his programme. He was able only to point one item of expenditure, namely, the extension of the road system of this province. The question of utilizing 16 lakhs of rupees from the petrol bounty for this purpose, instead of distributing it to the famished district boards and municipalities is one which will call for serious attention. The revenues of these local bodies have been seriously affected by the abolition of the toll gates and if they are not to get any help, some of them may be reduced to the bankrupt condition of the old taluk boards. I believe the Hon. the Finance Member does no doubt realize the importance of this question more than anybody else. I hope in the interests of finance, this motion will be brought at the next meeting of the Council when we shall have more particulars about the scheme and may be able to understand the financial implications of our votes. With these words, I strongly support the appeal of my hon. Friend from Chittoor and the hon. the Leader of the Opposition that the consideration of this demand be adjourned to the October meeting of the Council."

* Mr. P. PEDDI RAJU:—"Mr. President, Sir, with your permission, I want to move that the consideration of this motion may be postponed to the October meeting. Though several of my friends have suggested the postponement of this question to the Government, there has not been a motion to this effect. I only want to say a word or two about the motion under discussion. All my friends have expressed their views and the plea of the Members on this side of the House is that the Government have not placed the matter in sufficient precision before the House so that it may appreciate the work which is going to be done by the council. As pointed out by several of my friends, heads of departments can be asked to put forward tentative schemes before the Government and all the departmental heads can come together, discuss these matters and then place them before the Government. The departments of the Government, Finance Department included, can consider these proposals together and can frame a rough estimate of the cost, so that the House may be in a position to discuss the question properly. With these remarks, I move that the consideration of the subject be postponed to the October meeting of the Council."

Mr. Nachiyappa Gounder seconded the motion.

* The Hon. Mr. G. T. H. BRACKEN:—"Mr. President, Sir, two criticisms have been directed against me to-day; first of all that I am only a party in a binami transaction, and secondly that I proposed this motion in a record short speech. I am afraid the two hon. Members must have overlooked the constitutional position in regard to this motion. This expenditure affects both the Reserved and Transferred halves, and the expenditure is actually debited to a Reserved subject.

5th August 1935] [Mr. G. T. H. Bracken]

Therefore, although the subject may principally concern my Hon. Friend, the Chief Minister, it is necessary for a Member of the Reserved Half, the Finance Member, to make the motion. So, there was nothing unusual. It was only following the established practice.

"Well, Sir, an appeal has been made to the Government to postpone this motion until October. I think that recommendation is made under a misunderstanding. All that the House is now asked to be committed to is a token grant for the travelling allowance of this Economic Council until October. There is no more commitment of any description."

Mr. C. RAMALINGA REDDI:—"May I ask whether that will not involve the acceptance of the principle by the Council if it is to grant the travelling allowance?"

* The Hon. Mr. G. T. H. BRACKEN:—"The idea of this token grant is that it brings the Economic Council into being so that it may consider what its constitution should be, what its functions should be and so on, and put forward some sort of scheme for the Government to bring before the Council before October next. The Council is not to be committed to any expenditure whatsoever except this trifling amount for travelling allowance. Therefore the Government are in effect doing what the Leader of the Opposition and other Members have asked for. They would put all the information before the Council, and if necessary move a supplementary demand committing this House to the expenditure. I hope, in October, at any rate not later than the meeting in January. That I think ought to meet the wishes of hon. Members of the House. Unless the Economic Council meet and put together some schemes, there is really not much to put before the House. So it is very much better that they should meet in the short interval, and the House can then decide whether it is worth while continuing the Economic Council or considering any of the schemes that the Council may put forward. That, Sir, is the main point.

"There are a few minor points to which I would like to make a brief reference. It has been said that there is really no need for co-ordination. I beg to differ from that. (Mr. G. Rameswara Rao: 'By a new body.') The Government consider that possibly the Economic Council may be really useful as a co-ordinating authority. I will take an example, viz., marketing. Now, marketing is one of the most important matters that can be dealt with at present affecting more than one department, viz., the Department of Agriculture and Co-operative Department; it affects to some extent the Reserved Half. I only give that as an example where co-ordination is possible. My hon. Friend on the front bench opposite spoke about Irrigation Board. I think he asked what has become of all the schemes for the development of minor irrigation tanks. I think he must have overlooked the fact that as much as Rs. 14 lakhs has been put into the budget this year and that a total sum of about Rs. 50 lakhs has been earmarked for this purpose. Various hon. Members have asked how the scheme is going to be financed, and that is a matter, of course, I am particularly interested

[Mr. G. T. H. Bracken] . [5th August 1935]

in. Well, until we have got some scheme before us, there is no use going into the question of finance, and therefore it is most important that we should get some schemes before us by October so that if necessary and if it is possible money may be provided for in the budget. That is really the urgency of this Economic Council. If we leave it till October, it will be too late for the Economic Council to consider anything for the next budget. Therefore, it is very much better that they should begin their labours at once, and I understand that their first meeting is likely to take place by about the middle of this month.

"My hon. Friend, the Member from Chittoor, dealt with the constitutional position. He took the position that it was not right to commit future governments to any big scheme of this kind. But I would like to put another point of view before him. In about eighteen months or so, I suppose a new and possibly an inexperienced ministry will come into being. I think it will be of great assistance to that new ministry to have an experienced body like the Economic Council to advise them on any new scheme. Of course, if they wish they can scrap the Economic Council a day after they come into office. I think that would be very unlikely. On the other hand, they may be glad to have such a body to advise them. Therefore, I do not consider that there will be any constitutional impropriety in bringing forward this scheme which after all is likely to last for eighteen months before the new Constitution comes in.

"In conclusion, I would like once again to emphasize the point that by this vote the Council is committing itself to nothing except meeting the travelling allowance of the Economic Council, and the real business will come up as soon as the Government are in a position to place the whole scheme before this Council which I hope will be in October."

* The Hon. the PRESIDENT:—"I will first put Mr. Peddi Raju's motion to the vote of the House. The question is:

'That the consideration of this motion be postponed to the October meeting.'

The motion was declared lost.

Mr. P. Peddi Raju demanded a poll, which was taken with the following result:—

Ayes.

- | | |
|---|-------------------------------------|
| 1 Dr. P. Subbarayan. | 14 Mr. T. Narasa Reddi. |
| 2 Mr. K. R. Venkatarama Ayyar. | 15 " A. Ramakrishna Reddi. |
| 3 Diwan Bahadur T. A. Ramalingam Chettiyar. | 16 S. M. K. Beyabani Sahib Bahadur. |
| 4 Mr. T. S. Ramaswami Ayyar. | 17 Mr. H. M. Jagannatham. |
| 5 " V. T. Arasu. | 18 " V. P. Narayanan Nambiyar. |
| 6 " A. B. Shetty. | 19 " G. Rameswara Rao. |
| 7 " P. Peddi Raju. | 20 " U. C. Subrahmanya Bhatt. |
| 8 " K. A. Nachiyappa Gounder. | 21 " C. Ramalinga Reddi. |
| 9 The Pattagar of Palayakottai. | 22 Mrs. A. Rukmani Lakshmi pati. |
| 10 Mr. M. A. Muthiah Chettiyar. | 23 Mr. C. Obi Reddi. |
| 11 " M. S. Sreshta. | 24 " K. P. Raman Menon. |
| 12 " J. A. Davis. | 25 " P. M. Thangal. |
| 13. Rao Sahib V. I. Muniswami Pillai. | 26 " C. R. Parthasarathi Ayyangar. |
| | 27 " K. Koti Reddi. |

5th August 1935]

Noes.

- | | |
|------------------------------------|-------------------------------------|
| 1 The Hon. Sir K. V. Reddi Nayudu. | 27 Mr. J. M. Smith. |
| 2 " Rao Bahadur A. T. Pan- | 28 " F. J. Stanes. |
| nirselvam. | 29 " G. Simhachalam Pantulu. |
| 3 " Mr. C. A. Souter. | 30 " W. P. A. Soundara Pandiyan. |
| 4 " Mr. G. T. H. Bracken, | 31 " P. K. Ramachandra Padaya- |
| c.s.i., c.i.m., I.C.S. | chi. |
| 5 " Diwan Bahadur S. Kuma- | 32 Rao Sahib V. Dharmalinga Pillai. |
| raswami Reddiyar. | 33 Rao Bahadur D. Krishnamurti. |
| 6 " Mr. P. T. Rajan. | 34 Sriman M. G. Patnaik Mahasayo. |
| 7 " Sir the Raja of Bobbili. | 35 The Maharaja of Venkatagiri. |
| 8 Diwan Bahadur C. Natesa Mudali- | 36 The Zamindar of Mirzapuram. |
| yar. | 37 The Zamindar of Bodinayakanur. |
| 9 Mrs. K. Alamelumangathayaramma. | 38 Mr. Daniel Thomas. |
| 10 Mr. Scott Brown. | 39 " G. Sriramulu. |
| 11 " H. R. Usielli. | 40 " J. Kuppaswami Choudari. |
| 12 " C. E. Jones. | 41 " C. Indriah. |
| 13 " G. T. Boag, c.i.m., I.C.S., | 42 The Zamindar of Kirlampudi. |
| 14 " R. Madanagopal Nayudu. | 43 Rao Sahib C. Jayaram Nayudu. |
| 15 " T. B. Russell. | 44 " Pandit Ganala Rama- |
| 16 " T. Sundara Rao Nayudu. | murti. |
| 17 Khan Sahib Syed Tajudin Sahib | 45 Mr. K. Kesavaramamurti Nayudu. |
| Bahadur. | 46 " C. Basu Dev. |
| 18 Rao Bahadur R. Srinivasan. | 47 Rai Sahib C. Kolanda Reddi. |
| 19 Diwan Bahadur A. Appadurai Pil- | 48 Diwan Bahadur S. Ellappa Chetti- |
| lai. | yar. |
| 20 Mr. M. Devadasan. | 49 Rao Sahib P. Subrahmanyam |
| 21 Rao Sahib N. Sivarej. | Chetti. |
| 22 Sir William Wright. | 50 Mr. I. C. Iswaran Pillai. |
| 23 Mr. D. M. Reid. | 51 Diwan Bahadur M. Gopalaswami |
| 24 " P. C. Moses. | Mudaliyar. |
| 25 " P. V. Rajagopala Pillai. | 52 Mr. Mahboob Ali Baig. |
| 26 " V. G. Vasudeva Pillai. | 53 Rao Sahib D. V. Narasimhaswami. |

Neutral.

- | | |
|-----------------------------------|--------------------------------|
| 1 Mr. M. Vedachala Mudaliyar. | 3 Mr. G. R. Premayya. |
| 2 Diwan Bahadur C. S. Ratnasabha- | 4 " P. V. Krishnayya Choudari. |
| pati Mudaliyar. | |

Ayes 27. Noes 53. Neutral 4.

The motion was lost.

The Hon. the PRESIDENT:—"Is Mr. Shetty pressing his cut motion?"

Mr. A. B. SHETTY:—"No. Sir."

The cut motion was by leave withdrawn.

* The Hon. the PRESIDENT:—"I will now put the main Demand to the vote of the House. The question is:

'That the Government be granted a further sum not exceeding Rs. 100 under Grant XXVII—Miscellaneous Departments—Reserved.'

The motion was carried and the grant was made.

[5th August 1935]

(3) GRANT XXXVII—EXPENDITURE IN ENGLAND OTHER THAN ON STORES—RESERVED AND TRANSFERRED.

4-45 p.m. The Hon. Mr. G. T. H. BRACKEN:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I move—

'that the Government be granted a further sum not exceeding Rs. 200, under Grant XXXVII—Expenditure in England other than on Stores—Reserved and Transferred.'

"Sir, the reasons for this motion are explained in the accompanying memorandum.^a A sum of Rs. 140 only is required and that probably only for this year. It is intended to do something to meet the slump in coffee, but is really a token of sympathy with the other Governments who are undertaking to contribute towards this scheme."

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

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

VIII.—PAPERS LAID ON THE TABLE.

^a 1 G.O. No. 210, Finance, dated 27th March 1935, regarding certain corrections in the first edition of the Civil Budget Estimates, 1935-36.

^c 2 G.O. No. 225, Finance, dated 2nd April 1935, regarding the constitution of Finance Committee for 1935-36.

^d 3 G.O. No. 70, Development, dated 12th January 1935, regarding the Audit Report on the accounts of the Kerala Soap Institute, Calicut, for the year ended 31st March 1934.

^d 4 G.O. No. 294, Development, dated 25th February 1935, regarding the Audit Report on the accounts of the Cinchona Department, Ootacamund, for the year ended 31st March 1934.

^e 5 G.O. No. 395, Development, dated 13th March 1935, publishing certain rules under section 18 of the Commercial Crops Markets Act, 1933.

^f 6 Notification regarding the bifurcation of the Vizagapatam District Board.

^g 7 G.O. No. 304, Development, dated 27th February 1935, publishing certain rules under section 4, sub-section (1) of the Madras Commercial Crops Markets Act, 1933.

^h 8 G.O. No. 370, Development, dated 9th March 1935, regarding the Audit Report on the accounts of the Industrial Engineering Workshops, Madras, for the year ended 31st March 1934.

^a Printed as Appendix X at pages 136-138 infra.

^b Printed as Appendix XI at pages 138-143 infra.

^c Printed as Appendix XII at page 144 infra.

^d Printed separately.

^e Printed as Appendix XIII at pages 145-155 infra.

^f Printed as Appendix XIV at page 155 infra.

^g Printed as Appendix XV at page 156 infra.

[5th August 1935]

^a 9 List of posts on Rs. 500 per mensem and above created during the quarter ending 31st March 1935.

^b 10 G.O. No. 772, Development, dated 31st May 1935, confirming certain amendments to rule XXII, sub-rule (18) under the Madras Co-operative Societies Act, 1932.

^c 11 Un-official note No. 1725-D/35-2, Public Works and Labour Department, dated 28th May 1935, with reference to the answers given to questions Nos. 228, 743, 117, 547, 876 and 877 at the meetings of the Council held on 1st November 1933, 8th March 1934, 4th August 1934, 25th January 1935, 13th March 1935 and 13th March 1935, respectively.

^d 12 G.O. No. 727, Development, dated 20th May 1935, confirming an amendment to rule XXII (11) under the Madras Co-operative Societies Act, 1932.

^e 13 G.O. No. 399, Finance, dated 15th June 1935, regarding the nomination of Sir William Wright, O.B.E., M.L.C., as a member of the Finance Committee, 1935-36.

^f 14 G.O. No. 718, Development, dated 15th May 1935, publishing certain rules under clause (1) of sub-section (2) of section 18 of the Madras Commercial Crops Markets Act, 1933.

^g 15 Notification regarding the exemption of motor vehicles belonging to the members of the Southern Provinces Mounted Rifles Auxiliary Force (India), resident in Travancore for the period of their stay in British territory in connexion with their annual camp at Coimbatore in July 1935, from payment of tax.

^h 16 Appropriation accounts of the Government of Madras for 1933-34 and the Audit Report, 1935, and the Auditor General's letter No. 61-Rep./8-35, dated 26th February 1935, containing his comments thereon.

ⁱ 17 Notification regarding the bifurcation of Guntur District Board.

^j 18 Statement of action taken on resolutions passed by the Council during the Fifth Session of the Fourth Council.

^k 19 Statement showing additions and reduction in non-voted appropriations sanctioned during the year 1934-35.

D. K. V. VARMA,
Acting Secretary to the Legislative Council.

^a Printed as Appendix XVI at pages 157-158 infra.

^b Printed as Appendix XVII at pages 158-159 infra.

^c Printed as Appendix XVIII at page 160 infra.

^d Printed as Appendix XIX at pages 160-161 infra.

^e Printed as Appendix XX at page 161 infra.

^f Printed as Appendix XXI at pages 162-171 infra.

^g Printed as Appendix XXII at page 172 infra.

^h Printed separately.

ⁱ Printed as Appendix XXIII at page 172 infra.

^j Printed as Appendix XXIV at page 173 infra.

[5th August 1935]

APPENDIX I.

[Vide answer to question No. 19 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 5th August 1935, page 26 supra.]

G.O. No. 581, Public (Services), dated 1st June 1934.

A tendency has been observed of late on the part of Government servants to sue or threaten to sue the Government in respect of matters relating to their conditions of service, etc., as Government servants. As this is apparently due to some misapprehension, the Government wish to make the legal position clear for the information of their servants.

Every person in the civil service of the Crown in India holds his office during His Majesty's pleasure, and it is a well-established principle of law that no suit or other proceeding will lie in a civil court against the Government at the instance of a Government servant in respect of any order affecting his conditions of service, or in respect of any disciplinary or other action taken against him in his capacity as a Government servant. If a Government servant feels aggrieved by any such order or action, his remedy is to appeal or to submit a memorial to higher authorities, subject to the conditions and restrictions, if any, prescribed by the rules applicable to his service. The Government therefore wish to impress upon their servants that recourse to courts to ventilate service grievances is improper and will be viewed with grave displeasure.

(By order of the Governor in Council)

E. F. THOMAS,
Acting Chief Secretary.

To all Heads of Departments including Collectors and District Judges,
.. the Departments of the Secretariat (all sections).

APPENDIX II.

[Vide answer to question No. 25 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 5th August 1935, page 33 supra.]

Name of Commissioner.	Previous experience.	Scale of pay in the regular list.	Pay drawn on the debit of appointment as Commissioner.	Scale of pay as Commissioner.	Pay drawn as Commissioner.		Conveyance allowance.
		RS.	RS.	RS.	Pay.	Special pay.	
1 Ghulam Nabi Sahib, B.A.	Superintendent, Development Secretariat (Permanent Deputy Tahsilidar).	200—20—400	280	200—20—400.	280	50	20
2 M. A. Rahman Sahib, B.A.	Permanent Assessor, Madras Corporation, Commissioner, Pudukottam Municipality.	75—5—150—10—200	110	125—10/2—175	125	..	15

5th August 1935]

APPENDIX III.

[Vide answer to question No. 29 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 5th August 1935, page 38 supra.]

(i)

G.O. Ms. No. 1739, L. & M., dated 17th April 1928.

Read—the following:—

Letter from the President, District Board, Ganjam, No. 437/D.B., dated the 27th February 1928.

Order—Ms. No. 1739, L. & M., dated 17th April 1928.

Road maistries are generally considered as day-labourers (cf. rule 272 of the Local Boards Manual). If these maistries are made to form part of a permanent establishment, while their wages are debited to 'petty supervision' under road maintenance, it will be difficult to resist their claims to travelling allowance, joining time, leave, etc., which, if allowed, are likely to affect the finances of the local boards considerably. The Government therefore consider that it is not desirable to create a permanent establishment of road maistries.

(By order of the Government, Ministry of Local Self-Government)

S. RANGANATHAN,
Deputy Secretary to Government.

To the President, District Board, Ganjam.
Copy to the Examiner of Local Fund Accounts.

(ii)

G.O. Ms. No. 930, L. & M., dated 11th March 1932.

Read—the following:—

From the President, District Board, Tanjore, No. 5852/31, dated the 17th November 1931.
From the President, District Board, Tanjore, No. 5852/31, dated the 23rd November 1931.
From the President, District Board, Tanjore, No. 5852/31, dated the 2nd December 1931.
From the President, District Board, Tanjore, No. 5852/31, dated the 21st December 1931.

Order—Ms. No. 930, L. & M., dated 11th March 1932.

The President, District Board, Tanjore, is informed that road maistries should be treated as day-labourers and not classed under 'Establishment'—vide rule 272 of the Madras Local Boards Manual.

[5th August 1935]

The appointment of maistries does not come within the purview of section 70 of the Madras Local Boards Act, 1920, as amended. So long as the provision made for petty supervision in estimates approved by the district board is not exceeded and so long as wages are not paid in excess of the rates sanctioned by the district board in the schedule of rates are separately, the District Board Engineer is competent to employ and discharge maistries as he finds necessary.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the President, District Board, Tanjore.
„ District Board Engineer, Tanjore.

Copy to all other Presidents of District Boards.
„ District Board Engineers.
„ the Inspector of Municipal Councils and Local Boards.
„ the Examiner of Local Fund Accounts.

(iii)

G.O. Ms. No. 1261, L. & M., dated 29th March 1933.

Read—the following:—

From the President, District Board, Tanjore, R.C. No. 3394 D.B. of 1931, dated the 18th March 1932.

Order—Ms. No. 1261, L. & M., dated 29th March 1933.

The proposal of the Tanjore District Board to include the posts of maistries in the schedule of permanent establishment entails on the district board the liability to incur extra expenditure by way of leave and other charges. These charges are avoidable and would therefore, if incurred, be surchargeable. Further the power of appointment conferred on the President by section 70 of the Madras Local Boards Act and the power to frame service regulations conferred on the district board by section 71 of the Act are subject to any rules which may be made by the Government. In explanation (2) to rule 4 of the Local Boards Provident Fund Rules issued with G.O. No. 4650, L. & M., dated the 2nd December 1931, maistries have been specifically declared to be temporary servants and to be not entitled to contribute to the Provident Fund. The Board's proposal also offends against subsection (2) of section 6 of the Madras Local Boards Act. Under the circumstances the Government see no grounds to reconsider their orders in G.O. No. 930, L. & M., dated the 11th March 1932.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the President, District Board, Tanjore.

[5th August 1935]

(iv)

G.O. Ms. No. 2739, L. & M., dated 11th July 1935.

Read—the following:—

From the President, District Board, Salem, R.O.C. No. 2632-35-B1., dated the 14th June 1935.

Order—Ms. No. 2739, L. & M., dated 11th July 1935.

The President, District Board, Salem, is informed that road maistries are generally considered as day-labourers (cf. rule 272 of the Madras Local Boards Manual). If these maistries are made to form part of a permanent establishment, it will be difficult to resist their claims to travelling allowance, joining time, leave, etc., which, if allowed, are likely to affect the finances of District Boards considerably. The Government, therefore, consider that it is not desirable to create a permanent establishment of road maistries.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To the President, District Board, Salem.

APPENDIX IV.

[Vide answer to question No. 32 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 5th August 1935, page 42 supra.]

G.O. No. 625, P.H., dated 19th March 1935.

In G.O. No. 1626, P.H., dated 29th June 1929, local boards were advised to consider the claims of medical practitioners in charge of rural dispensaries in connexion with the appointments of sub-assistant surgeons for the regular dispensaries whenever such rural dispensaries were converted into regular dispensaries. The Surgeon-General has now recommended that in the matter of filling up vacancies of medical officers in regular dispensaries in a district, the claims of medical practitioners in charge of rural dispensaries in the district should be considered in preference to new candidates who have no previous experience. The Government accept the Surgeon-General's suggestion subject to the condition that there are no local fund stipendiaries who are to be provided with appointments and that the rural medical practitioners concerned possess the requisite qualifications including the age-limit, for the time being in force for selection for admission to the service under the Local Government as Sub-Assistant Surgeons. The suggestion of the Surgeon-General as modified above is communicated to local boards for information and guidance.

[5th August 1935]

2. In this connexion, the attention of Presidents of District Boards is drawn to G.O. No. 1435, P.H., dated 5th July 1932. The qualification for selection for admission to the service of Local Government includes the qualifications as to age; and the appointment of persons who have passed the age-limit prescribed for Government Sub-Assistant Surgeons is irregular and objectionable. Further, under the rules contained in G.O. No. 1823, P.H., dated 3rd July 1934, these appointments should not be made except in consultation with the Surgeon-General.

3. The attention of chairmen of municipal councils is also drawn to these instructions.

(By order of the Government, Ministry of Local Self-Government)

R. SUBBAYYA,
Secretary to Government.

To all Presidents of District Boards
,, all Executive Authorities of Municipalities through Chairmen of Municipal Councils.
,, the Surgeon-General.
,, the Examiner of Local Fund Accounts.
,, the Inspector of Municipal Councils and Local Boards.
,, the Principal, Indian Medical School.
,, the Director of Public Health.

Copy to the Secretary, Rural Medical Practitioners' Association, Viraganur, Salem district.

APPENDIX V.

[Vide answer to question No. 36 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 5th August 1935, at page 45 supra.]

(i)

G.O. Ms. No. 1193, L. & M., dated 22nd March 1935.

The Government hereby constitute a Committee composed of the undermentioned gentlemen to recommend candidates for appointment as President and Commissioners of the Hindu Religious Endowments Board:—

- (1) The Hon'ble Mr. Justice M. Venkatasubba Rao.
- (2) Diwan Bahadur Sir Alladi Krishnaswami Ayyar, Kt.
- (3) Sri Raja Velugoti Sarvagna Kumara Krishna Yachendra Bahadur Varu, Kumararaja of Venkatagiri.

The Hon'ble Mr. Justice M. Venkatasubba Rao will act as Convenor and Chairman of the Committee.

2. Three Commissioners and the President have now to be appointed and the Committee is requested to recommend suitable candidates for these vacancies. The persons selected should possess the qualifications

5th August 1935]

prescribed in section 12 of the Madras Hindu Religious Endowments Act (Act II of 1927) (extract enclosed). The Government desire that the persons recommended should be below 55 years of age. The pay of the President and the Commissioners will be as follows:—

President, Rs. 900—50—1,200.

Commissioners, Rs. 600—50—800.

3. The applications and other communications so far received by the Government this year are forwarded to the Committee. The selection need not be confined to the applications received. The Committee may also consider whether it would be advantageous to appoint an officer in Government service—e.g., a Deputy Collector or a Subordinate Judge—to one of the vacant posts.

4. The Committee is requested to send its recommendations at a very early date.

(By order of the Government, Ministry of Local Self-Government)

R. SUBBAYYA,
Joint Secretary to Government.

To the Members of the Committee (with enclosures).

(ii)

GOVERNMENT OF MADRAS.

LOCAL SELF-GOVERNMENT DEPARTMENT.

[Madras Hindu Religious Endowments Board—Appointment of President and Commissioners.]

Applications are invited from persons professing the Hindu religion for appointment as President and Commissioners of the Hindu Religious Endowments Board. Applicants for the post of President should possess the qualifications specified in section 12 of the Madras Hindu Religious Endowments Act. Applicants should be under 55 years of age on 1st April 1935. Date of birth should be specified in the applications. Applications should reach the undersigned on or before the 8th April 1935.

R. SUBBAYYA,
Joint Secretary to Government.

(iii)

G.O. Ms. No. 2067 (6-3), L. & M., dated 14th May 1935.

Under sub-section (3) of section 12 of the Madras Hindu Religious Endowments Act, 1926 (Act II of 1927), the Government are pleased to appoint M.R.Ry. A. Kondappa Garu, B.A., B.L., as the President of the Madras Hindu Religious Endowments Board with effect from the 19th

[5th August 1935]

May 1935 or from the date of taking charge whichever is earlier, and the following gentlemen as Commissioners with effect from the dates noted against their names:—

- (1) M.R.Ry. E. V. Sundara Reddi Avargal, B.A., B.L.—16th May 1935.
- (2) M.R.Ry. T. G. Singaraveloo Pillai Avargal, B.A., B.L.—19th May 1935.

(By order of the Government, Ministry of Local Self-Government)

R. SUBBAYYA,
Joint Secretary to Government.

To the Acting President, Hindu Religious Endowments Board.

„ M.R.Ry. A. Kondappa Garu, B.A., B.L.
„ M.R.Ry. E. V. Sundara Reddi Avargal, B.A., B.L.
„ M.R.Ry. T. G. Singaraveloo Pillai Avargal, B.A., B.L.
„ the Accountant-General, Madras.
„ the Examiner of Local Fund Accounts.
„ the Reporters' Board.
Gazette.

(iv)

G.O. Ms. No. 2318 (21-S), L. & M., dated 12th June 1935.

Read—the following:—

G.O. No. 6 (S.), L. & M., dated 14th May 1935.

Order—Ms. No. 2318 (21-S), L. & M., dated 12th June 1935.

Under sub-section (3) of section 12 of the Madras Hindu Religious Endowments Act, 1926 (Act II of 1927), the Government are pleased to appoint M.R.Ry. E. Padmagirisa Ayyar Avargal, M.A., Deputy Collector, as a Commissioner of the Hindu Religious Endowments Board. He will draw an initial pay of Rs. 650 in the scale of Rupees 600—50—800. The Hindu Religious Endowments Board should pay the Local Government such contribution towards pension and leave allowances of M.R.Ry. E. Padmagirisa Ayyar Avargal, as may be payable under the regulations in that behalf in force for the time being.

(By order of the Government, Ministry of Local Self-Government)

R. SUBBAYYA,
Joint Secretary to Government.

To the President, Hindu Religious Endowments Board.

„ M.R.Ry. E. Padmagirisa Ayyar through the Collector of South Arcot.
„ the Board of Revenue.
„ the Revenue Department.
„ the Finance Department.
„ the Accountant-General, Madras.
„ the Examiner of Local Fund Accounts.
„ the Reporters' Board.
Gazette.

[5th August 1935]

APPENDIX VI.

[Vide answer to question No. 37 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 5th August 1935, at page 46 supra.]

(1)

From the Provincial Marketing Officer, Madras, dated 15th January 1935, No. Pdl. E-1-35.

[Monthly report for December 1934.]

I submit herewith my monthly report for the month of December 1934.

2. On the 1st I proceeded from Tuticorin to Madura where I attended by invitation a meeting of the Directors of the Madura District Paddy Sale Co-operative Society which had been started in April last. The Registrar of Co-operative Societies also was present at the meeting. Madura, Ramnad and Tinnevely are usually districts of insufficient production of paddy, and their full requirements are met by imports from Burma and local supplies from Tanjore and Trichinopoly districts. There should therefore be no great difficulty in being able to market the paddy produced in Madura. Any surplus produce can easily find an outlet in Pollachi and other places in the West Coast via Dindigul and in the black cotton areas of the Ramnad district via Aruppukkottai, Virudunagar and Sivakasi. The Society handled during the year over 3,500 bags of paddy belonging to its members, and made arrangements for their sale on a commission basis. The possible lines of the development of the Society were discussed with the Deputy Registrar and the Secretary of the Society. The need for standardization of weights and the issue of market reports of prices of paddy current in important centres of production was "considered." For the better working of such sale societies, certain facilities, as was pointed out in my last monthly report, are essential, and a decision on these points will have to be taken with the least delay possible. A separate reference has been made to the Registrar of Co-operative Societies in the matter. The Deputy Registrar of Co-operative Societies, Madura, suggested that a general body meeting of the members of the Society as also of the cardamom growers of the district would be convened later when the marketing problems of the two commodities could be considered in detail.

3. I returned to headquarters on the 2nd where I remained till the 11th attending to price reports and other returns received during my absence on tour. Agreeably to our suggestion, various branches of the Imperial Bank of India are sending from the middle of the month prices of important agricultural commodities current in different places in the Presidency. I also attended to the collection of figures of export of coriander and other details to supplement the information gathered while at Tuticorin.

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4. The export of coriander from the Madras Presidency has gradually been increasing as the following figures will show:—

	TONS.		TONS.
1929-30	... 153	1933-34	... 876
1930-31	... 196	1934-35, till the end of	
1931-32	... 396	December 1934	... 332
1932-33	... 801		

Over 80 per cent of the export from this Presidency goes to Ceylon, the remainder to Straits Settlements, Federated Malay States and Maldivé Islands in small quantities. The bulk of the export is from Tuticorin port, Masulipatam and Cocanada ranking next.

5. During the past eleven months, Ceylon imported about 3,180 tons of coriander, and of this nearly 1,890 tons were from British India. France and Morocco supplied about 1,250 tons and the balance by Burma and Russia in quantities not exceeding 10 to 20 tons. With a little more cleaning and grading of the produce, it should be possible to capture the entire market of Ceylon for Indian coriander. In flavour and oil content also the tests made by the Government Agricultural Chemist have shown that Indian coriander is as good as the Russian or Morocco coriander. The Director of Commercial Intelligence, Ceylon, was addressed to furnish the addresses of important merchants in coriander and also the prices at which the produce was usually purchased at the exporting countries. This information has been communicated to the Deputy Directors of circles where there is scope for extension of the area under coriander. The Co-operative Sale Society, Tuticorin, which now deals mainly with cotton, can take up coriander also. The society would be able to export about 4,000 to 5,000 bags every year.

6. On the 11th, I left on tour to Coimbatore and certain important places of rice trade and production in the West Coast. I also visited Challisseri, an important centre for arecanut trade in Malabar. I attended the Agricultural College Day and Conference at Coimbatore from the 13th to the 15th. Quite a number of papers on Agricultural Marketing were read at the Conference. I returned from tour on the 22nd and availed myself of the Christmas and New Year holidays.

7. At Coimbatore, I made enquiries about the trade in garlic regarding which a reference was pending. Garlic is cultivated in a fairly large scale in Coimbatore district. It is a crop highly susceptible to insect attack and vicissitudes of the season. The area in Coimbatore district has, however, nearly trebled during the past ten years. Garlic is cultivated in Coimbatore both as a summer as well as a cold weather crop. The former comes to the market in September and the latter in April. Usually in the months of December-January about 2,000 bags (8,000 mds. of 25 lb. each) of garlic are estimated to be available for sale in the Coimbatore district. The commission agents in Tiruppur, Coimbatore, Udampet, etc., accommodate the producers with loans and take delivery of the produce in anticipation of better prices. The price in December was ranging from Rs. 2 to Rs. 2-4-0 per maund which

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was considered low. The produce loses weight in storing. Bulk of the produce is therefore sold soon after the harvest in the neighbouring districts of Trichinopoly, Tanjore and South Arcot. It would be advantageous to the producer if the hot weather crop could be sold before the cold weather crop comes to the market.

8. A small quantity goes to Ceylon also. Exact figures are not available as it is not shown separately in the accounts maintained in the Customs office, Madras. In the figures furnished by the Director of Commercial Intelligence, Ceylon, it is seen that the Ceylon's total imports of garlic in the past 11 months amounted to about 1,100 tons. Her chief suppliers were Hongkong (526 tons), Straits Settlements (389 tons) and Italy (127 tons). From British India she imported but 52 tons. It will thus be seen that there is scope for capturing Ceylon's market for garlic also. Addresses of important merchants in Ceylon dealing in garlic with prices paid for the produce in the exporting countries were obtained from the Director-General of Commercial Intelligence, Ceylon, and the information has been communicated to the Deputy Director of Agriculture, VIII Circle, with the suggestion that samples of garlic produced in Coimbatore district might be sent to Ceylon to find out the suitability of the Coimbatore variety and obtain quotations. If a steady market can be created in Ceylon for garlic produced in Coimbatore district, it will tend to raise the price level of the produce locally.

9. In my tour in the West Coast, I visited British Cochin, Chowghat, Pattambi, Calicut and Tellicherry. The Deputy Director of Agriculture, VIII Circle, kindly accompanied me on tour. In these places, wholesale traders were interviewed and a general enquiry made as regards the present position of rice trade in the West Coast. Malabar has had always to import paddy and rice, and the deficiency was being supplied largely by Tanjore and Godavari districts supplemented by imports from Burma. A small quantity comes from Coorg also. But now the imports into the West Coast are almost wholly from Siam and Indo-China. Of the 49,238 tons of paddy imported into the Madras Presidency from Siam and Indo-China during the past three months, nearly 38,500 tons were for the West Coast. Of the 101,533 tons of Siam rice imported into the Presidency in the past three months, nearly 32,500 tons were landed in the West Coast. Siam broken rice is now available in the remotest villages of Malabar. Bulk of the paddy landed in Cochin is milled at Trichur, where there are about 20 rice mills, and from there sent by back-water canals to different parts of Malabar. Certain areas in Travancore as also the adjoining districts of Coimbatore and Salem draw their supplies from Cochin. There is no reason why the surplus produce in the Circars, Tanjore and Trichinopoly districts should not be diverted to Malabar. This question will be further examined when the northern districts are visited.

10. Challisseri, an important arecanut centre in Ponnani taluk, was also visited in connexion with a reference on the arecanut industry of Malabar. The total area under arecanut is estimated to be 73,000 acres in Malabar. Ponnani is an important taluk for arecanut with an area

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of about 19,000 acres under it. The crop is mostly irrigated in this taluk and the average yield is about 900-1,000 lb. of cured produce per acre. The dealers purchase the produce through middlemen and do the curing. The trade is mostly in split nuts. Commission agents and merchants from Palghat buy the produce from the dealers scattered about in the district. The chief market for Malabar betelnut is Bangalore. In South Kanara district, the average yield is about 1,500 lb. of cured nuts per acre and the chief market is Guzerat. The demand in Guzerat is for whole nuts. Madras market gets its supplies from Mysore.

11. About 200 to 250 thousand hundredweights of betelnuts are imported into the Presidency annually from Straits Settlements, Ceylon and Java. These are consumed mostly in the East Coast districts. The imported nuts, generally known as Singapore nuts, are of low quality compared with the Malabar produce. The imported produce is consumed largely by the middle classes. Imported betelnuts are subject to a duty of 45 per cent ad valorem, and yet its current price in Madras is about Rs. 3-12-0 per maund of 25 lb. while Malabar nuts sell at more than double the price. In the course of the last one or two years, the price of Malabar nuts has come down from about Rs. 12 to about Rs. 9 per maund of 25 lb. The price of other West Coast products like coconuts and pepper has fallen even more considerably. Due to the fall in price, certain amount of adulteration of Malabar nuts with the imported varieties is resorted to at the time of curing. There are possibilities of improvement in the cultivation of arecanut and its trade by the formation of co-operative organizations for supply of manure, grading and curing the produce and marketing. A more detailed survey of other arecanut areas and trading centres in the Presidency will be necessary for formulating definite proposals on the above lines.

(2)

From M.R.Ry. K. GOPALAKRISHNA RAJU Garu, Provincial Marketing Officer, Madras, to the Director of Agriculture, Madras, Pdl. No. E-2-35, dated the 20th February 1935.

[Monthly report for January 1935.]

I submit herewith my monthly report for the month of January 1935.

2. I remained at headquarters till the 18th of the month attending to routine works like compiling and checking of records of prices of different commodities received during my absence on tour. Price records were maintained for groundnuts and jaggery also from this month.

3. I had been to the Madras and Southern Mahratta Railway Office on more than one occasion in connexion with the grant of concession in railway freight on consignments of plantain fruits from important centres of production in our Presidency to certain stations in Northern India. The Madras and Southern Mahratta Railway have granted

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concessional freights which work out to about 30 per cent of the parcel rate in place of the 50 per cent which they were charging hitherto. The reduction asked for was for quarter parcel rates. The South Indian Railway have not yet quoted rates for exporting centres in their railway.

4. Mr. N. Madhava Rao of the Mysore Government, who had come to Madras to collect information on tobacco cultivation and trade as obtaining in Guntur, was furnished with full particulars, and a meeting of certain tobacco merchants of Guntur was also arranged in my office to enable him to obtain firsthand information.

5. From the 18th to the 30th, I was on tour in the northern districts of the Presidency. The places visited were Vizagapatam, Anakapalle, Samalkota, Cocanada, Nidadavolu, Bezwada, Guntur, Nidubrolu, Ohirala and Nellore. The Deputy Director of Agriculture, II Circle, Guntur, and the Assistant Directors of Agriculture, Vizagapatam and Rajahmundry, accompanied me on tour in their jurisdictions. The respective Deputy Registrars of Co-operative Societies except the Deputy Registrar, Bezwada, met me on tour. I am obliged to all these officers for their co-operation.

6. The harvest of the main paddy crop had just been completed in the Circars. The price of paddy was generally on the increase in all the northern districts. The increase in price of paddy was about 12 annas per bag of 166 lb. as compared with the prices in the corresponding period of the previous year. The prices at this period of the year will usually be low. The special rise in price this year was attributed to stocks being held up in anticipation of famine in the coming year and partly due to increased demand from His Exalted Highness the Nizam's Dominions on account of partial failure of crops there. It was however expected that the rise in price could not continue long and that prices would go down soon.

7. Vizagapatam is more an importing district so far as paddy and rice are concerned. Vizianagram, Vizagapatam and Anakapalle are the biggest importing centres in the district. As a rule the rice consumed in this district is of better quality than in many other districts. On account of this as well as the comparatively low prices of local rice in the district, Siam or Burma rice of cheap quality does not find as much favour as in the other districts. Siam rice has not been so far landed either in Vizagapatam or Cocanada port. Small quantities of Burma rice are imported occasionally. The main supplies to Vizagapatam district are drawn from Ganjam, Jeypore Agency and the Central Provinces and Orissa. After the opening of the Raipur line, the imports from the Central Provinces have increased. Very large quantities of rice are being imported so much so that the rice mills in Ganjam and Vizagapatam have had to remain idle for long periods. As a result of the representation by the mill-owners, the Bengal-Nagpur Railway have recently ordered special concession rates (40 per cent of original rates) for transport of paddy from the Central Provinces to Ganjam

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and Visagapatam districts. The imports have on this account increased still further. It will be necessary to restrict this supply in any scheme of planned distribution of rice in the Presidency. East Godavari, which has an exportable surplus, will be in a position to meet the entire demand of the Visagapatam district. West Godavari and Kistna can supply Ceded Districts and part of the requirements of His Exalted Highness the Nizam's State. Nellore district can supply Madras and the Central districts. Tanjore and Trichinopoly will have to supply southern districts and Malabar.

8. So far as paddy is concerned, therefore, no organization is necessary in the Visagapatam district for purposes of export. Organizations may be required from the consumers' point of view. Railway freight will have to be reduced to enable free movement of rice from Godavari to Visagapatam and Ganjam districts. Recently the freight was reduced between Ellore and Samalkota, and this was done apparently to compete with boat traffic largely in use in the area.

9. The groundnut crop has assumed a great importance in this district and considerable export trade in the crop is noticeable. A sale society for groundnut has recently been started details of which were discussed with the local officers of the Co-operative and Agricultural Departments.

10. A Central Marketing organization for sale of sugarcane jaggery is very essential in this district. The area under sugarcane in the four sugarcane growing taluks of the district is estimated to be about 15,000 acres with an average yield of not less than 22,500 candies of jaggery. A loan and sale society for jaggery was started in the district several years ago at Anakapalle, but only since last few years it is functioning. Even now it handles only about 1/50th of the total production in four taluks of the district. The society was visited, and measures to increase its scope of work were discussed with the Deputy Registrar of Co-operative Societies, the Assistant Director of Agriculture, Vizagapatam, the Secretary of the Society and others.

11. A similar organization is necessary for the East Godavari district which has an area of 7,000 acres under sugarcane with an out-put of over 125,000 candies of jaggery. Ratoon crops are common in this district which make it possible for new jaggery come into the market even in the month of December. Generally merchants go to the sugarcane fields during the season and buy the jaggery on the spot. The chief markets are Bezwada, Hyderabad and Ceded Districts. Central Provinces and Bombay are also occasionally supplied. The ryots lack godown facilities to hold stock until prices become favourable. Special godowns with arrangements for smoking the jaggery to improve its keeping qualities are required. A sugar factory is under contemplation in Kirlampudi of Peddapuram taluk. Ramachandrapuram is an equally important taluk for sugarcane with considerable trade in jaggery. The question was discussed in detail with the Deputy Registrar of Co-operative Societies, Rajahmundry, and it is proposed to start a loan and sale society for eight selected villages in Ramachandrapuram taluk. There

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are over 1,000 acres of sugarcane in these eight villages with an estimated yield of not less than 10,000 candies of jaggery. The ryots of these villages are keen on having a society of the kind proposed. The main difficulty is with regard to the provision of suitable godowns for stocking the jaggery until sales are effected.

12. A meeting of the sugarcane growers of Peddapuram and Cocanada taluks was arranged at Samalkota Agricultural Research Station when marketing problems of the district with special reference to marketing of jaggery were discussed. I also interviewed important merchants and members of the Godavari Chamber of Commerce, Cocanada, on marketing problems of the district. The Godavari Chamber of Commerce have agreed to furnish information as regards prices of important commodities current at Cocanada market from time to time.

13. At Bezwada, the rice mill-owners and other merchants and producers were interviewed. An association for the marketing of paddy is essential in this centre. There is a Loan and Sale Society in Bezwada, but it has not done till now any large scale business. I met some of the office-bearers of the society and discussed with them the possible lines of work. As the Deputy Registrar of Co-operative Societies, Bezwada, was absent on tour, full details could not be discussed.

14. The rice mill-owners of Bezwada seem to be perturbed as a result of certain special rates having been introduced by the railway on branch lines and minor stations in the neighbourhood of Bezwada to consuming centres in other parts of the Presidency. The mill-owners' contention is that the export trade from Bezwada proper will decrease with a corresponding increase in the out-stations if this system were continued and that wherever special rates are given they must be based on actual distances between the places concerned. They have made representations in this matter to the railway authorities.

15. At Guntur, I interviewed prominent tobacco merchants and producers. Most of the merchants and producers are handicapped for want of reliable marketing intelligence about the conditions of tobacco trade in foreign countries. It is only recently a few merchants have taken to shipping tobacco direct to foreign countries. The ruling prices of commodities like groundnuts, cotton, etc., are published in the papers but not so with tobacco. The producers are in utter darkness of the trend of market so far as tobacco is concerned. The market fluctuations, etc., are known only to a few people who dictate terms to the vast majority of traders and producers. I enclose herewith a copy of one of the monthly tobacco reports published in the United Kingdom with the permission of the Controllers, His Majesty's Stationery Office and His Majesty's Customs and Excise. If such reports were given due publicity in this Presidency it would go a great way to help the tobacco trade in this country.

16. Guntur district grows a number of commercial crops, e.g., tobacco, chillies, coriander, cotton, groundnuts and turmeric. Of late sugarcane has begun to spread, and white sugar will be put on the market at no distant date. And there are immense possibilities of

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extending and improving the marketing of the above commodities. The marketing problems of the district were discussed with the local officials of the Co-operative and Agricultural Departments. I also interviewed the Collector of Guntur in these matters. The district has a natural and an economic port in Vadarevu, few miles off Chirala. Were this port revived, the exports from not only Guntur and Nellore districts, but also from all the Ceded districts, will be shipped from Vadarevu. At present goods from these districts are transported by rail and shipped from Cocanada or Vizagapatam where landing and wharfage charges are high. Vessels can anchor within a mile off Vadarevu whereas in Cocanada the distance is six or seven miles from the shore. Imports of various articles will also be facilitated. For instance, nearly 2,000 wagons or about 40,000 tons of coal are consumed in Guntur district for use in the tobacco curing barns. The whole of this quantity comes by rail and the cost of transportation is naturally high. If Vadarevu was converted into a port, coal and many other articles can be imported at considerably low cost.

17. For the present it was decided to organize marketing societies for tobacco at Guntur, for coriander and groundnuts at Chirala and for sugarcane jaggery in Repalle where the area under improved varieties of cane during the last two years has increased considerably and jaggery is being manufactured this year with power crushers. For rice and paddy an association is proposed to be started in Nidubrolu. About 270,000 bags of paddy are exported annually from this place to places like Bangalore, Nandyal, etc. The proposals were discussed before a largely attended meeting of the ryots of Nidubrolu who welcomed the idea and offered their wholehearted co-operation in the matter.

18. In Nellore, I addressed a meeting of the Directors of the Co-operative Paddy Sale Society, the President of the District Bank and others interested in co-operative marketing. The paddy sale society which was started two years ago has only been handling the produce of but half a dozen rich members of the society. Nobody has taken notice on the pledge of produce nor was the District Bank approached for any loans. Proposals for taking in more members, arranging loans, renting godowns for storage, etc., were discussed. The society was also advised to publish current prices of rice and paddy and communicate the same to consuming centres. Even consumers' co-operative societies like the Triplicane Urban Co-operative Stores, which buy annually large quantities of Nellore rice, have not been getting their requirements from the Nellore Co-operative Paddy Sale Society. The reasons for this state of affairs will be investigated further. Meanwhile I am arranging to get some orders from the Co-operative Stores in Coimbatore.

19. General enquiries showed that the trade in Nellore rice has dwindled on account of adulteration of Nellore paddy with coarse varieties like kustuma from Kistna district, and the large imports of Siam and Burma rice in the southern districts where Nellore rice was in demand formerly. It would appear that in addition to the above causes, the special rates given by the railway from certain stations in

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the Circars to places like Tirupur, Coimbatore, Bangalore, etc., without proportionate reduction in freight from Nellore have further affected the Nellore rice trade. Two years ago Burma rice seems to have had the advantage of even greater reduction in freights as the following figures will show:—

From Rangoon. Steamer (and rail freight included).	Per maund.	From Nellore by rail.	Per maund.
	RS. A. P.		RS. A. P.
To Madras	0 9 9	To Madras	* 0 12 5
To Dindigul	0 11 0	To Dindigul	0 12 0
To Karaikudi	0 11 8	To Karaikudi	0 13 5
To Tinnevely	0 7 4	To Tinnevely	0 13 4

* These are wagon rates. Retail rates are even higher.

The Railways contend that mere manipulation of railway-rates may not have the desired effect and that the real cause is the disproportionately large import of Siam and Burma rice into the Madras Presidency.

20. I had to cut short my stay in Nellore and return to headquarters urgently on the 30th.

(3)

Letter from M.R.Ry. K. GOPALAKRISHNA RAJU Garu, Provincial Marketing Officer, Madras, to the Director of Agriculture, Madras, Pdl. No. E-3/35, dated the 20th March 1935.

[Monthly report for February 1935.]

I submit herewith my monthly report for the month of February 1935.

2. I was on tour from the 8th to 14th of the month. The rest of the month I remained at headquarters.

3. On the 8th I left for Lalgudi in connexion with the opening ceremony of the marketing section of the Lalgudi Sivagnanam Co-operative Agricultural Society. The society has been doing pioneer work in the introduction and popularisation of agricultural improvements in Lalgudi and its neighbourhood. In my previous visit to the place in November last I had suggested to the members the desirability of the society taking up the marketing of the members' produce. The need for the publication of regular market reports regarding the price, etc., of rice and paddy in the district was also emphasized. It is gratifying to note that the idea was taken up readily with the co-operation of the local officers of the Agricultural and the Co-operative departments and that the formal opening of the marketing section of the society was done on the 9th by Sir T. Desikachariyar in the presence of a large gathering of ryots. The Director of Agriculture, Madras, presided on the occasion. Trichinopoly district has usually a surplus stock of paddy, and the idea is to divert

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the surplus to Malabar where there is a good demand and which is now met by imports from Siam and Burma. The Deputy Director of Agriculture, VIII Circle, has been requested to be informing the society of the fluctuations in price in the important consuming centres in Malabar.

4. From Lalgudi I proceeded to Coimbatore, Mettupalaiyam, Coonoor and Ootacamund to enquire about potato marketing. On the 12th, I attended a meeting of the potato growers of Nilgiris. Nearly 300 growers and others interested in potato marketing were present at the meeting. I addressed the gathering on the marketing problems of Nilgiris potatoes. The Deputy Registrar of Co-operative Societies addressed the meeting on the manure supply scheme. There was some difference of opinion in regard to the particular manure to be supplied under the scheme but there was unanimity of opinion about the proposals put forward for improving the marketing of the crop. My proposals to combine the manure supply and the marketing schemes were not agreed to by the Deputy Registrar of Co-operative Societies apparently due to the failure of the Potato Growers' Co-operative Society started in 1923 and wound up within two years. My enquiries showed that want of loyalty from the members was the cause of its failure. Besides, times have now changed, and the prices have fallen so low that there is a genuine desire among producers generally to do all that is possible to regain the original price level. If the members, who will be supplied with manures under the scheme, are also made to sell their produce through the society it will greatly help to make the scheme a success.

5. The first thing to be done in regard to improvements in the marketing of potatoes grown in the Nilgiris is to bring about the transfer of the wholesale trade centre from Mettupalaiyam to Ootacamund or Coonoor, preferably the latter place. There are several disadvantages in the present practice of growers taking their produce to the mandies at Mettupalaiyam. Apart from the loss sustained in transport charges in lorries, incorrect weighments, payment of unregulated brokerage, commission, etc., some sort of arbitrary grading also is done by the mandies, and prices cut down. The ryots cannot afford to stay in Mettupalaiyam sufficiently long to see the transactions completed, and they have therefore no alternative but to agree to the account rendered by the mandy owners. Potatoes do not keep long in Mettupalaiyam as they do in the hills. For these and certain other reasons, Coonoor or Ootacamund will decidedly be a better trade centre than Mettupalaiyam.

6. For a few months in the year from October onwards—potatoes are not taken to Mettupalaiyam due to rains in the hills and other causes, when the merchants from Mettupalaiyam are obliged to go to the hills and buy potatoes at much higher prices. The main difficulty in making this a permanent feature is the lack of warehousing facilities in places like Coonoor and Ootacamund to stock the potatoes. It is in this direction that financial aid is needed either from Central

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Banks or the Government. Should the requisite financial help be forthcoming, it should be an easy matter to organize potato marketing successfully in the Nilgiris in a reasonable time.

7. Owing to lack of facilities for storage, the produce comes into the market all at a time. It is estimated that nearly half the total production of potatoes in the Nilgiris is marketed in the months of July–August. Naturally prices are at their lowest at the time. Bangalore is a serious competitor. The principal markets for the Nilgiris potatoes are Madras and important towns of the Presidency, Secunderabad, Bombay, Calcutta and Colombo. My enquiries show that the trade with the markets outside the Presidency has been declining on account of the increased import of potatoes from foreign countries like Italy, Africa, Australia and Japan. The Bombay market has almost been entirely captured by Italy. Ceylon has imposed a duty of Re. 1 per cwt. on potatoes imported from India. But there is no import duty on potatoes imported into India from other countries. Potatoes are generally supplied to consuming centres on consignment account system. There are risks and losses in this method of supply as against supply to order. There is thus scope for organization both among the producers and the traders.

8. I returned to headquarters on the 14th. I had proposed to visit the central districts in the last week of the month, but however, this could not be done owing to works consequent on the Assistant Marketing officers and their establishment sanctioned by the Imperial Council of Agricultural Research joining duty at the time and also because I had to start for Delhi on the 2nd of March to attend the Conference of Senior Provincial Marketing Officers and the Central Marketing Staff. I was also busy with the preparation of the agenda and notes on the subjects for discussion at the meeting of the Provincial Marketing Board originally proposed to have been held in the first week of March. The collection of statistics and information that might be useful for the Marketing Officers' Conference at Delhi also engaged my attention during the period.

9. Among the enquiries received from the public during the month mention may be made of the South Arcot District Agricultural and Industrial Association in connexion with the fixing of prices for sugarcane sold to factories under the Sugarcane Act XV of 1934 and the one from Chidambaram for the organization of a marketing society for paddy. The Corporation of International Commerce, Agra, was furnished with a list of fruit dealers and the kind of fruits available for marketing in Madras.

(4)

Letter from M.R.Ry. K. GOPALAKRISHNA RAJU Garu, Provincial Marketing Officer, to the Director of Agriculture, Madras, dated 10th April 1935, Pdl. No. 5/35.

[Monthly report for March 1935.]

I submit herewith my monthly report for the month of March 1935.

[5th August 1935]

2. I left for Delhi on the 2nd to attend the Conference of the Senior Marketing Officers in the provinces and the Central Marketing Staff. I returned from Delhi on the 13th. The rest of the month I remained at headquarters.

3. The Conference was opened by Sir T. Vijiaraghavachariyar. The main object of the Conference was to decide on a common plan of work, especially in regard to the marketing survey proposed to be carried out in the provinces. The draft synopses and questionnaires in connexion with the proposed marketing survey were gone into in detail and adopted with necessary modifications. The Indian States of Pudukotta, Sandur and Banganapalle, which have not appointed their marketing officers, are to be included in the scope of the marketing survey by the Provincial Marketing Staff. All the important agricultural products will be included in the scheme of marketing, but in order to ensure that the work is thoroughly done, it is proposed to confine attention first to commodities of all-India significance, viz., rice, wheat, groundnuts, linseed, tobacco, milk (including milk products capable of being re-converted into fluid milk, e.g., condensed milk, milkpowder, etc.), cattle (oxen and buffaloes), eggs, hides and skins, fruits-citrus, bananas and pineapple. A survey of regulated and unregulated markets and of co-operative trading societies will also be carried out. The preliminary marketing surveys are so very important that any developmental work like the formation of marketing organizations is not to be regarded as among the immediate duties of Provincial Marketing Officers and has to be deferred until the marketing surveys have been completed and are available as a sound basis of development. At the beginning, therefore, the marketing staff should rather concentrate on investigation work.

4. It was further decided at the Conference that among the commodities mentioned above, the survey of tobacco, groundnuts and eggs has to be completed within ten months and that of others within a year from now. Progress reports of the survey work are to be sent. Among the commodities mentioned above, the survey of tobacco, groundnuts and eggs India Marketing Survey. Before actually starting the survey, the following have to be prepared and copies furnished to the Central Marketing Staff:—

- (a) Crops and stock atlas showing the distribution by districts of each crop and class of stock.
- (b) Corresponding tables to accompany each map.
- (c) Separate maps showing primary markets, wholesale assembling and distributive markets, warehousing centres, processing plants, mills and factories engaged in manufacturing agricultural products.
- (d) Collection of relevant material like previous surveys, if any, which have been published or are in departmental files, Local Marketing Acts and Regulations, rules and by-laws of trade or manufacturers' associations, and local agricultural statistics of crops and stock by taluks and districts.

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5. The provinces are to confine themselves to the work outlined above. Any problems of local importance may be tackled only after preference has been given to the main work mentioned above. The consensus of opinion among the Provincial Marketing Officers was that the work of marketing survey of the groups of commodities as detailed in the synopses was far too much than could be handled satisfactorily by the limited Provincial Marketing Staff within the prescribed time limits of 10-12 months and that therefore there was very little time left to deal with local problems requiring immediate attention. The opinion was also expressed that at least a few investigators were necessary in the districts to assist the marketing officers in the survey work. The inadequacy of the Provincial Marketing Staff for dealing with the marketing survey of the kind proposed led to a serious discussion of the method of sampling of villages and groups of persons like producers, merchants, etc., that should be adopted for the purpose of the survey so that the information collected may be accurate and fully representative. It was considered essential that areas of concentrated as well as sparse production, different soils and climatic conditions, varieties of crops, etc., were all represented in the sampling that was adopted. No definite conclusions were arrived at in regard to the exact method of sampling and the total number of samples, and these details were left to be worked out by the provincial staff themselves.

6. After I returned from Delhi, I discussed with you and Professor P. J. Thomas, Professor of Economics, Madras University, about the exact method of sampling to be adopted for the marketing survey. The subject was further discussed in the Agricultural Statistics Committee newly constituted by you. The possibilities of the application of the randomized method of sampling followed by Dr. Bowley and Mr. Robertson in their scheme for an economic census of India were examined by this Committee. The Committee came to the conclusion that the randomized method would not be applicable to the marketing survey, as the work involved examination of special centres of importance from the marketing point of view.

7. Two of the Senior Marketing Officers from Delhi arrived on the 17th and 19th mainly in connexion with arrangements necessary for the collection and testing locally samples of hides and skins, milk, tobacco and groundnuts. Methods of preparation of grade standards of these commodities were also discussed. The Central Marketing Officers were also shown the crop and stock atlas under preparation and the charts and other price records of commodities which are being maintained since October last. A consignment of mangoes was sent to the Senior Marketing Officer, Fruits Section, Delhi, to illustrate the local method of packing fruits.

8. Soon after the Central Marketing Officers left I was engaged in the preparation of notes for the use of the members on the subjects to be discussed at the meeting of the Provincial Marketing Board and making arrangements for the meeting to be held on the 23rd. Eight

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subjects were considered at the meeting most of which were of far-reaching importance. Of the subjects considered at the meeting special mention may be made of the introduction of the Sugarcane Act No. XV of 1934, the provision of warehouses or godowns for the stocking of the produce of the members of co-operative marketing societies and the standardization of weights and measures in regard to agricultural commodities. The proceedings of the meeting were duly communicated to the Government.

9. An Agricultural Statistics Committee consisting of myself (Chairman and Convener), the Statistician to the Board of Revenue, the Lecturer in Statistics, the University of Madras, and Mr. S. N. Venkataraman, the Assistant Marketing Officer, was constituted during the month to advise you on questions relating to the collection and interpretation of agricultural statistics. Professor P. J. Thomas, University Professor of Economics, has consented to act as Economic Adviser to the Committee. The first meeting of the Committee was held on the 27th when the random method of sampling that could be adopted for estimating the normal yield of crops was discussed and a scheme drawn up.

10. There exists a growing demand for a knowledge of prices of the principal commodities at the present time. It is well known that in such organized markets, as in cotton and groundnut, even day to day fluctuations, largely determine the amount and nature of transactions. Towards this end a large body of the trade is willing to obtain daily telegraphic prices from foreign markets at some expense. This tendency towards price publications is now spreading to other crops as well. The unusually large imports of rice and paddy from Siam, Indo-China and Burma have brought the price question of rice into great prominence. Similar factors are also operating on our copra and sugar trade. There is thus a general awakening in the country to the need for marketing intelligence about a number of crops. This realization is not confined merely to the agencies of trade. There is a large body of growers who are equally alive to such knowledge, e.g., the tobacco growers of Guntur and rice growers in the delta areas. It is a well recognized fact that the grower is handicapped in his dealings for a number of reasons, not the least among them being the want of proper information about prices. It is felt that the publication in time of such prices, will work a long way towards the ryot getting a fair price for his crop, while in the matter of trade, it will tend to promote a healthy spirit of controlled market competition.

11. Agreeably to the suggestions made in my two previous visits, the District Agricultural Association, Trichinopoly, and the Tanjore Mirasidars' Association, Mayavaram, commenced publishing from this month the market reports of prices of paddy and rice current in important centres of production in the two districts. The former is publishing a weekly market report separately while the latter is publishing the prices in its monthly journal 'Mirasidar.' A number of other associations and co-operative trading societies agreed to issue

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periodical price reports, but they have not so far been able to give effect to the suggestion mainly due to lack of financial help necessary in a work of this nature. Under the present conditions it may take some time for other districts to follow the example set by Trichinopoly and Tanjore in the matter of publishing market reports unless some financial aid is forthcoming. As this is a matter which cannot be delayed any longer proposals for the issue of a weekly or bi-weekly market report from Madras giving wholesale prices of important commodities in the chief marketing centres in the Presidency are under consideration and will be forwarded to the Government soon.

12. Among the enquiries received from the public during the month, mention may be made of the following:—

- (1) Information about the supply of Nellore rice by the Nellore Co-operative Paddy Society to the Co-operative Stores, Coimbatore.
- (2) Information regarding prices of jaggery in important trade centres of the Presidency to the Chittoor District Co-operative Bank.
- (3) Supply of information to the Deputy Registrar of Co-operative Societies, Mangalore, and also to the Secretary of the Pepper Producers' Association, Taliparamba, regarding prices of pepper and marketing facilities available.
- (4) Supply of information to M.R.Ry. A. S. Pandyan Avargal of Tanjore, as regards prices and the addresses of important merchants dealing in cashewnuts in the United States of America.
- (5) Information on the cultivation and marketing of onions in the Presidency to Mr. V. R. Gadgil of the Gokhale Institute of Politics and Economics, Poona.

(5)

From the Provincial Marketing Officer, Madras, dated
17th May 1935, Pdl. No. 11-35.

[Monthly report for April 1935.]

I submit herewith my monthly report for the month of April 1935.

2. I remained at headquarters practically the whole month except for four days towards the end of the month when I was on tour in the South Arcot district.

3. Till about the middle of the month, I was busy with the preparation of reports like the Assistant Marketing Officers' work to be furnished to the Agricultural Marketing Adviser to the Government of India, the submission of proposals to Government in connexion with the publication of weekly or bi-weekly market reports of prices current

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of important agricultural commodities in the various market centres of the Presidency, convening a meeting of the Agricultural Statistics Committee and preparation of a scheme of enquiry into the cost of production and net profits obtained from certain money crops in the Presidency, arrangements for submission to the Government of a weekly statement of prices of both local and imported varieties of rice at Cocanada, Nellore, Madras and Shiyali, and the effect, if any, of the proposed duty on imported foreign rice on the price of local varieties generally consumed, etc.

4. From the 18th to 26th, I had to remain at headquarters, as I was in additional charge of the duties of the Headquarters Deputy Director of Agriculture who availed himself of casual leave in continuation of the Easter holidays.

5. The remaining few days in the month I toured in the South Arcot district specially to investigate and report the position and action that might be taken for increasing the scope and usefulness of the groundnut warehouses in Cuddalore, Vriddhachalam and Tirukkoyilur. I returned to headquarters on the 2nd of the following month.

6. During the month I devoted some time to the study of the methods by which large commercial firms in Madras and Cuddalore dealing in groundnuts analyse their purchases. This information will be highly useful when dealing with questions of sampling and fixation of grade standards. As desired by the Senior Marketing Officer (Central Marketing Staff) for oil seed crops, he was also furnished with the full particulars of the methods of analysis of groundnuts in vogue in our Presidency.

7. The firms analyse their purchases of groundnuts mainly in regard to *foreign matter* and the *quality* of the produce.

The proportion of foreign matter in the lots purchased is commercially known as the "percentage of refraction." Five to 10 per cent of the whole lot of bags of groundnuts (kernels) purchased are taken and the contents of each bag emptied in separate heaps. The percentage of the number of bags taken for the test varies from one firm to the other. It is never less than 5 and ordinarily not more than 10 per cent. The bags are emptied holding them vertically so that there is an even distribution of the material in the heap. Samples are scooped out from four sides in each heap. While passing the scoop from the bottom to the top of the heap, the scoop is held horizontally so that stones or sand particles, etc., drawn in the sample may not slip off the scoop. The scoop, which is made of galvanized iron, is about 2 feet long 3 to 4 inches broad. The samples drawn are then well mixed and spread in a single layer in the form of a circle on a sheet of metal like iron. The material so collected will usually weigh about 800 to 900 tolas. By a smaller scoop measuring 6 by 3 inches and about 1 inch in depth six samples are again drawn at equal intervals from the circumference towards the centre. Taking samples with the scoop must always be done from the circumference to the centre of the layer spread

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in the form of a circle. Samples so obtained are again well mixed and produce weighing 100 tolas finally taken as being a representative sample of the lot purchased. Any foreign matter like shells, dust, stones, and particles of sand, twigs, other seeds, etc., is hand picked or sieved out from the 100 tola samples and weighed. "Skin" or the thin reddish coat of the kernel and "Nooks" or the protruding tips seen in the kernels are not recognized as foreign matter. Produce containing foreign matter over 2 but not exceeding 4 per cent by weight is accepted, but the sellers are to pay proportionate discount to the buyer as compensation for the presence of foreign matter. The allowance or discount varies among different buyers and sellers based on the terms of contract.

For testing the quality, the cleaned sample of 100 tolas of kernels first taken for estimating the foreign matter is again spread on a galvanized iron sheet in the form of a circle, and three samples are drawn with a still smaller scoop 3 inches $\times$ 2 inches $\times$ $\frac{1}{2}$ inch. These samples are mixed well and 10 tolas of the produce taken. Then sorting of "damaged" seed is done by hand, keeping the sample in an enamel plate. From another 10 tolas sample the 'touched' seeds, shrivelled seeds, pea nuts and old kernels are similarly hand picked.

Damaged seeds are those that are reddish, yellow, brown or dark in colour.

Seeds which are spotted, yellow, partly brown or red or slightly mouldy are known as 'touched' seeds—*Touched seeds*—are classed with *damaged seeds* by certain firms.

"*Shrivelled nuts*" are thin undeveloped kernels from which practically very little oil can be extracted.

'*Pea nuts*' are kernels of the bunch variety. These are smaller, more roundish and the skin is of lighter brown colour than that of the Mauritius variety. The skin of pea nut comes off easily when pressed between the fingers. Deductions in price are made for admixture of 'Pea nuts' found in the Mauritius or spreading variety of groundnuts.

'*Old kernels*.'—A count of the kernels of the previous crop is also made in judging the quality of produce. The old kernels are generally of dark brown colour.

8. Finally, the results are tabulated in terms of percentage under refraction, damaged seeds, touched seeds, pea nuts, shrivelled nuts and old kernels. Percentages are noted correct to two places of decimals. 'Halves' up to 40 per cent depending on the season are allowed free. Generally a count of the halves is not taken unless it is extraordinarily high.

9. Usually some time elapses between the purchase and the actual sampling and analysis. About 75 per cent of the value of the produce at the price settled is paid when the produce is delivered, and the balance after the analysis is carried out and the amount to be discounted is known. This is what happens in the exporting firms. The merchants and middlemen who make the purchases from producers and others in

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the mufassal do not carry out any such analysis, but, however, cut down the prices or deduct 2 to 10 lb., of produce per bag at the time of weighment based on their own estimate of the probable loss due to quality, moisture and foreign matter that may be present in the lots purchased by them. The loss to the producers on this account is at a minimum in the case of the produce sold through the departmental warehouses at Cuddalore, Vriddhachalam and Tirukkoyilur.

10. I visited the three warehouses and met the members of some of the co-operative societies who take the produce to the warehouses. I also interviewed the officials and non-officials concerned. I found the progress of work done by the three warehouses to be satisfactory. The Deputy Registrar of Co-operative Societies and the Assistant Director of Agriculture, Cuddalore, who accompanied me on tour, are also of the same opinion. The failure of the 1933 rainfed crop as well as the irrigated crop of 1934 was the main reason for the non-payment of the crop loans advanced, but a very large amount of the balance outstanding has been recovered in the 1935 crop. Besides, there has been a large increase in the quantity of the produce sold through the warehouses in the current year. This is only the third year of the working of the society. In the second year the crop failed, and the prices also dropped considerably. It cannot therefore be said that the progress has not been satisfactory or as much as was expected. The work should be continued with increased propaganda and further facilities.

11. The following are the directions in which improvements are possible which will conduce to the efficiency and the popularity of the warehouses. I have had these points discussed with the Deputy Registrar of Co-operative Societies and the Assistant Director of Agriculture, Cuddalore, and they are in general agreement with my views. The Deputy Registrar of Co-operative Societies is proposing to take action on these lines.

- (i) The three warehouses at Cuddalore, Vriddhachalam and Tirukkoyilur should be organized as independent loan and sale societies to be financed by the Central Bank, Cuddalore, according to the membership and total share of the loan and sale societies at these places.
- (ii) Opening of an additional warehouse at Ulundurpet and affiliating it to the Vriddhachalam society.
- (iii) Loans on pledge of produce also should be given subject to the bye-laws in this respect. Loans on pledge of produce have not been given even in a single case these three years. More crop loans will not do. Even the crop loans should be given in two instalments, the second being given at the time of harvest. I found that in addition to the crop loans the members had borrowed money from dealers to meet the harvesting charges which form a considerable item in the cost of cultivation of this crop.

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- (iv) The warehouses should have enough accommodation for stocking a reasonable quantity of produce with facilities for drying the produce, re-bagging, etc., whenever necessary. None of the present warehouses have these facilities. The produce is being sold the same day it is brought to the warehouse. It is obvious that in such a system it is not always possible to get the best value for the produce.
 - (v) In some societies, the overdues of long-term loans (prior debts) have been recovered from the sale-proceeds realized through the warehouse, though of course in an indirect manner. At least in the first few years, this should not be done. As a result, the members are not bringing all their produce to the warehouse. Bulk of the produce brought to the warehouse was from non-members. There must be some other reasons also for this state of affairs.
 - (vi) Majority of the producers in the villages, where the co-operative marketing of groundnut has been introduced, were found unwilling to be members of village credit societies. They would gladly join if special marketing or co-operative sale societies on limited liability basis were started. They would also like to be members of a sale society without being members of rural credit societies. At least as an experimental measure, it is well worth starting one or two special societies on limited liability basis in good groundnut areas where there are not many co-operative credit societies at present, e.g., the tract between Panruti and Cuddalore. The experience gained in the working of the special cotton societies in the Avanasbi area of Coimbatore district should enable a good start being made in this direction.
 - (vii) More propaganda work both by the Agricultural Demonstrators and the Co-operative Inspectors or Supervisors concerned is necessary. At present the Agricultural Demonstrators and the Supervisors are not able to concentrate and devote sufficient attention to the work, as they have in addition their regular work to attend to.
12. Among the enquiries received during the month from the public and Government departments, and attended to, special mention may be made of the following:—
- (i) *Linseed*.—Production and marketing facilities available—to the Deputy Director of Agriculture, VIII Circle, Coimbatore.
 - (ii) *Rice*.—Production and trade in different countries and Provinces of India—to the Shiyali Taluk Mirasidars' Association.
 - (iii) Information as regards the chief consuming centres of paddy produced in Godavari delta—to M.R.Ry. Maganti Seetharama-doss Garu, Ellore.

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- (iv) Information as regards prices current of different varieties of rice available in Tanjore and Trichinopoly districts—to M.R.Ry. T. Kunhikrishna Nair Avargal, Cherpulacheri, South Malabar.
- (v) Information as regards demand, prices, and addresses of dealers in pigs in Madras and Malaya States—to the Deputy Director of Agriculture, VIII Circle, Coimbatore.
- (vi) Sample of rice from the President-Delegate of South Kanara district enquiring about its prospects in foreign markets.
- (vii) Report on the methods adopted by commercial firms in the Madras Presidency in analysing their purchases of groundnut for quality and presence of foreign matter—to the Senior Marketing Officer to the Government of India.
- (viii) Addresses of merchants dealing in pepper in the Punjab and Bengal—to Mr. Poduwal, Secretary, Pepper Producers' Association, Taliparamba.

13. M.R.Ry. K. W. Chakrapani Marar Avargal, Assistant Marketing Officer for oil-seed crops, toured in Kurnool district from the 14th to the 28th in connexion with the marketing survey of groundnut and linseed.

M.R.Ry. S. N. Venkataramana Ayyar Avargal, Assistant Marketing Officer for plantation crops, was on tour in Guntur district from the 18th to the 30th engaged in the marketing survey of tobacco.

M.R.Ry. M. P. Kunhi Kutty Avargal, Assistant Marketing Officer, Animal Husbandry group, toured in the neighbourhood of Madras from the 24th till the end of the month making enquiries about the milk trade in Madras.

A summary of the investigations made by the Assistant Marketing Officers was furnished to the Agricultural Marketing Adviser to the Government of India.

(6)

Minutes of a meeting of the Provincial Marketing Board held at 2-30 p.m. on Saturday, the 23rd March 1935.

P R E S E N T :

Mr. T. AUSTIN,
 „ V. RAMAKRISHNA,
 „ C. TADULINGA MUDALIYAR,
 „ D. BRUCE SCOTT,
 „ K. GOPALAKRISHNA RAJU (Secretary).

In the unavoidable absence of the Director of Agriculture, the Registrar of Co-operative Societies was voted to the chair.

Subject (1)—Marketing surveys—Note on the results of the Joint Conference of the Senior Provincial Marketing Officers with the Central Marketing Staff held at Delhi from the 5th to 9th March 1935.
 —Recorded.

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Subject 2—Act XV of 1934—Price of sugarcane intended for use in sugar factories.—(1) The Government Order was read. The Board considers that committees, while desirable, are not essential at present.

(2) The Co-operative and Agricultural departments are requested to organize co-operative societies in factory areas, other than co-operative factory areas, wherever necessary and as soon as possible, e.g., Podanur, Bobbili, Kirlampudi and Nellikuppam.

(3) It is recommended that, where co-operative factories are already in existence and working, the amount collected from them be refunded, provided that they carry out, to the satisfaction of the Registrar, the functions laid down for these societies which are to be newly organized.

(4) The managers of all factories shall maintain such records, registers, accounts as shall be prescribed by the Director of Agriculture. Daily prices and quantities shall be reported once a week to the Provincial Marketing Officer.

(5) The Government is requested to claim the amount due to Madras for the current and ensuing years.

Subject 3—Facilities for the successful working of loan and sale societies.—Recorded.

Subject 4—Advance on produce without a specific money limit for an individual.—The Board suggests to the Registrar the consideration of advancing, on the certificate of an agricultural officer, 90 per cent or 40 per cent of its value, without limit in the case of individuals on standing crops of cambodia cotton and sugarcane.

Subject 5—Provision of warehouses or godowns to stock the produce of the members of loan and sale societies.—(a) The Registrar informed the Board that he was awaiting Government Orders on the question of permitting central banks to utilize their surpluses for the construction of godowns.

(b) The Board considered that the Railway Company should be consulted as to their agreeing to support a scheme for construction of godowns.

Subject 6—Desirability of standardizing weights and measures in regard to food-grains, especially rice and paddy.—The Board would impress on Government the necessity of standardizing the weights and measures in regard to food-grains, especially rice, paddy and to groundnut.

Subject 7—Proceedings of the meeting of the Provincial Marketing Board—Publication in the papers.—The Board requests the general permission of Government to issue a resume of the proceedings after each meeting.

Subject 8—Distribution of work among the marketing officers.—Approved.

T. AUSTIN—23-3-35.

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APPENDIX VII.

[Vide answer to question No. 38 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 5th August 1935, page 47 supra.]

Statement I—List of Land Mortgage Banks registered during each of the years 1933, 1934 and 1935.

Serial number and name of land mortgage bank.	District in which it is situated.
1933.	
1 Narsapur Land Mortgage Bank	West Godavari.
2 Kovvur Land Mortgage Bank	Do.
3 Rasole Land Mortgage Bank	East Godavari.
4 Visianagaram Land Mortgage Bank	Visagapatam.
5 Veeravilli Land Mortgage Bank	Do.
6 Yellamanchili Land Mortgage Bank	Do.
7 Kavali Land Mortgage Bank	Nellore.
8 Erode Land Mortgage Bank	Coimbatore.
9 Pollachi Land Mortgage Bank	Do.
10 Tiruppur Land Mortgage Bank	Do.
11 Ambasamudram Land Mortgage Bank	Tinnevely.
12 Srivaikuntam Land Mortgage Bank	Do.
13 Sholavandan Land Mortgage Bank	Madura.
14 Tiruturaiyandi Land Mortgage Bank	Tanjore.
15 Mannargudi Land Mortgage Bank	Do.
16 Cheyyar Taluk Land Mortgage Bank	North Arcot.
17 Vriddhachalam Land Mortgage Bank	South Arcot.
1934.	
1 Tadepalligudem Land Mortgage Bank	West Godavari.
2 Rajahmundry Land Mortgage Bank	East Godavari.
3 Ramachandrapuram Land Mortgage Bank	Do.
4 Narsapatam Land Mortgage Bank	Visagapatam.
5 Gannavaram Land Mortgage Bank	Kistna.
6 Cuddalore Taluk Land Mortgage Bank	South Arcot.
7 Tiruchengodu Land Mortgage Bank	Salem.
8 Shiyali Land Mortgage Bank	Tanjore.
9 Chicacole Land Mortgage Bank	Ganjam.
1935.	
1 Guntur Land Mortgage Bank	Guntur.
2 Dharmavaram Land Mortgage Bank	Anantapur.

Statement II—List of Land Mortgage Banks in the Presidency with their headquarters and areas of operations.

Serial number and name of districts.	Name of land mortgage bank.	Area of operation.
(1)	(2)	(3)
1 Kistna ..	Gudlavalleru Land Mortgage Bank.	8 villages of Bandar taluk. 11 villages of Kaikalur taluk. 6 villages of Divi taluk. 5 villages of Gannavaram taluk. 92 villages of Gudivada taluk.
Total ..		122
2 Kistna ..	Vadlamannadu Land Mortgage Bank. (Pedana) ..	67 villages of Bandar taluk. 8 villages of Divi taluk.
Total ..		75

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Serial number and name of district.	Name of land mortgage bank.	Area of operation.
(1)	(2)	(3)
3 Kistna ..	Vuyyur Land Mortgage Bank.	24 villages of Berwada taluk. 26 villages of Gannavaram taluk. 4 villages of Gudivada taluk.
Total ..		54
4 Kistna ..	Gannavaram Land Mortgage Bank.	30 villages of Gannavaram taluk.
5 Do. ..	Kaikalur Land Mortgage Bank.	61 villages of Kaikalur taluk.
6 West Godavari.	Bhimavaram Land Mortgage Bank.	69 villages of Bhimavaram taluk.
7 Do.	Penugonda Land Mortgage Bank.	64 villages of Tanuku and Narasapur taluka.
8 Do.	Ellore Land Mortgage Bank.	40 villages of Ellore taluk.
9 Do.	Kovvur Land Mortgage Bank.	28 villages of Kovvur taluk.
10 Do.	Tadepalligudem Land Mortgage Bank.	40 villages of Tadepalligudem taluk.
11 Do.	Narasapur Land Mortgage Bank.	75 villages of Narasapur taluk.
12 East Godavari.	Rasole Land Mortgage Bank.	67 villages of Rasole taluk.
13 Do.	Amalapuram Land Mortgage Bank.	100 villages of Amalapuram taluk.
14 Do.	Alamuru Land Mortgage Bank.	4 villages of Rajahmundry taluk. 58 villages of Ramachandrapuram taluk. 19 villages of Rasole taluk.
Total ..		81
15 East Godavar ..	Pithapuram Land Mortgage Bank.	37 villages of Pithapuram taluk.
16 Do.	Cocanada Land Mortgage Bank.	75 villages of Cocanada taluk.
17 Do.	Rajahmundry Land Mortgage Bank.	34 villages of Rajahmundry taluk.
18 Do.	Ramachandrapuram Land Mortgage Bank.	59 villages of Ramachandrapuram taluk.
19 Nellore ..	Nellore Land Mortgage Bank.	45 villages of Kovvur taluk. 48 villages of Nellore taluk.
Total ..		93
20 Nellore ..	Kavali Land Mortgage Bank.	34 villages of Kavali taluk.
21 Guntur ..	Repalle Land Mortgage Bank.	36 villages of Repalle taluk.
22 Do. ..	Ponnur Land Mortgage Bank (Nidubrole).	42 villages of Bapatla taluk. 6 villages of Tenali taluk.
Total ..		48
23 Guntur ..	Guntur Land Mortgage Bank.	49 villages of Guntur taluk.
24 Visagapatam ..	Yellamanchili Land Mortgage Bank.	37 villages of Sarvasiddhi taluk.

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Serial number and name of district. (1)	Name of land mortgage bank. (2)	Area of operation. (3)
25 Vinayapatam ..	Viravilli taluk (Choda-varam) Land Mortgage Bank.	44 villages of Viravilli taluk.
26 Do. ..	Visianagram Land Mortgage Bank.	22 villages of Visianagram taluk.
27 Do. ..	Narasapatam Land Mortgage Bank.	39 villages of Narasapatam taluk.
28 Ganjam ..	Chicacole Land Mortgage Bank.	40 villages of Chicacole taluk.
29 Bellary ..	Hospet Land Mortgage Bank.	20 villages of Hospet taluk.
30 Kurnool ..	Nandyal Land Mortgage Bank.	26 villages of Nandyal taluk.
31 Anantapur ..	Dharmavaram Land Mortgage Bank.	41 villages of Dharmavaram taluk.
32 Chingleput ..	Chingleput Land Mortgage Bank.	All the ryotwari villages in the Chingleput taluk and Uttiramerur Deputy Tahsildar's division in the Conjeeveram taluk.
33 Do. ..	Madurantakam Land Mortgage Bank.	The revenue firkas of Madurantakam, Vayavur, Perumbakkam and Chittambur in the Madurantakam taluk (excluding the shrotriyam and samin villages).
34 Do. ..	Kilcheri Land Mortgage Bank.	The whole of the Srinerumbudur taluk and the Meppadu fiska in the Tiruvellore taluk.
35 Do. ..	Conjeeveram Land Mortgage Bank.	The whole of the Conjeeveram taluk (excluding the Uttiramerur Deputy Tahsildar's division).
36 North Arcot ..	Ambur Land Mortgage Bank	(i) 28 villages of Gudiyattam taluk. (ii) 97 villages of Vellore taluk. (iii) 53 villages of Tirupattur taluk.
Total ..		178
37 North Arcot ..	Cheyyar Land Mortgage Bank.	The whole of the Cheyyar taluk and two neighbouring villages of the Wandiwash taluk, the latter for purposes of loaning only.
38 Do. ..	Tiruvannamalai Land Mortgage Bank.	The whole of the Tiruvannamalai and the Obengam taluks.
39 Do. ..	Walajapet Land Mortgage Bank.	The whole of the Walajah taluk.
40 South Arcot ..	Cuddalore Land Mortgage Bank.	The whole of the Cuddalore taluk.
41 Do. ..	Chidambaram Land Mortgage Bank.	The villages of the Chidambaram taluk (included in the Chidambaram, Bhuvanagiri, Porto Novo and Kannapuram sub-registration districts).
42 Do. ..	Kattumannarkoil Land Mortgage Bank.	The villages of the Chidambaram taluk (included in the Kumarkahi, Kattumannarkoil and Srimadham sub-registration districts).
43 Do. ..	Vriddhachalam Land Mortgage Bank.	All the ryotwari villages in the Vriddhachalam taluk.
44 Tanjore ..	Tanjore Land Mortgage Bank.	73 villages in the Tanjore taluk and nine villages in the Papanasam taluk.
45 Do. ..	Tiruvavur Land Mortgage Bank.	The whole of the Negapatam taluk and 110 villages in the Nannilam taluk.
46 Do. ..	Mannargudi Land Mortgage Bank.	The whole of the Mannargudi taluk.

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Serial number and name of district. (1)	Name of land mortgage bank. (2)	Area of operation. (3)
47 Tanjore ..	Tiruturaipundi Land Mortgage Bank.	78 villages in the Tiruturaipundi taluk (the coastal villages being excluded) and 33 villages in the Negapatam taluk, the latter for purposes of loaning only.
48 Do. ..	Kumbakonam Land Mortgage Bank.	The whole of the Kumbakonam taluk; Papanasam, Avur and Alagudi firkas in the Papanasam taluk and one village in the Nannilam taluk for purposes of loaning only.
49 Do. ..	Mayavaram Land Mortgage Bank.	The whole of the Mayavaram taluk and one village in the Mannargudi taluk and one in the Shiyali taluk, the latter two for purposes of loaning only.
50 Do. ..	Kodavasal Land Mortgage Bank.	123 villages in the Nannilam taluk (west of the Mayavaram-Tiruvavur railway line).
51 Do. ..	Shiyali Land Mortgage Bank.	The whole of the Shiyali taluk.
52 Trichinopoly ..	Trichinopoly Land Mortgage Bank.	Trichinopoly and Srirangam municipal limits and 52 villages in Trichinopoly and seven villages in Srirangam sub-registration districts.
53 Do. ..	Kulittalai Land Mortgage Bank.	26 villages in Kulittalai taluk. 21 villages in Karur taluk. 6 villages in Trichinopoly taluk. 22 villages in Musiri taluk. All included in the Cauvery and Amara-vathi irrigation systems.
54 Do. ..	Lalgudi Land Mortgage Bank.	The whole of the Lalgudi and Valadi revenue firkas and 23 villages in the Manachanallur revenue fiska in the Lalgudi taluk.
55 Salem ..	Velur Land Mortgage Bank.	17 villages in the Namakkal taluk in the Cauvery irrigation system.
56 Do. ..	Tiruchengode Land Mortgage Bank.	All the ryotwari villages of the Tiruchengode taluk.
57 Coimbatore ..	Peelamedu Land Mortgage Bank.	The whole of the Coimbatore taluk and 24 villages in the Avanashi taluk.
58 Do. ..	Pollachi Land Mortgage Bank.	The whole of the Pollachi taluk and 8 villages in the Udampalpet taluk.
59 Do. ..	Sulur Land Mortgage Bank.	41 villages in the Palladam taluk.
60 Do. ..	Tiruppur Land Mortgage Bank.	60 villages in the Palladam taluk and 49 villages in the Avanashi taluk.
61 Do. ..	Perundurai Land Mortgage Bank.	71 villages in the Erode taluk.
62 Do. ..	Gobichettipalayam Land Mortgage Bank.	95 villages in the Gobichettipalayam taluk.
63 Do. ..	Bhavani Land Mortgage Bank.	The whole of the Bhavani taluk and three villages in the Erode taluk and four villages in the Gobichettipalayam taluk.
64 Do. ..	Kambiliampatti Land Mortgage Bank.	81 villages in the Erode taluk and two villages in the Gobichettipalayam taluk.
65 Do. ..	Erode Land Mortgage Bank.	64 villages in the Erode taluk.
66 Madura ..	Madura Land Mortgage Bank.	74 villages in the Madura taluk.
67 Do. ..	Uttamapalayam Land Mortgage Bank.	27 villages in the Periyakulam taluk.

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Serial number and name of district, (1)	Name of land mortgage bank. (2)	Area of operation. (3)
68 Madura ..	Sholavandan Mortgage Bank.	Land 31 villages in the Nilakottai taluk.
69 Ramnad ..	Rajapalayam Mortgage Bank.	Land 8 villages in the Srivilliputtur taluk.
70 Do. ..	Watrap Land Mortgage Bank.	6 villages in the Srivilliputtur taluk.
71 Tinnevely ..	Ambasamudram Mortgage Bank.	Land All the ryotwari villages of the Ambasamudram taluk.
72 Do. ..	Srivaikuntam Mortgage Bank.	Land 40 villages in the Srivaikuntam taluk and 12 villages in the Tiruchendur taluk.

NOTE.—The land mortgage banks bear the names of the towns or villages at their headquarters except three of them, viz., Nos. 2, 22 and 25 above in respect of which the headquarters is given within brackets under their names.

APPENDIX VIII.

[Vide item (1) at page 57 supra.]

PROVISION OF FUNDS FOR GOVERNMENT HOUSE FURNITURE.

Grant. (1)	Head of account. (2)	Item of expenditure. (3)	Amount of supplementary grant required in 1935-36. (4)
Demand VIII—Heads of Provinces and Executive Councils—Reserved.	22. General Administration Reserved—Staff and Household of the Governor—c. B. 5. Government House Furniture—Inauguration Grant.	Funds for Government House furniture.	Rs. 62,400

Explanatory Note.

Under the orders of the Government of India issued with the previous approval of the Secretary of State, the official residences of Governors are furnished and supplied with household and table equipment at the expense of the State on a scale calculated to enable the incumbents of those offices to discharge adequately the social obligations entailed upon them by their position. This furniture and household and table equipment have been grouped under the following three heads, viz., (1) furniture and carpets, (2) other equipment, i.e., crockery, cutlery, glass, plate, linen, etc., and (3) curtains and covers for furniture. Capital values have been fixed for each of these heads and they are maintained at the cost of the State. The maintenance charges have been fixed at $7\frac{1}{2}$ per cent of the capital value for item (1), $12\frac{1}{2}$ per cent of that for item (2) and 13.3 per cent of that for item (3). Out of the maintenance grant for item (1), $2\frac{1}{2}$ per cent can be spent annually and the balance of 5 per cent is accumulated during the term of one Governor and placed at the disposal of the in-coming Governor as an

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inauguration grant from which such larger renewals and repairs as are required can be effected. The maintenance charges for the other two items can be spent annually.

2. A sum of Rs. 69,900 was included in the budget for 1934-35 as inauguration grant for the present Governor who assumed charge in November 1934. It was found possible to spend only a small amount in that year and a sum of Rs. 62,400 remained unspent at the end of the year. It was too late to provide this amount in the budget for 1935-36. As the whole of the unspent amount is required for expenditure in the current year and as the Military Secretary to the Governor is unable to find any portion of the amount by reappropriation from the heads of expenditure under his control, it is proposed to move a demand for a supplementary grant for a sum of Rs. 62,400 under "Grant VIII—Heads of Provinces and Executive Councils—Reserved."

APPENDIX IX.

[Vide item (2) at page 62 supra.]

Grant. (1)	Head of account. (2)	Item of expenditure. (3)	Amount of supplementary grant required in 1935-36. (4)
XXVII. Miscellaneous Departments—Reserved.	37. Miscellaneous Departments—Miscellaneous.	Travelling allowance to non-official members co-opted by the Provincial Economic Council.	Rs. 100

Explanatory Note.

The Government propose to constitute a Provincial Economic Council for the purpose of advising them on schemes of economic and educational uplift of the people of the Province. The Council will consist of the following heads of departments as its permanent members, with authority to co-opt (*ad hoc*) non-officials representing banking, commerce, industry, agriculture and local bodies and economic and educational experts for purposes of consultation on specific schemes:—

- (1) Director of Agriculture.
- (2) Director of Industries.
- (3) Director of Veterinary Services.
- (4) Registrar of Co-operative Societies.
- (5) Director of Public Health.
- (6) Surgeon-General.
- (7) Director of Public Instruction.
- (8) Sanitary Engineer.
- (9) Commissioner of Labour.
- (10) Chief Engineer for Electricity.
- (11) Chairman of the Irrigation Development Board (a Member of the Board of Revenue).

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2. It is not proposed at present to appoint any staff for the Council as there is not likely to be any appreciable amount of secretarial work until the functions of the Council are more clearly defined and it seriously enters upon its duties. The Secretary to Government in the Development Department will for the present serve as Secretary to the Council, and any secretarial work to be done will be attended to in the Development Secretariat. Expenditure will, however, have to be incurred on account of travelling and daily allowances to non-officials who may be associated with the Council. It is not possible at this stage to frame an estimate of the expenditure likely to be incurred on this account. As the constitution of an Economic Council in the form explained above has to be treated as a 'New Service,' a token grant of Rs. 100 is proposed to be obtained from the Legislative Council to enable the Government to constitute the Council and get it started on its duties.

3. If, in the light of experience gained in actual working, it is found necessary to appoint a separate establishment for the Council, a demand for a further supplementary grant will be moved at a subsequent meeting of the Legislative Council for expenditure on account of the staff. Furthermore, by that time, it will be possible to frame a definite estimate of the financial commitments involved by the constitution of the Council on account of allowances to the non-official members, which information will be given to the Council when the further demand referred to is moved.

APPENDIX X.

[Vide item (3) at page 100 supra.]

CONTRIBUTION TO THE EXPENSES OF THE COFFEE SECTION OF THE
BRITISH EMPIRE PRODUCERS' ORGANIZATION.

Ques.	Head of account.	Item of expenditure.	Amount of supplementary grant required for 1935-36.
(1)	(2)	(3)	(4)
			rs.
XXXVII—Expenditure in England other than on Stores—Reserved and Transferred.	34. f. Agriculture—Expenditure in England other than on Stores—Reserved and Transferred—A. Agriculture—Voted.	Contribution to the expenses of the Coffee section of the British Empire Producers' Organization.	200 roundly.

Explanatory Note.

At a meeting of the British Empire Producers' Organization consisting of representatives of Empire producers of coffee held in December 1934, it was decided to inaugurate a Coffee section of the organisation to investigate the question of publicity for Empire coffee. In order to enable this section to start preliminary enquiries into the marketing

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of Empire coffee and as a means of combined advertising and publicity, the coffee-producing countries in the Empire were asked to contribute a total of £200 for the first year's work of the section on the basis of their respective exports; of this contribution India's share amounted to £36 and this amount was paid in equal shares by the Coffee Growers' Association and the United Planters' Association of Southern India for the year ending 30th April 1935.

The Secretary of the United Planters' Association of Southern India reports that in order to continue and expand the activities of this coffee section it is estimated that an amount of £600 per annum will be required to carry on its work from 1st May 1935 and that on the basis of the average exports of the last three years India's share will amount to £142 or Rs. 1,900, but that owing to the serious drop in coffee prices producers could not be asked to increase their contributions and so the Coffee Growers' Association and the United Planters' Association of Southern India are able to contribute only half of this amount in equal shares. The Committees of these two associations have therefore approached the Government of India and the Governments of Madras, Mysore and Coorg to meet the other half of the contribution during 1935-36 as follows:—

	RS.
Government of Mysore	470
„ Coorg	200
„ Madras	140
„ India	140
	950

The United Planters' Association of Southern India states that it is anticipated that contributions from these Governments are likely to be demanded for one year only, i.e., during 1935-36 and that the continuance of the support to the British Empire Producers' Association Coffee Section will be taken by the Coffee Cess Committee when the proposed Coffee Export Cess (which is now under the consideration of the Government of India) comes into effect.

The British Empire Producers' Organization appears now to be the only body in existence, which can co-ordinate joint marketing efforts on the part of the Empire producers, now that the Empire Marketing Board no longer exists. The Imperial Council of Agricultural Research is a member of, and a subscriber to, this association. The Trade Commissioner for India in London has recommended India's co-operation in this scheme and the High Commissioner for India is also of opinion that such co-operation is of importance to the interests of Indian coffee. In view of the High Commissioner's recommendation, the Imperial Council of Agricultural Research has sanctioned a contribution of Rs. 140 to the British Empire Producers' Organization on behalf of the Government of India for the period from 1st May 1935 to 30th April 1936. The United Planters' Association of Southern India states that the Governments of Coorg and Mysore have also promised their

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contributions. Though the amount asked for from this Government is small, the association attaches much importance to a grant from the Local Government as indicative of its sympathy and support.

In view of these considerations it is proposed to subscribe a sum of Rs. 140 to the British Empire Producers' Organization for the period from 1st May 1935 to 30th April 1936. As this is a 'new service,' it is proposed to move a demand for a supplementary grant for a sum of Rs. 200 roundly, under Grant 'XXXVII—Expenditure in England other than on Stores—Reserved and Transferred—34.f. Agriculture—A. Agriculture' and to ask the High Commissioner for India to make the necessary payment.

APPENDIX XI.

[Vide item VIII (1) at page 100 supra.]

G.O. No. 210, Finance, dated 27th March 1935.

Read—the following :—

*Circular Memorandum No. 4583 (Bud. Comp.)-5,
dated 20th February 1935.*

ABSTRACT.—First Edition of the Civil Budget Estimates for 1935-36—Distribution of sheets—Estimating officers.

Order—No. 210, Finance, dated 27th March 1935.

Sheets of the First Edition of the Civil Budget Estimates for 1935-36 as presented to the Legislative Council were communicated to Heads of Departments and Estimating Officers with the Circular Memorandum read above. The demands for grants have all been voted by the Legislative Council without reduction.

2. The Legislative Council has also voted two further demands for grants, one for the scheme of improvements to Minor Works of Irrigation in the Presidency and another for the construction of the Mettur Hydro-Electric Project. The details are shown in Appendix A to these proceedings.

3. The abstract statements of Revenue and Expenditure charged to Revenue and of Receipts and Disbursements which were presented to the Legislative Council on the 20th February 1935, have been revised with reference to the changes referred to above and are appended to these proceedings (Appendix B).

(By order of the Governor in Council)

C. E. JONES,
Secretary to Government.

To the Heads of Departments and Estimating Officers (Provincial only).

- .. Departments of the Secretariat.
- .. Secretary, Legislative Council, for communication to the Members of the Legislative Council.
- .. Controller of the Currency.
- .. Accountant-General,

[5th August 1935]

APPENDIX A.
FURTHER DEMANDS FOR GRANTS FOR 1935-36 VOTED BY THE
LEGISLATIVE COUNCIL.

Serial number.	Grant.	Head of account.	Amount of further demand voted by the Legislative Council.	Remarks.
(1)	(2)	(3)	(4)	(5)
1	VI. Irrigation (excluding Cauvery Mettur-Project) Reserved.	55. Construction of Irrigation, Navigation, Embankment and Drainage works— Irrigation Works—Unproductive— h. Works—F. Minor Irrigation Works— Improve- ments. 12,37,000 b. C. Special establishment. 2,00,000	rs. 14,37,000	The further demand provides for a special accelerated and widespread programme of improvements to minor works of Irrigation in the Presidency in charge of both the Revenue and Public Works Departments, spread over a period of three years.
2	XVI. Electricity —Reserved.	58. Capital outlay on Hydro-Electric Schemes—m. Mettur Hydro-Electric Scheme—Voted— Works 7,70,000. Establishment and general charges .. 1,50,000 Tools and plant. 1,80,000	rs. 10,00,000	The further demand provides for the construction of the Mettur Hydro-Electric project.

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APPENDIX

A.—STATEMENT OF THE REVENUE AND OF

Revenue.

Major head.	Accounts, 1933-1934.	Budget Estimate, 1934-1935.	Revised Estimate, 1934-1935.	Budget Estimate, 1935-1936.
(1)	(2)	(3)	(4)	(5)
II. Taxes on Income	..	..	..	..
III. Salt—Provincial	(a)	..	..	..
V. Land Revenue	693.34	725.13	699.01	736.04
VI. Excise	428.83	431.68	423.07	423.71
VII. Stamps	228.11	229.78	217.34	217.34
VIII. Forest	41.58	42.85	44.74	44.09
IX. Registration	31.15	31.21	31.40	31.45
XIII. Irrigation, Navigation, Em- bankment and Drainage Works for which Capital Accounts are kept—Gross receipts	6.00	5.96	6.23	6.16
XIV. Irrigation, Navigation, Em- bankment and Drainage Works for which no Cap- ital Accounts are kept ..	1.83	1.90	1.77	1.72
XVI. Interest	33.42	27.13	25.68	23.52
XVII. Administration of Justice. XVIII. Jails and Convict Settle- ments	15.92	16.99	16.07	16.04
XIX. Police	5.70	5.40	5.36	5.34
XX. Ports and Pilotage	5.48	5.50	5.59	5.51
XXI. Education	.01	..	..	..
XXII. Medical	8.45	8.31	8.54	8.67
XXIII. Public Health	8.91	8.98	9.63	9.60
XXIV. Agriculture	2.65	1.55	1.72	1.60
XXV. Industries	3.79	3.82	4.69	4.56
XXVI. Miscellaneous Depart- ments	6.23	13.65	14.48	14.65
XXX. Civil Works	44.18	43.63	45.90	45.90
XXX-A. Hydro-Electric Schemes—Gross Receipts.	18.02	17.76	16.07	16.90
XXXII. Transfers from Famine Relief Fund	3.82	6.22	9.74	13.50
XXXIII. Receipts in aid of Superannuation	..	..	..	2.40
XXXIV. Stationery and Printing.	2.73	2.54	2.08	2.08
XXXV. Miscellaneous	3.64	3.92	4.10	4.69
	9.27	9.72	9.36	9.23
Grand Total—Revenue ..	1,603.06	1,643.63	1,602.57	1,649.09
Excess of Revenue over Expen- diture charged to Revenue or Surplus	6.25	4.46	..	4.85

FINANCE DEPARTMENT,
FORT ST. GEORGE,
27th March 1935.

(a) Rs. 100.

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B.

THE EXPENDITURE CHARGED TO REVENUE.

Expenditure.

Major head.	Accounts, 1933-1934.	Budget Estimate, 1934-1935.	Revised Estimate, 1934-1935.	Budget Estimate, 1935-1936.
(1)	(2)	(3)	(4)	(5)
5 Land Revenue	20.25	19.55	20.08	18.35
6 Excise	33.22	34.39	34.08	36.97
7 Stamps	5.72	6.21	5.68	5.69
8 Forests	36.72	36.43	36.55	39.97
8-A. Forest Capital Outlay charg- ed to Revenue	2.54	3.78	3.76	2.71
9 Registration	28.72	29.77	29.43	29.52
15 Irrigation—Other Revenue Expenditure financed from Ordinary Revenues	46.43	47.01	47.96	44.48
XIII. Irrigation, Navigation, Em- bankment and Drainage Works for which Capital Accounts are kept— Working expenses	46.49	49.53	50.49	48.80
16 Construction of Irrigation, Navigation, Embankment and Drainage Works	3.97	3.92	3.76	3.78
19 Interest on Ordinary Debt ..	71.76	69.52	68.76	67.48
20 Interest on Other obligations.	.10	.10	.25	.10
21 Appropriation for Reduction or Avoidance of Debt	25.59	27.29	26.64	28.01
22 General Administration	272.12	276.71	276.93	280.22
24 Administration of Justice ..	95.77	97.60	96.80	98.79
25 Jails and Convict Settlements.	21.23	22.08	21.42	21.45
26 Police	164.64	165.07	164.53	167.11
27 Ports and Pilotage	.11	.14	.10	.10
30 Scientific Departments	1.76	.92	.96	.86
XXX-A. Hydro-Electric Schemes —Working Expenses	6.29	4.75	5.35	6.90
31 Education	249.65	251.40	253.60	252.30
32 Medical	88.67	93.74	92.45	93.57
33 Public Health	23.16	26.29	25.68	26.00
34 Agriculture	37.85	39.37	39.84	41.09
35 Industries	15.37	24.67	24.24	24.40
37 Miscellaneous Departments ..	51.18	52.59	53.42	53.38
41 Civil Works	139.92	143.01	131.69	138.38
43 Famine	.23	1.00	1.35	1.25
45 Superannuation Allowances and Pensions	76.18	79.41	79.65	80.77
45-A. Commuted value of pen- sions financed from Ordinary Revenues	9.78	10.97	5.97	7.97
46 Stationery and Printing	16.63	18.21	16.91	19.34
47 Miscellaneous	4.76	4.74	4.28	4.30
Grand Total—Expenditure Charged to Revenue ..	1,596.81	1,639.17	1,621.61	1,644.24
Excess of Expenditure charged to Revenue over Revenue or Deficit	..	..	19.04	..

C. E. JONES,
Secretary to the Government of Madras.

[5th August 1935]

APPENDIX

B.—STATEMENT OF RECEIPTS

Receipts.				
Heads of account.	Accounts, 1933-1934.	Budget Estimate, 1934-1935.	Revised Estimate, 1934-1935.	Budget Estimate, 1935-1936.
(1)	(2)	(3)	(4)	(5)
EXCESS OF REVENUE OVER EXPENDITURE CHARGED TO REVENUE	6.25	4.46	..	4.85
Loans and Advances by the Provincial Government (Recoveries).	50.11	35.99	45.35	33.44
Appropriation for Reduction or Avoidance of Debt	25.59	27.29	26.64	28.01
Suspense	38.47	18.53	8.22	4.29
Subventions from Central Road Development Account	13.03	6.00	13.00	13.00
Civil Deposits (Grants from the Imperial Council of Agricultural Research and the Indian Central Cotton Committee)	1.17	1.36	1.57	1.92
Depreciation Funds	1.87	2.00	2.16	2.16
Famine Relief Fund	1.90	1.95	1.56	1.51
Total—Receipts ..	138.39	97.58	98.50	89.18
Opening Balance—				
General Balances—				
Revenue Account	305.47	268.87	284.60	214.76
Capital and Debt heads	24.99	8.37	..	..
Suspense, Depreciation Funds, Road Development Account, Civil Deposits and Miscellaneous Government Account	18.32	17.48	23.70	29.77
Famine Relief Fund	57.95	59.85	59.86	61.42
Total—Opening Balance ..	406.74	354.57	368.16	305.95
Grand Total ..	545.13	452.15	466.66	395.13

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B—cont.

AND DISBURSEMENTS.

Disbursements.				
Heads of account.	Accounts, 1933-1934.	Budget Estimate, 1934-1935.	Revised Estimate, 1934-1935.	Budget Estimate, 1935-1936.
(1)	(2)	(3)	(4)	(5)
EXCESS OF EXPENDITURE CHARGED TO REVENUE OVER REVENUE	..	..	19.04	..
CAPITAL HEADS.				
55. Construction of Irrigation, Navigation, Embankment and Drainage Works—				
Cauvery-Mettur Project	20.21	15.15	15.47	4.94
Other works	14.26	15.16	15.45	22.32
56. C. Capital Outlay on Industrial Development	.63	.88	.05	.21
58. Capital Outlay on Hydro-Electric Schemes	18.22	46.98	24.88	53.66
60. Civil Works—Not charged to Revenue	..	..	..	3.29
TOTAL—CAPITAL HEADS ..	59.32	78.17	55.85	80.42
DEBT HEADS.				
Loans and Advances by the Provincial Government (Advances)	34.53	55.14	40.30	36.70
Advances from the Provincial Loans Fund, Government of India	33.96	27.29	26.64	28.01
Suspense	32.24	18.53	8.92	4.29
Subventions from Central Road Development Account	8.83	9.23	7.60	10.46
Civil Deposits (Grants from the Imperial Council of Agricultural Research and the Indian Central Cotton Committee)	1.00	1.34	1.56	1.93
Depreciation Funds	1.09	.61	.80	1.75
Famine Relief Fund	..	..	..	2.40
Total—Disbursements² ..	176.97	190.31	160.71	185.96
Closing Balances—				
General Balances—				
Revenue Account (a) 284.60	(b) 184.38	(c) 214.76	(d) 117.93	
Capital and Debt heads	..	..	..	..
Suspense, Depreciation Funds, Road Development Account, Civil Deposits and Miscellaneous Government Account	23.70	15.66	29.77	32.71
Famine Relief Fund	59.86	61.80	61.42	60.53
Total—Closing Balance ..	368.16	261.84	305.95	211.17
Grand Total ..	545.13	452.15	466.66	395.13

(a) Excludes 27.12 lakhs actually drawn for capital expenditure (18.31 lakhs for Cauvery-Mettur Project and 8.81 lakhs for other capital expenditure).

(b) Excludes 88.95 lakhs to be utilized for capital expenditure (15.15 lakhs for Cauvery-Mettur Project and 73.80 lakhs for other capital expenditure).

(c) Excludes 69.84 lakhs to be utilized for capital expenditure, etc. (19.04 lakhs for Revenue deficit, 15.47 lakhs for Cauvery-Mettur Project and 35.33 lakhs for other capital expenditure).

(d) Excludes 101.43 lakhs to be utilized for capital expenditure, etc. (4.94 lakhs for Cauvery-Mettur Project and 96.49 lakhs for other capital expenditure).

C. E. JONES,
Secretary to the Government of Madras.

[5th August 1935]

APPENDIX XII.

[Vide item VIII (2) at page 100 supra.]

G.O. No. 235, Finance, dated 2nd April 1935.

The Public Accounts Committee and the Standing Finance Committee of the Legislative Council for 1935-36 will be constituted as follows:—

A. PUBLIC ACCOUNTS COMMITTEE.

NOMINATED BY HIS EXCELLENCY THE GOVERNOR.

- 1 The Hon'ble the Finance Member (Chairman).
- 2 J. MacKensie Smith, Esq., M.L.C.
- 3 M.R.Ry. A. Ranganatha Mudaliyar Avargal, M.L.C.

ELECTED BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCIL.

- 4 Abdul Hameed Khan Sahib Bahadur, M.L.C.
- 5 M.R.Ry. M. Devadasan Avargal, M.L.C.
- 6 „ P. C. Moses Avargal, M.L.C.
- 7 „ Rao Sahib Pandit Ganala Ramamurti Garu, M.L.C.
- 8 „ T. S. Ramaswami Ayyar Avargal, M.L.C.
- 9 Mahboob Ali Baig Sahib Bahadur, M.L.C.
- 10 M.R.Ry. G. Simhachalam Pantulu Garu, M.L.C.

B. STANDING FINANCE COMMITTEE.

NOMINATED BY HIS EXCELLENCY THE GOVERNOR.

- 1 The Hon'ble the Finance Member (Chairman).
- 2 M.R.Ry. Daniel Thomas Avargal, M.L.C.
- 3 (Temporarily unfilled).

ELECTED BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCIL.

- 4 M.R.Ry. Diwan Bahadur S. Ellappa Chettiyar Avargal, M.L.C.
- 5 Khan Bahadur Mahmud Sehamnad Sahib Bahadur, M.L.C.
- 6 M.R.Ry. P. V. Rajagopala Pillai Avargal, M.L.C.
- 7 „ P. V. Krishnayya Choudari Garu, M.L.C.
- 8 „ T. C. Srinivasa Ayyangar Avargal, M.L.C.
- 9 „ V. M. Ramaswami Mudaliyar Avargal, M.L.C.
- 10 Yakub Hasan Sahib Bahadur, M.L.C.
- 11 M.R.Ry. Rao Sahib V. I. Muniswami Pillai Avargal, M.L.C.

(By order of the Governor in Council)

C. E. JONES,
Secretary to Government.

To all Departments of the Secretariat.
„ the Accountant-General.
„ all Secretaries to Government.
„ all Members of the Public Accounts Committee and the Finance Committee.
„ the Secretary to the Legislative Council for communication to Members of the Legislative Council.

[5th August 1935]

APPENDIX XIII.

[Vide item VIII (5) at page 100 supra.]

G.O. No. 395, Development, dated 13th March 1935.

READ—the following papers:—

G.O. No. 743, Development, dated 6th June 1934.

From the Director of Agriculture, R. Dis. No. 278/34, dated
10th October 1934.

Order—No. 395, Development, dated 13th March 1935.

The Superintendent, Government Press, is requested to publish the following notification in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by section 18 of the Madras Commercial Crops Markets Act, 1933 (Act XX of 1933), the Governor acting with Ministers is hereby pleased to make the following rules, the same having been previously published as required by clause (a) of sub-section (4) of section 18 of the said Act.

THE MADRAS COMMERCIAL CROPS MARKETS RULES, 1935.

Short title.—These rules may be called the Madras Commercial Crops Markets Rules, 1935.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

- (1) 'the Act' means the Madras Commercial Crops Markets Act, 1933;
- (2) 'broker' means any agent (not being a private servant) habitually employed on commission to make contracts for the purchase or sale of commercial crops for the purchase of which he does not advance any money or with the possession of documents of title to which he is not entrusted.

Explanation.—A servant or an agent employed to purchase or sell or to bargain for commercial crops on account of others, whether remunerated by fees or not, is not a broker within the meaning of these rules, provided that such servant or agent is employed by one person or by one firm only, and that he does not obtain or demand fees from any other person or firm except the person or firm employing him;

- (3) 'buyer' includes a person buying any commercial crop on behalf of another as his duly authorized agent or as a commission agent;
- (4) 'by-law' means a by-law made by a Market Committee under section 19 of the Act;
- (5) 'commission agent' means a person who, on behalf of another person and in consideration of a commission, makes or offers to make a purchase or sale of any commercial crop or does or offers to do anything necessary for completing or carrying out such purchase or sale;
- (6) 'cotton' means every kind of unmanufactured cotton, that is to say, ginned and unginned cotton;
- (7) 'market' means a market established under section 5 of the Act;
- (8) 'market yard' means any enclosure or building situated within the market and declared to be a market yard by the Local Government by notification in the *Fort St. George Gazette* and the gazette of the district concerned;
- (9) 'seller' includes a person selling commercial crops on behalf of another as his duly authorized agent or as a commission agent; and
- (10) 'unauthorized trade allowance' means any trade allowance not prescribed by the by-laws of the Market Committee.

[5th August 1935]

Publication of notification.

3. (1) Copies of every notification under section 3 or section 4 of the Act shall be published—

- (i) in the District Gazette, in English and in the vernacular language or languages of the district;
- (ii) in the village supplement to the District Gazette, in the vernacular language or languages of the district;
- (iii) in the office of every district board, panchayat and municipal council within whose jurisdiction the area specified in such notification or any part of such area is situated, by affixture in a conspicuous position therein, in English and in the vernacular language or languages concerned;
- (iv) in the village chavadi, if any, of the village or each of the village concerned, by affixture in a conspicuous position therein in the vernacular language or languages concerned; and
- (v) by beat of drum in the village or each of the villages concerned.

(2) The Market Committee shall keep a copy of the Act and of the rules and notifications made or issued thereunder and of its by-laws open to inspection, free of charge at its office.

4. *Preparation of electoral rolls and conduct of elections to the Market Committee.*—The Collector of the district in which any area notified under section 4 is situated shall cause—

- (a) lists of voters to be prepared and revised, and
- (b) elections to be held to the Market Committee in accordance with the rules framed by the Local Government in that behalf.

The Collector of the district when exercising any functions under this rule shall be designated as the election authority.

5. *Formation of Market Committee.*—Immediately on the publication of a notification under sub-section (1) of section 4 of the Act declaring any area to be a notified area, the Collector of the district shall prepare and publish or cause to be prepared and published a list of persons entitled to vote under clause (i) of sub-section (1) of section 6 of the Act and a separate list of persons entitled to vote under clause (iv) of that sub-section.

6. Every person whose name appears in the electoral roll prepared under clause (i) or clause (iv) of sub-section (1) of section 6 of the Act in respect of any Market Committee shall, so long as it remains in force, be entitled to vote at an election held under the said clause for such committee and no person whose name does not appear in such roll shall be entitled to vote at such election.

7. *The powers and duties of the Market Committee—General administration of the market property.*—The Market Committee shall, so far as the funds at its disposal will permit, but subject to the provisions of these rules, provide—

- (1) for the construction and repair of buildings, and other erections necessary for the purpose of the market;
- (2) for the maintenance and improvement of the market, its surroundings and approaches; and
- (3) for the health, convenience, and safety of the persons using the market.

The Market Committee shall draw up by-laws under section 19 of the Act, consistent with these rules, to regulate its own procedure. The by-laws shall *inter alia* deal with—

- (a) the time and place of meeting of the Committee;
- (b) the manner of convening meetings and of giving notice therefor;
- (c) the quorum required at meetings;
- (d) the conduct of proceedings at meetings;
- (e) the division of duties among the members;
- (f) the persons by whom receipts may be granted on behalf of the Committee for money paid;
- (g) the member or members of the Committee by whom all licences to be issued by the Committee are to be signed;
- (h) the method of disposal and of hearing of complaints;
- (i) the levy of fees;
- (j) the regulation of the duties of brokers, commission agents, salesmen and weighmen; and
- (k) any other matters for the guidance of its members and servants for the purpose of carrying out the Act and the rules framed thereunder.

[5th August 1935]

8. *Appointment of Disputes Sub-Committee.*—The Market Committee may appoint a sub-committee called the Disputes Sub-Committee consisting of—

- (1) one of the nominated members of the committee, who shall be the chairman of the sub-committee;
- (2) one of the persons included in a panel chosen from the representatives of the growers of commercial crops on the Market Committee;
- (3) one of the traders of commercial crops on the committee; and
- (4) one of the representatives of local bodies on the committee to settle disputes between buyers and sellers of commercial crops or their agents, including disputes regarding the quality or weight of the article, the allowances for wrappings, dirt or impurities or deductions from any cause.

The dispute shall, as far as possible, be decided on the spot and on the same day.

No business shall be transacted at a meeting of the sub-committee unless there be present at least three members.

Every meeting of the sub-committee shall be presided over by the chairman and in his absence by a member chosen by the meeting to preside for the occasion.

All questions which may come before the sub-committee at any meeting shall be decided by a majority of members present and voting at the meeting and in every case of equality of votes, the chairman or the presiding member shall have and exercise a second or casting vote.

The decision of the sub-committee shall be final.

The Market Committee shall maintain a full record of all complaints which come before the Disputes Committee.

9. *Election of Chairman of the Market Committee.*—(1) The Chairman of a Market Committee shall be elected at a meeting of its members convened for the purpose by the Tahsildar or Deputy Tahsildar having jurisdiction over the notified area and presided over by him.

(2) A candidate for the office of chairman must be proposed by one member and seconded by another. The names of all the candidates proposed and seconded shall be read out by the president of the meeting.

(3) If there is only one duly nominated candidate, he shall be declared to have been elected.

(4) If there are two or more such candidates, the votes of the members present at the meeting shall be taken.

(5) Every member wishing to vote shall be supplied with a voting paper on which the names of all the candidates shall be written legibly in English and in the vernacular of the place. Every voting paper shall be initialed on its back by the president.

(6) The voter shall then place a mark against the name of the candidate for whom he wishes to vote, fold it up and deposit it in a ballot box placed before the president. If a voter is unable to do so, the president may mark the voting paper in the presence of the members according to the voter's directions, and deposit it in the ballot box.

(7) The president shall then open the ballot box and count the votes in the presence of the members and declare the member who secures the largest number of votes to have been elected as the chairman. In the event of there being an equality of votes among two or more candidates, the president shall draw lots in the presence of the members and the person whose name is first drawn shall be declared to have been elected.

(8) Any voting paper which contains the signature of the voter or on which the mark is placed against more than one name or the back of which does not contain the initials of the president, shall be invalid.

(9) Immediately after the meeting, the president shall publish the name of the person elected in the office of the Market Committee.

(10) The voting papers shall be sealed by the president and retained in safe custody in the office of the Market Committee, and the packet shall not be opened or destroyed except under the orders of the Collector of the district.

[5th August 1935]

10. *Term of office and casual vacancies in the office of chairman.*—(1) The chairman shall be deemed to have assumed office on his being declared elected as such.

(2) The chairman shall cease to hold office as such—

- (i) on the expiry of his term of office as a member or on his otherwise ceasing to be a member; or
- (ii) on removal from office by the Collector of the district as provided in sub-rule (3); or
- (iii) on his resignation being placed before the committee.

(3) The Collector of the district may by order remove the chairman from office if such removal is recommended by a resolution of the committee supported by the votes of not less than two-thirds of the members of the committee. The Collector may, before passing an order removing the chairman from office under this sub-rule, make such inquiry as he may consider necessary.

11. Any member other than the chairman may resign his office by giving notice to the chairman and the chairman may resign his office as such by giving notice to the committee. Such resignation shall take effect, in the case of a member, on the date on which it is received by the chairman and in the case of the chairman, on the date on which it is placed before the committee.

12. *Functions of the chairman.*—The chairman shall be the chief executive officer of the committee and all officers and servants of the committee shall, subject to these rules and to the directions, if any, given by the committee, be subject to his control. He shall conduct all correspondence and shall be responsible for the keeping of accounts, for the punctual rendering of all reports and returns and for the custody of all amounts not deposited in the treasury or with a bank approved by the Local Government.

13. *Presidency of committee.*—(1) Every meeting of the committee shall be presided over by the chairman; and in his absence, by a member chosen by the meeting to preside for the occasion.

(2) The chairman shall preserve order and shall decide all points of order arising at or in connexion with meetings. There shall be no discussion on any point of order and the decision of the chairman on any point of order shall be final.

(3) The chairman shall be entitled to speak and vote on all questions at meetings.

(4) The member presiding for the occasion shall, for that meeting and during the period that he presides over it, have all the powers of the chairman.

(5) All questions which may come up before the committee at any meeting shall be decided by the majority of the members present and voting at the meeting and in every case of equality of votes, the presiding member shall have and exercise a second or casting vote.

14. *Minute book to be kept.*—A minute book shall be kept by every Market Committee for permanent record, and a record of the proceedings at every meeting of the committee shall be entered therein by, or under the supervision of, the chairman or other presiding member, and shall be signed by him.

15. *Officers entitled to attend meetings.*—The Collector of the district or any of his assistants authorized by him in writing, the Director of Agriculture or any of his assistants authorized by him in writing, the Director of Industries or any of his assistants authorized by him in writing, the president of every local board, or any member of the board authorized by the president in writing, the chairman of every municipal council or any member of the municipal council authorized by the chairman in writing shall be entitled to attend any meeting of a Market Committee constituted for an area situated within their jurisdiction and to address the committee on any matter. A copy of the notice convening the meeting shall be sent to the Collector of the district, the Director of Agriculture, the Director of Industries, the president of every such local board, and the chairman of every such municipal council.

16. *Meetings open to the public.*—All meetings of a Market Committee shall ordinarily be open to the public. But the presiding member shall in any particular case on a motion carried by not less than two-thirds of the members present at the meeting, direct that strangers, shall withdraw.

[5th August 1935]

17. *Copy of proceedings of meeting.*—A copy of the proceedings at every meeting of a Market Committee shall be forwarded to the Collector of the district and the Director of Agriculture forthwith.

18. *References.*—All references from a Market Committee to any officer of Government shall be made through the head of the department or office to which he belongs.

19. *Control and conservancy of the market yard.*—(1) The Market Committee shall have the absolute control of the market yard, and subject to these rules and to the orders of the Local Government and to such control as by these rules or by any other law is vested in the Collector of the district or in a municipal council or local board, shall manage it in the best interests of the trade.

(2) The market yard shall be open for trading at such hours as the committee may from time to time fix.

(3) The carts shall stand in such place and for such times as may be permitted and ingress and egress may be permitted at such times as the committee may consider proper.

(4) The committee shall be responsible for the maintenance of the market yard in good and sanitary condition and for the upkeep of the roads, wells, water-troughs and buildings appertaining to the market.

20. *Employment of auctioneer.*—The Market Committee may employ an auctioneer as a servant of the committee on such allowance as may be fixed by it to sell any commercial crop brought into the market if the seller so desires.

21. (a) *Accounts of transactions to be maintained in the market yard or yards.*—(1) A proper account of each individual cart-load shall be maintained by the Market Committee and entered in a book which may be prescribed for the purpose.

(2) When a cart or load is brought into the market yard, it shall be entered in the account with the name of the owner of the crop, the nature of the crop, and the amount of the entrance fee paid, and the owner shall be given a combined receipt and pass.

(3) The crop shall not be allowed to go out except on the presentation of the same receipt and pass if the crop is not sold or of a printed docket supplied by the Market Committee containing the weight of the crop sold, the purchaser's signed agreement to buy, the rate at which he agreed to buy and the name of the seller if the crop is sold.

(4) The records of sales shall be posted up from these docket sheets.

(b) *Accounts of transactions to be maintained by licensees.*—When carts or loads are brought into premises occupied by licensees without the market pass referred to in sub-rule (a), the licensee concerned shall be responsible to the Market Committee for the collection of entrance fees, and for reporting to the committee the weight of the commercial crop or crops as certified by a licensed weighman on authorized weighing machines.

22. *Levy of fees.*—The Market Committee shall draw up a schedule of all fees to be levied on commercial crops in the notified area. The fee shall be leviable as soon as any commercial crop is brought into the notified area.

The fees levied on any commercial crop shall be refunded if it is taken out of the notified area without its being sold.

No fees shall be levied on the same commercial crop more than once. In the case of cotton no fees shall be levied on lint obtained from kappas on which fees have been levied.

Any person wishing to obtain a licence under section 4 with a view to setting up, establishing or continuing or being allowed to continue any place for the purchase and sale of a commercial crop or crops within the notified area shall apply to the Local Government through the Collector of the district. A fee not exceeding Rs. 50 per annum shall be levied for the issue of a licence.

23. *Register of fees.*—The Market Committee shall maintain a register showing the fees collected by it. A receipt shall be granted to every person in respect of fees collected from him under these rules.

[5th August 1935]

24. Use of servants for collecting fees.—The fees shall be collected by the paid officers and servants of the Market Committee in respect of market yards and by licensees in respect of fees collected in premises in their occupation. Collection of fees shall not be farmed out.

25. Servants employed on the collection of fees to wear badges.—Every officer or servant employed by the Market Committee for the collection of fees shall wear a suitable badge of office provided by the committee.

26. Security.—The Market Committee shall take sufficient security from such of its officers and servants as are entrusted with the handling of money.

27. Custody of collection.—Every person authorized to collect fees shall be provided with a money box and counterfoil receipt books. The box shall be inspected daily at a fixed hour by the chairman or such other member of the Market Committee as may be appointed by the chairman for the purpose and such chairman or member shall be responsible for comparing the counterfoil receipts with the amount actually received.

28. Penalty for evasion of payment of the fees.—Any person removing or attempting to remove any commercial crop from any notified area before the fee has been paid therefor and a receipt obtained in respect of such payment, or practising any device in order to evade or to facilitate the evasion of the payment of the fee shall be punishable with fine which may extend to fifty rupees.

29. Registration of buyers and sellers and licences to brokers and weighmen.—Buyers and sellers to register their names.—Any person shall, on application at the office of the Market Committee, be entitled to have his name registered as a buyer or as a seller or as a buyer and seller immediately on his executing an agreement in such form as the Market Committee may from time to time prescribe, agreeing to conform to the market rules, and on his paying such fee, not exceeding Rs. 25 per annum, as may be fixed in the by-laws.

A person who is not registered should not buy or sell.

Nothing contained in this rule shall apply to cases falling under the Explanation to sub-section (1) of section 4 of the Act.

30. Removal of name of the buyer or seller from the register.—The Market Committee may remove either permanently or for a period specified in the resolution, from the list of buyers and sellers the name of any person registered as a buyer or as a seller or as a buyer and seller who violates the conditions of his agreement or any provision contained in any rules or by-laws made under the Act.

Any person whose name has been removed permanently from the list of buyers and sellers may within one month prefer an appeal to the Collector of the district whose decision thereon shall be final.

31. Licences to brokers or weighmen.—(i) The Market Committee shall license such and so many persons as it may from time to time think fit to be brokers or weighmen. Any licences so granted may at any time for sufficient cause be withdrawn by the committee.

(ii) Any person who takes service under any buyer or seller of, or advances money for the purchase of, or is entrusted with the possession of documents of title relating to, any commercial crop in connexion with which he is employed shall be deemed to be disqualified for getting a licence to be a broker or weighman, and the licence of any such person obtained fraudulently or prior to his becoming disqualified shall be withdrawn. No unlicensed broker or weighman shall practice his calling in the notified area.

(iii) Any person whose licence has been withdrawn under sub-rule (i) may within one month prefer an appeal to the Collector of the district whose decision thereon shall be final.

32. Period of licence.—(1) Every licence shall, unless withdrawn or cancelled, be in force for a period of twelve months from the date of its issue and thereafter may be renewed for further periods of twelve months at a time.

(2) The fee payable for the grant or renewal of a broker's licence shall be twenty rupees and that for the grant or renewal of a weighman's licence shall be five rupees.

[5th August 1935]

33. Books to be kept by licensed brokers and weighmen.—Every broker and every weighman licensed under these rules shall—

- (a) keep such books and in such form as the Market Committee may from time to time require,
- (b) render such daily and monthly returns at such time and in such form as the committee may from time to time require, and
- (c) render such assistance as may be required by the committee in the collection of fees due under these rules in the prevention of the evasion of the payment thereof and generally in the prevention of the breach of these rules.

34. Only licensed weighmen to be employed.—All weighments of commercial crops in the notified area shall be made only by licensed weighmen.

35. Employing a broker.—No person shall, in the absence of an express agreement, be bound to employ a broker in any transaction or be required to pay for a broker employed by any other party to the transaction or to pay for a broker when none is employed.

36. Fees for licensed brokers and weighmen.—A licensed broker or weighman may, in respect of his services, demand such fees as may be fixed by the by-laws of the Market Committee, from the person employing him.

If both parties employ the same licensed weighman or broker, the fees of the weighman or broker shall in the absence of an express agreement be payable one half by the buyer and the other half by the seller.

37. Licensed weighmen to wear a distinguishing badge.—No licensed weighman shall act as such in the notified area unless he is wearing a badge containing the serial number allotted to him by the Market Committee.

38. Penalty for plying trade without licence or badge.—Any person practising in the notified area as a broker or weighman without a licence and any licensed weighman plying his trade without the authorized badge shall be punishable with fine which may extend to fifty rupees for the first offence and to one hundred rupees for every subsequent offence.

39. Penalty for the demand or receipt by licensed broker or weighman of any sum not authorized by these rules.—Any licensed broker or any licensed weighman who demands, receives or retains or allows any other person to demand, receive, or retain, on account of, or under the colour of, fees due in respect of his services, any sum not demandable under these rules, or a larger sum than is demandable under these rules, or from a person who is not liable to pay under these rules, and any person who, not being a licensed broker or weighman, shall demand, receive or retain, or facilitate the demand, receipt, or retention of any fee shall be punishable with fine which may extend to fifty rupees.

40. Places at which commercial crops shall be weighed.—All weighments of commercial crops intended for sale shall be carried out in the notified area under the control of the Market Committee through such agents as the Committee may employ for the purpose.

41. Use of weights.—(1) For weighing commercial crops other than cotton, only such scales and weights shall be used as conform to the railway standard weights, viz., 82-2/7 lb. = 1 maund; 1 maund = 40 seers; and one seer = 80 tolas.

(2) For weighing cotton, only such scales and weights shall be used as conform to the 28 lb. maund weight and the candy of the Bombay Standard, 784 lb. being one candy and 392 lb. being half a candy, exclusive of borahs.

(3) All other scales and weights shall be unauthorized.

42. Inspection of scales and weights.—The chairman of the Market Committee, every member of the committee, and every employee of the committee authorized by it in this behalf shall be entitled, at any time and without notice, to inspect, examine, and test any scale or weight used, kept or possessed in any open place within the limits of the notified area.

43. (a) A set of authorized weights to be kept by the Market Committee.—The committee shall keep at least one set of authorized weights and scales which shall at all reasonable hours be available to the public for comparison with their own weights and scales.

[5th August 1935]

(b) The authorized weights and scales kept by the Market Committee may at any time be checked by the Collector of the district in which the notified area is situated, or by any other officer authorized by him in this behalf.

44. *Counterbalancing in weighment.*—A weight equivalent to that of the rope and of the bag which contains the commercial crop shall be added to the weight side of the scale in order to counterbalance the weight of the rope and bag on the weighing side of the scale.

45. *Weighment on a weighbridge.*—Every Market Committee shall erect a weighbridge in the notified area with suitable arrangements for its use. Any buyer or seller may at his option have his cart-load of commercial crops weighed on it and also his cart when emptied and he shall be given free a certificate of weighment. All parties doing business in the notified area shall accept this certificate as final.

The Market Committee shall be responsible for keeping the weighbridge in proper working order and for issuing the certificate of weighment.

46. *Production of scales and weights for inspection.*—Every registered buyer, every registered seller and every registered buyer and seller, residing or trading within the limits of the notified area, shall, on a requisition in writing being made to him by the chairman or any two members of the Market Committee, immediately produce for examination all and every scale or weight used, kept or possessed by him, or by any person or persons under his authority or control, and shall allow the said chairman or the said two members or any employee of the Market Committee authorized by it in this behalf to inspect, examine and test the same.

47. *Confiscation of incorrect scales and weights authorized.*—If on examination under rule 42 or rule 46 any scale is found to be untrue or any weight or measure is found to be unauthorized or incorrect, a report shall be forthwith forwarded in the following form to such Magistrate as the Collector of the district may from time to time appoint:—

Name of person from whom the scales or weights are seized.	Description of the scales or weights.	Date of seizure.	Person by whom seized.	Person in whose presence seized.	Why seized.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Witnesses.

Signature of the person making the report.

NOTE.—The report will be signed by the person or persons in whose presence the weights or scales were seized.

48. *Penalty for disobedience of order to produce any weight or scale for examination.*—Whoever being bound under the provisions of rules 42 to 46 to produce any scale or weight for examination, or to allow the examination, inspection or testing of any scale or weight does not immediately produce the scale or weight or does not allow the examination, inspection or testing of the scale or weight, shall be punishable with fine which may extend to fifty rupees.

49. *Penalty for possessing or using unauthorized scale or weight.*—Whoever being a licensed broker or a licensed weighman, or a registered buyer, or a registered seller, or a registered buyer and seller, uses or keeps for use any scale or weight which is unauthorized shall be punishable with fine which may extend to two hundred rupees.

[5th August 1935]

50. *Penalty for disobedience of orders of committee.*—Any person entering or attempting to enter the market yard when directed not to do so by the committee, or disobeying the directions of the committee in regard to the places where carts laden with produce may stand, or in regard to the roads by which and in regard to the times at which, they may proceed, shall be punishable with fine which may extend to ten rupees in the case of a first offence and to fifty rupees in the case of a subsequent offence.

51. *Trade allowances.*—No licensed broker, or licensed weighman, registered buyer, registered seller, or registered buyer and seller, shall be allowed to demand, take or retain any trade allowance not permitted by the by-laws or any unpaid sample in regard to any transaction entered into in the notified area, and for sample in regard to any transaction entered into in the notified area, and any person demanding, taking or retaining such allowance or unpaid-for sample, or assisting or abetting any other person in demanding, taking or retaining such allowance or unpaid-for sample or in any way facilitating or conniving at the demanding, taking, or retaining of such allowance or unpaid-for sample, shall be punishable with fine which may extend to two hundred rupees.

Explanation.—A sample which it is intended to pay for on weighment is not an unpaid-for sample within the meaning of this rule.

52. *Preparation of plans and estimates for works.*—The Market Committee shall arrange to have plans and estimates for works proposed to be carried out. No works for which plans and estimates have not been previously prepared and sanctioned may be included in the budget. In the case of original works estimated to cost one thousand rupees or less, the technical sanction of the Assistant Engineer of the Public Works Department or Local Fund Department or of the Municipal Engineer having jurisdiction over the notified area shall be obtained and evidenced by his counter-signature. The technical sanction of the Executive Engineer of the division should be obtained for works estimated to cost over one thousand rupees.

All works shall be carried out under the supervision of the chairman or any other member whom the committee may appoint for the purpose.

53. *Accounts and audit.*—The Market Committee shall keep such accounts and in such form as may be required by the Examiner of Local Fund Accounts.

The Market Committee shall publish a statement of its assets and liabilities for each year with a balance sheet, by the 31st January following, and shall furnish on payment of such fee as may be fixed by the committee, a copy of the statement to every person who is a member of any electorate authorized to elect a member or members to the Market Committee.

The accounts shall be audited annually by the local audit establishment of the Examiner of Local Fund Accounts who will also call for such monthly accounts as he may find necessary. At the time of audit, the Chairman of the Market Committee or any other member deputed by him for the purpose shall cause to be produced all accounts, registers, documents, and other papers which may be required by the audit officer for the purposes of the audit. Any explanation required by the audit officer for the settlement of any discrepancy shall also be called for by that officer for the settlement of any discrepancy shall also be immediately furnished to him.

To meet the cost of the Local Audit establishment, the Market Committee shall contribute to the provincial revenues, such sum not exceeding 3 per cent of the total annual expenditure of the committee as may be determined by the Local Government in each case.

54. *Check on receipts and expenditure.*—The Market Committee shall take all possible steps to secure an adequate check on the due crediting of receipts and on payments made by its officers and servants, and shall furnish to the Audit Officer all information he may require regarding the action taken in this respect.

55. *Receipts to be credited daily into the Government treasury.*—Except where the Local Government on application by the committee shall otherwise direct, all receipts on account of fees recovered under these rules and all other items of income whatsoever shall be daily credited in full into the Government treasury or sub-treasury or into a bank approved by the Local Government and all balances shall be kept in such treasury, sub-treasury or bank and shall not be drawn out except in accordance with these rules.

56. *Payments to be made by cheque only.*—All payments except from imprest shall be made on cheques drawn on behalf of the Market Committee.

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57. *Expenditure.*—Every cheque drawn on behalf of the Market Committee shall be signed by the chairman, or in his absence, by any two members of the committee. No such cheque shall be drawn except on a bill which has been examined and passed by the chairman or on the issue or recoupment of an imprest, if any, and the said chairman shall not pass any bill for payment without the previous sanction of the committee, except

- (1) for payment of the salary of fixed establishment;
- (2) for payment for works and repairs which have been duly sanctioned by the committee; and
- (3) for meeting urgent expenditure for which there is budget provision or which does not exceed Rs. 50:

Provided that, in the absence of the chairman from the headquarters of the committee bills for payments of the above nature may be passed and signed by any two members.

58. *Authority to sign cheques.*—No payment shall be made from any Government treasury or bank on any cheque purporting to be drawn on behalf of the Market Committee, unless it be signed by the chairman or by two members as provided in rule 57.

59. *Remittances to treasury or bank.*—All remittances to the treasury or bank shall be accompanied by chalang in duplicate and a pass-book. Upon receipt of the money by the treasury or bank, both sides in the pass-book shall be written up to date by the treasury or the bank accountant; the entries shall be initialled by the Treasury Officer or the Bank Agent and the book returned.

60. *Pass-book.*—The pass-book is not an account book of the Market Committee, but is simply a copy of the account kept in the treasury or the bank or the money paid in and withdrawn on behalf of the committee and must therefore always be written up to date by the Treasury department or the bank by whom the original account is kept.

At the close of each month, the balance in the pass-book shall be struck and the amount written in words and signed by the Treasury Officer, or the Agent of the Bank as the case may be.

61. *Budget.*—The Market Committee shall meet annually not later than the 31st of October to prepare and adopt the budget of income and expenditure for the ensuing year. The committee may appoint a sub-committee for preparing the budget in which case the budget shall be approved by the full committee not later than the 31st of October. The committee shall regulate its expenditure in accordance with such budget.

No expenditure shall be incurred for which there is no budget provision unless it can be met by reappropriation from savings under other heads or by a supplementary grant from the available reserve which should be sanctioned unanimously at a meeting of the committee.

62. *Surplus.*—All unexpended balances on the 31st December of each year shall be transferred to the reserve fund of the committee not later than the 31st of March of the succeeding year.

63. *Officers and servants of the Market Committee.*—(a) *Employment of officers and servants.*—The Market Committee may employ such officers and servants as may be necessary and proper for the efficient execution of its duties and may assign to the officers and servants so employed such pay and allowances as it thinks fit.

(b) *Dismissal of servants.*—No Government official employed by the Market Committee shall be punished except by the authority which would have been competent to do so if he were in Government employment at the time or otherwise than in accordance with the Civil Services (Classification, Control and Appeal) Rules and the rules framed thereunder.

64. *Publication of marketing information.*—The Market Committee shall place at the disposal of those using the market information on such matters as the prices of the commercial crops ruling at the principal marketing centres of the tract and at the ports serving the same, the stocks held by mills, and the like. These shall be published in such a manner as will be readily available to all persons using the market.

65. *Storage accommodation.*—The Market Committee shall, so far as its funds permit, arrange, when necessary, accommodation for the temporary storage or

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stocking of commercial crops. The committee shall not allow any such accommodation to be utilized for the purpose of facilitating the speculative holding up of such crops.

66. *Propaganda in favour of improvement of cultivation and marketing of commercial crop or crops.*—The Market Committee shall, whenever its funds permit, provide a permanent agricultural staff for propaganda (including demonstrations) in favour of the improvement of the cultivation and the marketing of the commercial crop or crops for which the Market Committee is established.

67. *Exposure of cotton for sale.*—In the case of cotton, every seller shall be bound to expose for sale the different kinds of cotton separately."

(By order of the Government, Ministry of Public Works)

C. A. HENDERSON,
Secretary to Government.

To the Superintendent, Government Press, Madras.
" Director of Agriculture.
" Director of Industries.
" Registrar of Co-operative Societies.
" Board of Revenue (Land Revenue and Settlement).
" Collectors of Coimbatore, Tinnevely, Bellary and South Arcot.
" Government of India, Department of Industries and Labour (with C.L.).
" Secretary, Indian Central Cotton Committee.
" Secretary, Legislative Council.
" Law (Drafting) Department.

APPENDIX XIV.

[Vide item VIII (6) at page 100 supra.]

NOTIFICATION.

Fort St. George, April 9, 1935.

No. 390.—Whereas the Governor acting with Ministers is of opinion that the existing local fund district of Vizagapatam has, after the abolition of the taluk boards, become too unwieldy to be administered by a single district board, it is hereby notified under sub-section (2) of section 3-A of the Madras Local Boards Act, 1920, that, with effect from the 1st May 1935, the areas specified below shall be districts for the purposes of the Act, with the names shown against the areas:—

- | | |
|--|-------------------------|
| (1) The revenue taluks of— | |
| (i) Golugonda. | } Vizagapatam district. |
| (ii) Sarvasiddhi. | |
| (iii) Viravilli. | |
| (iv) Anakapalle. | |
| (v) Srungavarapukota. | |
| (vi) Vizagapatam. | |
| (vii) That portion of the present Vizianagram taluk which was formerly part of the old Bimlipatam taluk. | |
| (2) The revenue taluks of— | |
| (i) Bobbili. | } Bobbili district. |
| (ii) Salur. | |
| (iii) Chipurupalle. | |
| (iv) Palakonda. | |
| (v) Parvatipur. | |
| (vi) Visianagram exclusive of the villages which formerly belonged to | |

T. B. RUSSELL,
Secretary to Government.

[5th August 1935]

APPENDIX XV.

[Vide item VIII (7) at page 100 supra.]

G.O. No. 304, Development, dated 27th February 1935.

READ—the following papers:—

I

G.O. No. 1717, Development, dated 19th December 1934.

II

From the Director of Agriculture, dated 11th February 1935,
C. No. 335/34.

Order—No. 304, Development, dated 27th February 1935.

The Superintendent, Government Press, is requested to publish the following notification in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by the *Explanation* to sub-section (1) of section 4 and sub-section (1) of section 18 of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933), the Governor acting with Ministers is hereby pleased to make the following rule, the same having been previously published as required by clause (a) of sub-section (4) of section 18 of the said Act:—

RULE.

The quantity of cotton that a person may purchase for his private use without thereby being deemed to have set up, established or continued or allowed to be continued a place as a place for the purchase and sale of cotton within the meaning of sub-section (1) of section 4 of the Madras Commercial Crops Market Act, 1933, shall not exceed

- (a) 100 lb. of lint a day, or
- (b) 300 lb. of kapas a day, or
- (c) if both lint and kapas are purchased, 50 lb. of lint and 150 lb. of kapas a day.

(By order of the Governor in Council)

C. A. HENDERSON,
Secretary to Government.

To the Superintendent, Government Press.
 „ the Director of Agriculture.
 „ the Director of Industries.
 „ the Board of Revenue (Land Revenue and Settlement).
 „ all Collectors.

Copy to the Government of India, Department of Industries and Labour
 (with C.L.).
 „ Law (Drafting) Department.

[5th August 1935]

APPENDIX XVI.

[Vide item VIII (9) at page 101 supra.]

FINANCE DEPARTMENT.

LIST OF POSTS ON Rs. 600 PER Mensem AND ABOVE CREATED
DURING THE QUARTER ENDING 31st MARCH 1935.

PERMANENT.

No.

TEMPORARY.

Department and designation of the post.	Pay per mensem. RS.	Period of tenure.	Remarks.
Public (Police) Department— District Superintendent of Police for revision of police orders.	1,300 plus £30 overseas pay.	Three months from 12th February 1935.	The post was first sanctioned for three months from 12th November 1934.
Law Department— Additional District Munsif, Coimbatore.	Indian Civil Service cadre.	One year from 12th January 1935 up to the completion of judicial training.	Post created for the judicial training of I.C.S. Officers.
Additional District Munsif, Chingleput.	Do.	21st February 1935 (till the date of reopening of the District Court, Chingleput, after the summer recess for 1935).	Do.
Additional Sub-Judge, Rajahmundry.	650	Nine months (from 1st April 1935 to 31st December 1935).	..
Additional Sub-Judge, Kumbakonam.	650	Six months (from 1st April 1935 to 30th September 1935).	..
Additional Sub-Judge, Nellore.	650	One year from 1st April 1935.	..
Finance Department— Additional Temporary Assistant Secretary to Government.	500—50— 800	For the period from 20th February 1935 to 31st July 1935.	Post created in connection with the examination of the financial applications arising out of the J.P.C. report.
Local Self-Government Department— Special Engineer for Road Development.	1,750—100— 2,150 plus £13-6-8 overseas pay.	From 20th February 1935 to 31st May 1935.	The post was first sanctioned for six months from 20th August 1934.

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Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
TEMPORARY—cont.			
<i>Posts newly created.</i>			
Public (Special) Department—			
Deputy Collector ..	850	From 17th January 1935 to 29th January 1935.	..
Collector	1,350 per mensem in the senior scale of the Indian Civil Service.	From 31st January 1935 to the date of termination of the Legislative Assembly in April 1935.	M.R.Ry. Rao Bahadur A. A. Venkatarama Ayyar Avargal was placed on special duty as a nominated member of the Legislative Assembly.
District and Sessions Judge, II grade.	1,500 per mensem up to 28th February 1935 and 1,000 per mensem thereafter.	From 18th January 1935 to the date of termination of the session of the Legislative Assembly in April 1935.	M.R.Ry. C. Govindan Nair Avargal was placed on special duty as a nominated member of the Legislative Assembly.
Collector	2,500 plus £ 30 overseas pay.	From 31st January 1935 to the date of termination of the session of the Council of State in April 1935.	Mr. F. W. Stewart, C.I.E., I.C.S., was placed on special duty as a nominated member of the Council of State.
Public Works and Labour Department—			
Divisional Electrical Engineer, Pykara.	500—50/2—850.	Date of employment after 1st January 1935 to 31st March 1935.	..
Executive Engineer (Civil), Mukurti dam.	500—50/2—850.	Date of employment to 31st December 1935.	..

C. K. VIJAYARAGHAVAN,
Deputy Secretary to Government.

APPENDIX XVII.

[Vide item VIII (10) at page 101 supra.]

G.O. No. 772, Development, dated 31st May 1935.

READ—the following paper:—

G.O. Ms. No. 574, Development, dated 8th April 1935.

Order—No. 772, Development, dated 31st May 1935.

In Notification No. 153, dated 8th April 1935, published at page 619 of Part I of the *Fort St. George Gazette*, dated 16th April 1935, the Government under sub-sections (1) and (2) of section 65 of the Madras

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Co-operative Societies Act (VI of 1932) published as required by sub-section (3) of the said section certain amendments to rule XXII of the rules issued under the Act. No objections or suggestions were received by Government within the period allowed in the notification. The amendments published are hereby confirmed. The Superintendent, Government Press, is requested to publish the appended notification in the *Fort St. George Gazette*.

(By order of the Government, Ministry of Public Works)

C. A. HENDERSON,
Secretary to Government.

To the Registrar of Co-operative Societies.

" Superintendent, Government Press (for publication of the appended notification).

Copy to other Local Governments and Administrations except North-West Frontier Province (with covering letters).
" the Secretary, Legislative Council, for placing on Council Table.

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sub-sections (1) and (2) of section 65 of the Madras Co-operative Societies Act (VI of 1932), the Governor acting with the Ministers is hereby pleased to make the following amendments to the rules published in the notification of this Department No. 264, dated 1st August 1933, at pages 1178–1185 of Part I of the *Fort St. George Gazette*, dated the 1st August 1933, the same having been previously published as required by sub-section (3) of section 65 of the said Act:—

AMENDMENTS.

In rule XXII of the said rules—

(1) in clause (j) of sub-rule (4), the following shall be omitted, namely:—
"and the defaulting purchaser shall be liable for any loss arising, as well as the expenses incurred on the re-sale.

Where the property may, on the second sale, sell for a higher price than at the first sale, the difference or increase shall be the property of him on whose account the said first sale was made"; and

(2) after sub-rule (17), the following sub-rule shall be added, namely:—

"(18) (i) Any deficiency of price which may happen on a re-sale held under clause (j) of sub-rule (4) or clause (g) of sub-rule (17) by reason of the purchaser's default, and all expenses attending such resale shall be certified by the Sale Officer to the Registrar of the district and shall, at the instance of either the decree-holder or the defaulter, be recoverable from the defaulting purchaser under the provisions of this rule. The costs, if any, incidental to such recovery shall also be borne by the defaulting purchaser.

(ii) Where the property may, on the second sale, sell for a higher price than at the first sale, the defaulting purchaser at the first sale shall have no claim to the difference or increase"

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APPENDIX XVIII.

[Vide item VIII (11) at page 101 supra.]

PUBLIC WORKS AND LABOUR DEPARTMENT.

U.O. NOTE No. 1725-D/35-2, DATED 28th MAY 1935.

COMMUNICATION TO THE LEGISLATIVE COUNCIL.

With reference to the answers given to questions Nos. 228, 743, 117, 547, 876 and 877, at the meetings of the Legislative Council held on 1st November 1933, 8th March 1934, 4th August 1934, 25th January 1935, 13th March 1935 and 13th March 1935, respectively, the following statement is laid on the table:—

The Government have issued the following order on the subject and they do not see any necessity to place the reports of the local officers on the table of the House:

G.O. No. 1194 I., dated 22nd May 1935.

“The Government accept the recommendation of the Collector of Tinnevely and the Chief Engineer for Irrigation, which is supported by the Board of Revenue, that the silt clearance in the Kangayam channel, Ambasamudram taluk, Tinnevely district, should be done at the cost of Government.”

W. SCOTT BROWN—14-5-35.

APPENDIX XIX.

[Vide item VIII (12) at page 101 supra.]

G.O. No. 727, Development, dated 20th May 1935.

READ—the following paper:—

G.O. Ms. No. 529, Development, dated 29th March 1935.

Order—No. 727, Development, dated 20th May 1935.

In Notification No. 142, dated 29th March 1935, published at page 589 of Part I of the *Fort St. George Gazette*, dated 9th April 1935, the Government under sub-sections (1) and (2) of section 65 of the Madras Co-operative Societies Act (VI of 1932), published as required by sub-section (3) of the said section an amendment omitting certain words in sub-rule (11) of rule XXII of the rules issued under the Act. No objections or suggestions were received by Government within the period allowed in the notification. The amendment published is hereby confirmed. The Superintendent, Government Press, is requested to publish the appended notification in the *Fort St. George Gazette*.

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NOTIFICATION.

In exercise of the powers conferred by sub-sections (1) and (2) of section 65 of the Madras Co-operative Societies Act (IV of 1932), the Governor acting with the Ministers is hereby pleased to make the following amendment to the rules published in the notification of this department No. 284, dated 1st August 1933, at pages 1178-1185 of Part I of the *Fort St. George Gazette*, dated 1st August 1933, the same having been previously published as required by sub-section (3) of section 65 of the said Act.

AMENDMENT.

Omit the words “and in the District Gazette” occurring in sub-rule (11) of rule XXII of the above rules.

(By order of the Governor in Council)

C. A. HENDERSON,
Secretary to Government.

To the Registrar of Co-operative Societies.
“ Superintendent, Government Press (for publication of notification).
Copy to other Local Governments and Administrations except the North-West Frontier Province (with C.L.).
“ the Secretary, Legislative Council, for placing on Council Table.

APPENDIX XX.

[Vide item VIII (13) at page 101 supra.]

G.O. No. 399, Finance, dated 15th June 1935.

READ—the following paper:—

G.O. No. 225, Finance, dated 2nd April 1935.

ABSTRACT.—Committees—Public Accounts and Finance—Constitution of—1935-36.

(Order—No. 399, Finance, dated 15th June 1935.

His Excellency the Governor is pleased to nominate Sir William Wright, O.B.E., M.L.C., as a Member of the Standing Finance Committee of the Madras Legislative Council.

(By order of the Governor in Council)

C. E. JONES,
Secretary to Government.

To Sir William Wright, O.B.E., M.L.C.
“ all Departments of the Secretariat.
“ the Accountant-General.
“ all Secretaries to Government.
“ all Members of the Finance Committee.
“ the Secretary to the Legislative Council for communication to Members of the Legislative Council.

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APPENDIX XXI.

[Vide item VIII (14) at page 101 supra.]

G.O. No. 718, Development, dated 15th May 1935.

READ—the following paper:—

G.O. No. 58, Development, dated 10th January 1935.

Order—No. 718, Development, dated 15th May 1935.

The Superintendent, Government Press, is requested to publish the appended notification in the *Fort St. George Gazette*.

(By order of the Government, Ministry of Public Works)

C. A. HENDERSON,
Secretary to Government.

To the Superintendent, Government Press.
 „ Director of Agriculture.
 „ Director of Industries.
 „ Registrar, Co-operative Societies.
 „ Board of Revenue (Land Revenue and Settlement).
 „ Collectors of Coimbatore, Tinnevely, Bellary and South Arcot.
 „ Government of India (Department of Industries and Labour) with C.I.
 „ Indian Central Cotton Committee.
 „ Secretary, Legislative Council office.

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by clause (i) of sub-section (2) of section 18 of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933), the Governor acting with Ministers is hereby pleased to make the following rules, the same having been previously published as required by clause (a) of sub-section (4) of the said section:—

THE MADRAS COMMERCIAL CROPS MARKETS (ELECTION) RULES, 1935.

PRELIMINARY.

1. (1) Short Title.—These rules may be called the Madras Commercial Crops Markets (Election) Rules, 1935.

(2) In these rules, unless there is anything repugnant in the subject or context,

- (a) “the Act” shall mean the Madras Commercial Crops Markets Act, 1933;
- (b) “Election Authority” shall mean the Collector of the district in which the notified area is situated;
- (c) “Registration Officer” shall mean every Tahsildar and every independent Deputy Tahsildar in the area determined under clause (i) of sub-section (1) of section 6 of the Act; and
- (d) “Returning Officer” shall mean the Revenue Divisional Officer having jurisdiction over the notified area.

Electoral roll of growers.

2. (1) There shall be a separate electoral roll for the growers of the commercial crop or crops in each taluk. The electoral roll shall contain the following particulars, namely, the elector's name, father's or karnavan's or husband's name, and address. It shall be maintained separately for each polling area in the chief vernacular of the area and shall be divided into sections for each village.

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(2) The polling area shall be determined by the Registration Officer in such a way as to give all reasonable facilities for voting. The villages included in each polling area shall be arranged in the order of the alphabet of the language employed and numbered separately.

(3) It shall be the duty of each Registration Officer, to cause inquiry to be made and to prepare or cause to be prepared lists of all persons within his jurisdiction appearing to be entitled to be registered as growers of the commercial crop or crops for which the market is constituted. The names of electors in each village shall be arranged alphabetically.

(4) No person shall be registered in more than one village.

(5) The preliminary roll shall be prepared from these lists and published by posting it in the office of the Registration Officer not later than the date fixed by the Election Authority.

(6) With the preliminary roll the Registration Officer shall publish notices specifying the mode in which and the time within which claims and objections are to be preferred to him and the date on which and the place at which he will begin to sit for their disposal.

(7) A copy of the section of the preliminary roll relating to each village with the notice shall also be posted in the village chavadi or other conspicuous place in the village.

(8) Copies of the preliminary roll (whole or in sections) shall be made available for inspection and sale in the office of the Registration Officer.

(9) (a) Any person who claims to be entitled to be registered as a voter and who is not entered or is entered in an incorrect place or manner or with incorrect particulars on the preliminary roll and any person whose name is on the roll and who objects to the inclusion of his own name or of the name of any other person whose name is on the roll, may prefer a claim or an objection to the Registration Officer.

(b) Claims and objections may be preferred in person or sent by post or by messenger.

(c) Claims and objections received after the prescribed date shall be rejected.

(10) The Registration Officer shall hear all claims and objections and pass such orders as he considers necessary.

(11) (a) Any person feeling aggrieved by the order passed under sub-rule (10) by the Registration Officer on any claim or objection may prefer an appeal against such order to the Returning Officer;

(b) Every such appeal shall be preferred within seven days of the passing of the order appealed against;

(c) The Returning Officer shall dispose of the appeal promptly and communicate his order forthwith to the Registration Officer;

(d) The order of the Returning Officer on such appeal shall be final and shall not be liable to be questioned in any legal proceeding.

(12) The Registration Officer shall correct the preliminary roll in accordance with his own orders and the orders passed on appeal under sub-rule (11) if such orders are received in time and post a copy of the final roll in parts relating to each village in the village chavadi or other conspicuous place in the village and also in his office. If orders on appeal under sub-rule (11) are received after the posting of the final roll, the Registration Officer shall publish the necessary corrections and additions in the same manner as the final roll. Every person whose name appears in the final roll or in the final roll as so corrected, as the case may be, shall be entitled to vote and no person whose name does not appear in such roll shall vote at an election.

(13) One copy of the final roll signed by the Registration Officer shall be sent to the Returning Officer.

(14) Copies of the final roll shall be made available for inspection and sale in whole or in sections in the office of the Registration Officer.

(15) The final roll with the corrections, if any, made in accordance with sub-rule (12) shall continue in force for a period of three years after the expiration of which a fresh roll shall be prepared in accordance with these rules:

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Provided that the Election Authority may, by notification in the District Gazette, direct the preparation in accordance with these rules of a fresh roll at any time before the expiration of the said period.

Electoral roll of persons holding licences under section 4 of the Act.

8. The Tahsildar of the taluk in which the notified area is situated shall prepare and maintain a list of persons who have been granted licences under section 4 of the Act. The list shall form the electoral roll for the constituency of persons licensed under section 4 of the Act. A copy of the list shall be posted in the Taluk office and in the office of the Market Committee where one has been established. Copies of such list shall be made available for inspection and sale in the Taluk office and in the office of the Market Committee.

Nomination of candidates.

4. The Election Authority shall publish a notification in the District Gazette calling upon the constituencies of the growers of commercial crop or crops and of the persons licensed under section 4 of the Act to elect their representatives on a date fixed by him in accordance with the provisions of these rules.

5. Not less than 42 days before the date fixed for the election the Returning Officer shall publish in the chief vernacular of the district and in such other languages as he may deem necessary a notice in the District Gazette and post copies of such notice in village chavadis or some conspicuous places in all the villages included in the area determined under clause (i) of sub-section (1) of section 6 of the Act stating—

- (a) the number of persons to be elected;
- (b) the date on which, the place at which and the hours between which nomination papers should be presented to him or to any other person authorized by him in this behalf which shall not be less than fourteen days from the date of publication of notice;
- (c) the date on which the nomination papers will be taken up for scrutiny which shall be not less than ten days from the date prescribed for presentation of nomination;
- (d) the date on which and the place or places at which the votes of the electors will be taken, should there be a poll, and the hours during which the poll will be open, not being less than ten hours between 7 a.m. and 6 p.m.; and
- (e) the day on which and the place and hour at which he will count the votes.

6. (1) The nomination of every candidate shall be made by means of a nomination paper in Form I which shall be published by the Returning Officer along with the notice.

(2) Every nomination paper shall be signed by two electors as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(3) The same elector may sign as many nomination papers as there are vacancies to be filled. Each candidate shall be nominated by a separate nomination paper.

(4) The nomination papers shall be serially numbered on receipt.

(5) Where a person has signed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, those of the papers so signed which have been first received up to the number of vacancies to be filled shall be deemed to be valid.

(6) Nomination papers received after the date and the time appointed shall be rejected.

7. On the presentation of a nomination paper the Returning Officer shall verify the names of the proposer, seconder and the candidate with the electoral roll. Where necessary, he shall direct that the nomination paper be amended so as to be in accordance with the electoral roll.

8. On the third day following the day fixed for the presentation of nomination papers, the Returning Officer shall publish in the Taluk offices a list in Form II of all nominations received with a notice that the nomination papers will be taken up by him for scrutiny in his office on the date appointed under clause (c) of rule 5 at the hour specified.

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9. (1) On the date appointed for the scrutiny of nominations under clause (c) of rule 5, the candidate, one proposer and one seconder of each candidate and one other person duly authorized in writing by each candidate, and, except for the purpose of assisting the Returning Officer, no other person may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates.

(2) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection. The scrutiny shall be completed on the day appointed in this behalf under clause (c) of rule 5 and no adjournment of the proceedings shall be allowed.

10. The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination and may either on such objection or on his own motion after such summary enquiry if any as he thinks necessary reject any nomination on the following grounds:—

- (i) the candidate, the proposer or seconder is a person whose name is not registered on the electoral roll; and
- (ii) the nomination has not been made in the manner prescribed.

11. On completion of the scrutiny of nominations, the Returning Officer shall prepare a list of persons whose nominations are in order in Form III and post it on the notice board of the Taluk office and in the office of the Market Committee where one has been established not less than ten days before the date fixed for election.

If the number of candidates exceeds that of the vacancies, a poll shall be taken.

12. The Returning Officer shall appoint one polling station for each polling area and shall appoint one or more polling officers for each polling station. He may also if necessary, appoint one or more identifying officer to assist the polling officer in identifying the electors:

Provided that in the case of elections by persons who have been granted licences under section 4 of the Act, the poll shall be taken at the headquarters of the Returning Officer or at the office of the Market Committee by an officer (hereinafter called the polling officer) deputed by the Returning Officer.

13. If after the taking of a poll has become necessary and before the poll is taken, a candidate who has been duly nominated dies, the Election Authority shall, upon being satisfied of the fact of the death of the candidate, countermand the poll; and election proceedings shall be started afresh in all respects as if for a new election;

Provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermanding of the poll.

Voting.

14. The polling officer shall keep order at the station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except his own clerks, the candidates, one agent of each candidate at a time (hereinafter referred to as the polling agent) appointed in writing by the candidate, the police on duty and such persons as may be admitted for the purpose of identifying the electors.

15. The ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom without the box being unlocked. Just before the commencement of the poll, the polling officer shall show the ballot box empty to such person as may be present at the polling station and shall then lock it up and place a seal upon it in such manner as to prevent its being opened without breaking such seal and place it in his view for the receipt of ballot papers and keep it so locked and sealed. The key of the ballot box shall also be placed under seal.

16. The Returning Officer shall provide for each polling officer such number of clerks as may be necessary and shall supply him with a copy of the electoral roll, a list of the nominations, ballot papers and boxes, and such other papers, stationery and forms as may be necessary.

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17. Ballot papers shall be printed in Form IV. They shall be serially numbered, the number being printed on the face of the counterfoil and on the back of the outerfoil. They may be printed either in English or in the chief vernacular of the place of election or in both and the names of the candidates shall be entered on them in the order of the alphabet of the language in which the names are first printed. If there are two candidates of the same name, they shall be distinguished by the addition of their occupation or in some other suitable way.

18. Immediately before a ballot paper—that is the outerfoil of Form IV—is handed over to the elector, the polling officer shall

- (i) initial it on the back;
 - (ii) enter the elector's name and number in the electoral roll on the corresponding counterfoil of Form IV; and
 - (iii) affix his initials against the elector's name in the electoral roll.
- The polling officer shall then tell the elector how many votes may be given and shall give him the ballot paper.

19. The elector on receiving the ballot paper shall forthwith proceed to the place set apart for the purpose and there make a mark against the name of the candidate or candidates for whom he intends to vote. He shall then fold up the ballot paper so as to conceal his vote and after showing to the polling officer his (polling officer's) initials thereon put it into the ballot box.

20. (1) If any elector is unable to read the ballot paper or make a mark thereon and applies for assistance, the polling officer shall read the ballot paper to the elector and, if so required by him, mark the ballot paper at the polling officer's table and in the presence of the candidates or their polling agents, if any, according to the directions of the elector and give it to him to be put in the ballot box. The candidates and polling agents present shall have a right to hear the elector's request and to watch the polling officer when he marks the ballot paper.

(2) In the case of every elector whose ballot paper is marked in this manner by the polling officer a note shall be made on the corresponding counterfoil in Form IV by the polling officer of the reason why it was so marked.

(3) The marking of a ballot paper by the polling officer under sub-rule (1) shall not be questioned subsequently on the ground that it was not in accordance with the elector's directions.

21. Special facilities in accordance with the instructions, if any, issued by the Election Authority in that behalf may be accorded to women electors.

22. (1) Any ballot paper which is not duly marked or on which votes are given to more candidates than there are members to be elected or on which any mark is made by which the electors may afterwards be identified shall be invalid.

(2) If more than one mark is placed against any candidate's name, they shall count only as one vote in his favour, provided that the elector has not placed marks against more candidates than there are members to be elected.

(3) If any one of the marks is so placed as to render it doubtful for which candidate such mark is intended to apply, the vote concerned, but not the whole ballot paper in case where more than one vote can be given on the same ballot paper, shall be invalid, provided that the elector has not placed marks against more candidates than there are members to be elected.

23. When a person presents himself to vote and at any time before a ballot paper is supplied to him the polling officer may of his own accord and shall, if so required by a candidate or polling agent, put to such person either or both of the following questions:—

- (i) Are you the person enrolled as follows (reading the whole entry from the roll),
- (ii) Have you already voted at the present election in this polling station or in any other polling station,

and the person shall not be supplied with a ballot paper unless he gives an unqualified answer to the question or questions put to him and unless his answer to the first question is in the affirmative and to the second in the negative. Except as mentioned herein, every person whose name is found on the electoral roll shall be entitled to be supplied with a ballot paper.

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24. If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall after duly answering such questions as the polling officer may ask, be entitled to mark the ballot paper in the same manner as any other elector. The ballot paper (hereinafter referred to as a tendered ballot paper) shall, instead of being put into the ballot box, be given to the polling officer, and endorsed by him with the name of the elector and his number on the electoral roll and set aside in a separate packet and is not to be counted by the Returning Officer. The name of the elector and his number on the electoral roll and the name or distinctive number of the polling station shall be entered in a list in Form V which shall bear the heading 'Tendered Votes List.' The person tendering such ballot paper shall sign his name and address on the list or affix his thumb-impression thereto.

Explanation.—In cases falling under this rule to which rule 25 is also applicable, the provisions of this rule as well as of rule 25 shall be followed.

25. If any candidate or polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the polling officer may require such person to enter in the list of challenged votes which shall be in Form VI his name and address and if he is unable to write to affix his thumb-impression thereto and may further require such person to produce evidence of identification. If such person on being questioned in the manner prescribed in rule 23 gives unqualified answers to the first question in the affirmative and to the second in the negative, he shall be allowed to vote after he has been informed of the penalty for personation. The polling officer shall make a note of the circumstances and of his decision in the list of challenged votes.

26. An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper may, on delivering it to the polling officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoilt one, which together with its counterfoil shall be marked as cancelled by the Polling Officer.

27. (1) Immediately after the close of the poll, the polling officer shall, in the presence of such of the candidates and their polling agents as may be in attendance, make up into separate packets and seal with his own seal and the seals of such candidates or polling agents as may desire to affix their seals—

- (a) each ballot box in use at his station unopened;
- (b) the keys of such boxes;
- (c) the unused and spoilt ballot papers, both ordinary and tendered, with their counterfoils;
- (d) the tendered ballot papers;
- (e) the marked copies of the electoral roll and the counterfoils of ballot papers;
- (f) tendered votes list; and
- (g) the list of challenged votes.

(2) The packets shall be forwarded at once by the polling officer to the Returning Officer accompanied by a statement in Form VII. Each packet shall be numbered and shall bear a note as to its contents.

28. On the day and at the place and hour appointed for the counting of votes, and in the presence of such candidates and their agents as may be in attendance the Returning Officer shall proceed as follows:—

- (a) The ballot box or boxes relating to each polling station shall be opened one after another; and the Returning Officer shall take out the papers therefrom, count them or cause them to be counted and record the number thereof in a statement in Form VIII.
- (b) The Returning Officer shall then mix together all the ballot papers of all the ballot boxes. The examination and counting of the votes shall then commence. The Returning Officer shall on every ballot paper which

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is wholly or partially rejected endorse the word 'Rejected.' If any candidate or agent present questions the correctness of the rejection, the Returning Officer shall also record on the ballot paper the grounds for the rejection briefly.

- (c) The Returning Officer shall, as far as practicable, proceed continuously with the counting of the votes; and shall, during any necessary intervals during which the counting has to be suspended, place the ballot papers, packets and other documents relating to the election under his own seal and the seals of such candidates or their agents as may desire to affix them; and adequate precaution shall be taken for their custody.

29. (1) After the Returning Officer has completed the scrutiny and counting of votes he shall prepare a return of the results of the polling in Form IX, and after verifying the totals of the votes with the figures in Forms VII and VIII shall, subject to the provisions of rule 32 declare that the candidate or candidates to whom most valid votes have been given, has or have been duly elected.

(2) Any candidate or his agent shall, on application, be permitted to take a copy or an extract from the return in Form IX.

30. The Returning Officer shall not open the sealed packets containing the tendered ballot papers or the marked copies of the electoral roll or the counterfoils of the ballot papers.

31. Upon the completion of the counting and the declaration of the results, the Returning Officer shall seal up in separate packets—

- (1) the ballot papers, all or some of the votes on which have been counted; and
(2) the ballot papers, all the votes on which have been rejected, and shall mark on each packet the number of papers it contains. A note shall be made giving a description of the contents of each packet and the election to which it relates.

Disposal of ballot papers.

32. (1) The Returning Officer shall, after declaring the results, forward a copy of the return to the Election Authority and shall retain in his custody the packets of ballot papers, whether counted, rejected or tendered, and of the counterfoils thereof. These packets shall not be opened and their contents shall not be inspected or produced except under the orders of the Election Authority.

(2) The Returning Officer shall retain the packets and the marked copies of the electoral roll for a year and shall then unless otherwise directed by the Election Authority, cause them to be destroyed.

General.

33. If there is an equality of votes between any two or more candidates, the Returning Officer shall, after notice to the candidates concerned, decide by drawing lots which candidate or candidates he shall declare to have been elected.

34. The name or names of the candidate or candidates duly elected shall be published in the office of the Returning Officer and in the office of the Market Committee.

35. (1) If any question arises as to the interpretation of these rules, the question shall be referred to the Election Authority, whose decision shall be final.

(2) Pending the decision of the Election Authority on any such reference or the issue of final orders on any inquiry which the Election Authority may institute upon receipt of information that an election is being or about to be held in contravention of these rules, it shall be lawful for the Election Authority to direct the stay of the election proceeding at any stage thereof prior to the declaration of the results. Any election held or continued in contravention of the orders of the Election Authority under this rule shall be void and of no effect whatsoever.

(3) Unless it is otherwise ordered by the Election Authority, election proceedings stayed under this rule shall, on cancellation of the stay order, proceed from the stage at which they were stayed on fresh dates to be fixed.

[5th August 1935]

FORM I.

[See rule 6 (1).]

Nomination paper.

- 1 Name or number of the village.
- 2 Full name of candidate.
- 3 Number of candidate in the electoral roll.
- 4 Father's karnavan's, or husband's name.
- 5 Age.
- 6 Sex.
- 7 Community.
- 8 Occupation and address.
- 9 Full name of proposer.
- 10 Number of proposer in the electoral roll.
- 11 Signature of the proposer.
- 12 Full name of the seconder.
- 13 Number of the seconder in the electoral roll.
- 14 Signature of the seconder.

Candidate's declaration.

I declare that I am willing to stand for election.

Signature of candidate.

Endorsement by the Returning Officer or other authorized person.

Serial No.

This nomination paper was presented to me by (per. on) at (date and hour).

Signature of the Returning Officer or other authorized person.

Instruction.

Nomination papers which are not presented to the Returning Officer or other authorized persons before (hour) on the day of 1935 shall not be received.

FORM II.

[See rule 8.]

List of nominations received on (date) for (village in a notified area).

- 1 Serial number.
- 2 Name of candidate.
- 3 Father's, karnavan's or husband's name.
- 4 Sex.
- 5 Community.
- 6 Occupation and address.
- 7 Name of proposer.
- 8 Name of seconder.

Note.

The nomination papers will be taken up for scrutiny at a.m. - on the day of at (place) p.m.

Signature of the Returning Officer.

FORM III.

[See rule 11.]

List of valid nominations.

- 1 Serial number.
- 2 Name or candidate.
- 3 Sex.
- 4 Community.
- 5 Address.

Note.

The poll will be taken between and at the polling stations already notified.

Signature of the Returning Officer.

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FORM IV.

[See rule 17.]

Ballot paper.

Counterfoil
Serial No.

Outerfoil.

	Serial number.	Name and description of candidate.	Mark showing the elector's choice.
	(1)	(2)	(3)
Growers constituency.....	1		
market or	2		
Traders constituency.....	3		
market.	4		
Date of election	5		
Number and name of elector on the electoral roll.	6		

Form of back of ballot paper.

No.

FORM V.

[See rule 24.]

Tendered votes list.

Number on electoral roll.	Name.	Address.	Signature of elector if literate; or thumb impression of elector if illiterate with signature of witness.

FORM VI.

[See rule 25.]

List of challenged votes.

Number on electoral roll.	Name.	Address.	Signature of elector if literate; or thumb impression of elector if illiterate with signature of witness.

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FORM VII.

[See rule 27 (2).]

Statement sent by Polling Officer at
after the polling on 193 for the Market Committee at
or village in the notified area

Description.	Number received.	Number used.	Number spoiled.	Balance.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Ballot papers—					
(a) Ordinary					
(b) Tendered					
(c) Challenged					

Particulars of packets sent to the Returning Officer.

Signature of the Polling Officer.

FORM VIII.

[See rule 28 (a).]

Name of polling station.	Number of ballot box.	Number of ballot papers in box.
(1)	(2)	(3)
Total ..		

Signature of the Returning Officer.

FORM IX.

[See rule 29 (1).]

Return showing results of the election for seats in the Market Committee at

Name of candidate.	Number of valid votes.
(1)	(2)
A	
B	
C	
D	
E	
Total number of valid votes.	
Total number of invalid votes.	

I do hereby declare that the following candidates have been duly elected for.....

- (a) The constituency of growers of commercial crop or crops or
(b) The constituency of persons licensed under section 4 of the Act,
for the Market Committee at

Signature of the Returning Officer.

[5th August 1935]

APPENDIX XXII.

[Vide item VIII (15) at page 101 supra.]

NOTIFICATION.

Fort St. George, June 13, 1935

(G.O. No. 2244, L. & M.).

No. 673.—In exercise of the powers conferred by sub-section (1) of section 11 of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931), the Governor acting with Ministers is hereby pleased to exempt from payment of the tax leviable under the said Act, motor vehicles belonging to the members of the Southern Provinces Mounted Rifles, Auxiliary Force (India), resident in Travancore, for the period of their stay in British territory in connexion with their annual camp at Coimbatore in July 1935.

T. B. RUSSELL,
Secretary to Government.

APPENDIX XXIII.

[Vide item VIII (17) at page 101 supra.]

NOTIFICATION.

Fort St. George, July 9, 1935.

No. 758.—Whereas the Governor acting with Ministers is of opinion that the existing local fund district of Guntur has, after the abolition of the taluk boards, become too unwieldy to be administered by a single district board, it is hereby notified under sub-section (2) of section 3-A of the Madras Local Boards Act, 1920, that with effect from the 1st August 1935, the areas specified below shall be districts for the purposes of the Act, with the names shown against the areas:—

(1) The revenue taluks of—

- | | | |
|--------------------|---|---------|
| (i) Guntur; | } | Guntur. |
| (ii) Sattenapalli; | | |
| (iii) Tenali; and | | |
| (iv) Repalli. | | |

(2) The revenue taluks of—

- | | | |
|---------------------|---|---------|
| (i) Ongole; | } | Ongole. |
| (ii) Bapatla; | | |
| (iii) Narasaraopet; | | |
| (iv) Vinukonda; and | | |
| (v) Gurasala. | | |

T. B. RUSSELL,
Secretary to Government.

5th August 1935]

APPENDIX XXIV.

[Vide item VIII (18) at page 101 supra.]

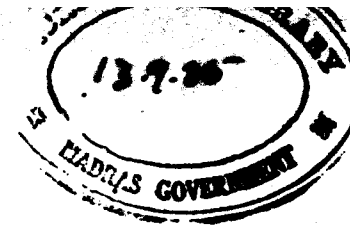
THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

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

Serial number and subject of resolution.	When passed by the Council.	Nature of action taken by Government.
1 This Council recommends to the Government that a remission of not less than 33-1/3 per cent be granted in the land revenue kist in all the districts in respect of wet and dry lands and inclusive of water rates for the current fasli, i.e., 1344, except in the case of famine affected areas where full remission is absolutely necessary and that Anantapur district deserves special consideration apart from other districts in the Presidency and that in the case of districts which are resettled the increase in assessment due to resettlement shall also be suspended.	24th January 1935.	The Government adhere to the decisions embodied in G.O. No. 2506, Revenue, dated 4th December 1934, and No. 68, Revenue, dated 10th January 1935, which have been published. They have issued a Press Communiqué on 31st January 1935 explaining the reasons for their inability to accept the recommendations made in the resolution.
This Council recommends to the Government that they do take necessary steps to relieve unemployment in the Presidency.	25th January 1935.	All that is practicable is being done or is under consideration. The Government have decided that no further action is necessary.
Cancellation of— (i) G.O. No. 1238, Revenue, dated 14th July 1933, directing the re-classification of irrigation sources in the Tanjore district; (ii) G.O. No. 474, Revenue, dated 15th March 1933, prescribing a fixed charge for the use of Cauvery water for the irrigation of crops other than the first irrigated single crops on ryotwari single crop wet lands in the Tanjore district; and (iii) G.O. No. 1863, Revenue, dated 5th September 1933, prescribing rules under the Irrigation Cess Act for the levy of water-cess for the irrigation of crops in the Tanjore district with Cauvery-water under the Mettur Project.	Do.	The subjects dealt with in the resolution are under consideration, and the final action taken by the Government will be intimated to the Legislative Council in due course.

19th July 1935.

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



THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Tuesday, the 6th August 1935.

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

PRESENT:

Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K. V.	Nachiyappa Gounder, Mr. K. A.
Pannirselvam, The Hon. Rao Bahadur A. T.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Souter, C.S.I., I.C.S., The Hon. Mr. C. A.	Nanjappa Bahadur, Subedar-Major S. A.
Bracken, C.S.I., C.I.E., I.C.S., The Hon. Mr. G. T. H.	Narasimhaswami, Rao Sahib D. V.
Raja of Bobbili, K.C.I.E., The Hon. Sir the.	Narayanan Nambiyar, Mr. V. P.
Rajan, The Hon. Mr. P. T.	Natesa Mudaliyar, Diwan Bahadur C.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Obi Reddi, Mr. C.
Abdul Hameed Khan Sahib Bahadur.	Palat, Mr. R. M.
Alamelumangathayamma, Mrs. K.	Patnaik Mahasayo, Sriman M. G.
Appadurai Pillai, Diwan Bahadur A.	Pattagar of Palayakkottai, The.
Arasu, Mr. V. T.	Peddi Raju, Mr. P.
Ari Gowder, Mr. H. B.	Pocker Sahib Bahadur, B.
Basheer Ahmed Sayeed Sahib Bahadur.	Premayya, Mr. G. R.
Basu Dev, Mr. C.	Rajagopala Pillai, Mr. P. V.
Beyabani Sahib Bahadur, S. M. K.	Raja of Kallikote, The.
Boag, C.I.E., I.C.S., Mr. G. T.	Raja of Parlakimedi, The.
Davis, Mr. J. A.	Ramachandra Padayachi, Mr. P. K.
Devadasan, Mr. M.	Ramalinga Reddi, Mr. C.
Dharmalingam Pillai, Rao Sahib V.	Ramakrishna Reddi, Mr. A.
Durai Swami Reddiyar, Mr. K. M.	Ramalingam Chettiyar, Diwan Bahadur T. A.
Ellappa Chettiyar, Diwan Bahadur S.	Ramamurti, Rao Sahib Pandit Ganala.
Gopalaswami Mudaliyar, Diwan Bahadur M.	Raman Menon, Mr. K. P.
Indrayya, Mr. C.	Ramaswami Ayyar, Mr. T. S.
Iswaran Pillai, Mr. I. C.	Ramaswami Mudaliyar, Mr. V. M.
Jagannatham, Mr. H. M.	Rameswara Rao, Mr. G.
Jayaram Nayudu, Rao Sahib C.	Ranganatha Mudaliyar, Mr. G.
Jones, I.C.S., Mr. C. E.	Ranganatha Mudaliyar, Mr. M. D. T.
Kesavaramamurti Nayudu, Mr. K.	Rangaswami Reddi, Mr. M. B.
Kolanda Reddi, Rai Sahib C.	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Koti Reddi, Mr. K.	Ratnavelu Thevar, Mr. P.
Krishnayya Choudari, Mr. P. V.	Reid, Mr. Douglas Muir.
Krishnamurti, Rao Bahadur D.	Rukmani Lakshminipathi, Mrs. A.
Krishnan, Mr. C.	Russel, I.C.S., Mr. T. B.
Kuppuswami Choudari, Mr. J.	Scott Brown, I.C.S., Mr. W.
Madanagopal Nayudu, Mr. R.	Sesha Reddi, Rao Bahadur B. P.
Mahboob Ali Baig Sahib Bahadur.	Shetty, Mr. A. B.
Manikkavelu Nayakar, Mr. M. A.	Simbachalam Pantulu, Mr. G.
Moses, Mr. P. C.	Siva Raj, Rao Sahib N.
Muniswami Pillai, Rao Sahib V. I.	Smith, Mr. J. M.
Muthiah Chettiyar, Mr. M. A.	Soundara Pandiyan, Mr. W. P. A.
Muthu Chetiyar, Rao Bahadur P. C.	Sreshta, Mr. M. S.
	Srinivasan, Rao Bahadur R.
	Sriramulu, Mr. G.
	Stanes, Mr. F. J.
	Subbarayan, Dr. P.

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PRESENT—cont.

Subbaya Nayudu, Rao Bahadur R.	Vedachala Mudaliyar, Mr. M.
Subrahmanya Chetti, Rao Sahib P.	Venkatarama Ayyar, Mr. K. R.
Subrahmanya Bhatt, Mr. U. C.	Venugopal Nayudu, Rao Bahadur R. K.
Sundara Rao Nayudu, Mr. T.	William Wright, Sir.
Syed Tajuddin Sahib Bahadur, Khan Sahib.	Yakub Hasan Sahib Bahadur.
Thangal, Mr. P. M.	Zamindar of Bodinayakanur, The.
Thomas, Mr. Daniel.	Zamindar of Kirlampudi, The.
Uzielli, C.I.M., I.C.S., Mr. H. R.	Zamindar of Mirzapuram, The.
Vasudeva Pillai, Mr. V. G.	

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Office hours of the Subordinate Officers of the Educational Department in the mufassal while at their headquarters.

* 52 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that the Director of Public Instruction issued a circular that all the subordinate officers of his department in the mufassal should attend office at 11 a.m. while they are in the headquarters;

(b) whether it is a fact that the same order was subsequently modified;

(c) if so, whether the Government will be pleased to place such modified order on the table of the House; and

(d) what the reasons are for such modification?

A.—(a) Yes, a circular on these lines was issued by the Director of Public Instruction last year.

(b) Yes.

(c) The Government do not think the matter is of such general importance or interest as to make this necessary

(d) The first circular was modified because it was represented to the Director of Public Instruction that there were certain difficulties in carrying out strictly the orders in the earlier circular.

Mr. P. V. KRISHNAYYA CHOUDARI:—"What are the reasons for the Director of Public Instruction to issue an order and modify it subsequently?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not think it is at all advisable to interfere with the discretion of the officer in a small matter like this."

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Mr. P. V. KRISHNAYYA CHOUDARI:—"If this is a small matter, what is great matter for the heads of the departments or the Minister in charge of the portfolio?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The hon. Member may consider it a big matter, but to me it is a small matter."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know why the Director of Public Instruction should pass an order and then modify it?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"If he finds there is difficulty in the working of it, why should he not modify it?"

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether at least the Government are prepared to ask every subordinate officer in the Presidency to attend office at 11 o'clock? If they have got no work, they can leave office later on; at least a sort of instruction may be issued to all subordinate officers that when they are in headquarters they must attend office at 11."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"That is a matter which is within the discretion of the head of the department."

Mr. ABDUL HAMEED KHAN:—"May I know whether any definite hours are fixed for the subordinate officers to attend office?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"As far as possible they will attend office from 11 to 5; but where it is inconvenient they will not do so."

Local Self-Government

Representations protesting against the constitution of a municipality for the town Udipi.

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

(a) whether representations have been received from the Udipi public requesting the Government not to constitute a municipality for the town of Udipi in South Kanara; and

(b) whether the Government have considered this question and come to any decision?

A.—(a) Yes.

(b) The matter is under consideration.

Mr. A. B. SHETTY:—"With reference to (b), may I know when Government expect to reach a decision on this matter?"

The Hon. Sir the RAJA OF BOBBILI:—"Subsequent to the passing of this answer, Government have decided to issue a preliminary notification for constituting a municipality for this town."

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Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether a municipality is constituted in the interests of the people, or of the Government? "

The Hon. Sir the RAJA OF BOBBILI:—" The interests of the Government and of the people are one and the same."

Mr. V. T. ARASU:—" Will the Hon. Minister be pleased to state the total population of the town? "

The Hon. Sir the RAJA OF BOBBILI:—" I am afraid I have not got the figures; it will be about 13,000."

Mr. V. T. ARASU:—" Is it not a fact that Government usually do not constitute municipalities in places which do not have a population of more than 20,000? "

The Hon. Sir the RAJA OF BOBBILI:—" There are a large number of municipalities which have a population of below 20,000. I believe no doubt it is one of the considerations in constituting a new municipality, but that is not the main ground."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether there has been any request from the public of Udipi to have a municipality constituted there? "

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

Mr. V. T. ARASU:—" Is the Hon. the Minister aware of the fact that certain places where the population is over 12,000 are having panchayat boards and municipalities have not been constituted there? "

The Hon. Sir the RAJA OF BOBBILI:—" I am afraid my hon. Friend is wrong there."

Diwan Bahadur M. GOPALASWAMI MUDALFYAR:—" May I know whether the Hon. Minister is aware that Udipi is an important place of pilgrimage and it is necessary there should be a municipality there? "

The Hon. Sir the RAJA OF BOBBILI:—" That is the opinion of the Government and of the district officers."

Elections to the panchayats in Guntur district.

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

(a) when the Hon. the Minister is going to conduct the elections for the district boards in group I of the schedule to the Madras Local Boards (Amendment) Act, 1935;

(b) whether it is a fact that the term of office of the several panchayats also in Guntur district is about to expire;

(c) whether the Government have issued any rules for conducting the elections for such panchayats;

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(d) whether it is a fact that the elections to some panchayats in Guntur district which have thousand and more voters are conducted without dividing them into wards; and

(e) whether the Government propose to introduce the ballot system for elections to panchayats also?

A.—(a) Elections are due this year only to the District Boards of North Arcot, Bellary, South Kanara and Trichinopoly, of Group I and the Inspector of Municipal Councils and Local Boards has been asked to complete the elections in October 1935.

(b) The term of such of the panchayats to which ordinary elections were not held in 1934-35 will expire on the date notified by Government under clause (b) of section 7 of the Madras Local Boards (Amendment) Act, 1935.

(c) The elections will be held under the existing rules and no special direction from the Government is necessary.

(d) The Government have no information.

(e) The system is applied only to such of the panchayats as were formerly unions. There is no proposal to extend the system to the other panchayats.

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not advisable to have the ward system for every panchayat which has got 500 voters? "

The Hon. Sir the RAJA OF BOBBILI:—" As far as possible, in the case of pre-union panchayats, as a general rule, Government are dividing them into wards; but in the case of modern panchayats there is no such general rule. Whenever the Inspector feels that a particular panchayat is unwieldy it is being divided. My own personal view is that there are advantages and disadvantages in dividing smaller panchayats into wards. Even non-official opinion on the matter is divided."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the Government are aware that there are pre-union panchayats which have got more than 1,000 voters in each village."

The Hon. Sir the RAJA OF BOBBILI:—" I have stated as a general rule that pre-union panchayats are divided into wards."

Mr. P. V. KRISHNAYYA CHOUDARI:—" There are ordinary panchayats, as for instance Nidubrole, my own place, which has got 1,200 voters and the Government are dividing such villages into wards instead of allowing mob elections? "

The Hon. Sir the RAJA OF BOBBILI:—" I am not quite sure whether it is 1,000 or 1,200. Does the hon. Member refer to the voting strength or population? "

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Mr. P. V. KRISHNAYYA CHOUDARI:—"Voting strength."

The Hon. Sir the RAJA OF BOBBILI:—"In particular cases, if it is considered such proposal is in the interests of the population it will be adopted."

Audit Report of the Salem District Board for the year 1933-34.

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

(a) whether the Audit Report of Salem District Board for the year 1933-34 has been received by the Government; and

(b) if so, what action has been taken on the various objections raised therein?

A.—(a) No.

(b) The question does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, when the Audit Report is likely to be received?"

The Hon. Sir the RAJA OF BOBBILI:—"I cannot say."

Reasons for preferring a Superintending Engineer to report on road development.

* 56 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 a special Superintending Engineer has been appointed for proposing new roads;

(b) whether he has sent any report to the Government;

(c) if so, whether the Government will be pleased to place it on the table of the House;

(d) how long he will continue in the same post; and

(e) what the special reasons are for appointing an officer of the Public Works Department instead of selecting one from those in the District Board Engineers' cadre?

A.—(a) A Special Engineer has been appointed to draw up a comprehensive programme of road development (including improved methods of road surfacing) and construction of bridges and causeways.

(b) No.

(c) The question will be considered after the report has been received.

(d) So far as is known at present, he is likely to continue up to 20th August 1935.

(e) Mr. Vipin was appointed as he was considered suitable for the post. The post was not intended to be held by a member of any particular service.

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Mr. P. V. KRISHNAYYA CHOUDARI:—"Without meaning anything against Mr. Vipin, may I know whether the Presidency is going to be divided into three units and would it not be better to appoint one of the District Board Engineers as the special officer?"

The Hon. Sir the RAJA OF BOBBILI:—"I don't think the hon. Member's proposal will result in more satisfactory work or will be more economical. In the opinion of the Government, this officer is considered the most suitable person available to undertake this work. Moreover it is necessary that one officer should be made responsible for the whole province. The same officer also had to attend some of the conferences of the Government of India. Taking into consideration all these points, Government had decided to appoint Mr. Vipin. I might state from my personal experience that his work so far has been entirely satisfactory."

Mr. M. S. SRESHTA:—"May I know whether any correspondence has passed between Mr. Vipin and the Minister, or any conversation has taken place as to what principles should be followed in making the proposals . . ."

The Hon. Sir the RAJA OF BOBBILI:—"No questionnaire was issued but after discussion certain procedure was laid down and Mr. Vipin was instructed to visit every district. The district boards have been asked to submit their own schemes; all these are to be collected and co-ordinated and a scheme is to be prepared for each district."

Mr. A. B. SHETTY:—"May I know whether the road development programme is proposed to be taken up by the end of this year?"

The Hon. Sir the RAJA OF BOBBILI:—"Every year we are spending the amount due to this province, viz., 16 lakhs, in addition to whatever money is available from provincial funds on this development. Now the idea is to have one comprehensive scheme for road development, and we hope after we receive the sanction of the Government of India, to take the first step as early as possible. I am sorry I cannot give any particular date."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I know whether this special officer has been asked to fix a site for the Tungabhadra bridge in the Bellary district?"

The Hon. Sir the RAJA OF BOBBILI:—"I must ask for notice of the question. I have not received the report of the special officer."

Mr. M. S. SRESHTA:—"May I know whether this Council will have an opportunity of considering the report before it is made final?"

The Hon. Sir the RAJA OF BOBBILI:—"The procedure is that the report is to be approved by the Government and the scheme will then be placed before the Provincial Board of Communications; if there is a general desire on the part of the House I shall be only too happy to place the report before them for discussion."

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Mr. A. B. SHETTY:—"May I know whether the period of Mr. Vipan's appointment will be continued after the 20th August 1935?"

The Hon. Sir the RAJA OF BOBBILI:—"The answer says 'So far as is known at present, he is likely to continue up to 20th August 1935;' and we expect the report then."

Publication of the report of the Special Officer appointed for the investigation of road development in the Presidency.

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

(a) whether the Special Officer appointed for the road development in this Province has submitted his report;

(b) if so, whether a copy of it will be placed on the table;

(c) if not, when his report is expected; and

(d) whether any interim reports have been received and whether a copy of such reports will be placed on the table?

A.—(a) No.

(b) The question will be considered after the report has been received.

(c) The report is expected to be received in the course of August 1935.

(d) No interim reports have been received.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know whether the report has since been received, i.e., after 25th July 1935?"

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

Mr. P. V. KRISHNAYYA CHOUDARI:—"Was any interim report made by Mr. Vipan to Government?"

The Hon. Sir the RAJA OF BOBBILI:—"No interim report has so far been received."

Preference to temporary clerks for appointment under district boards.

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

(a) what is the total number of taluk board clerks in each district who have not yet been absorbed in the newly formed district boards;

(b) whether an order has now been passed by the Government giving preference to temporary clerks in the order of appointment over sanitary inspectors and other such executive officers whereas according to the original order the latter were given preference over the temporary clerks;

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(c) what are the reasons for the change; and

(d) whether the Government will be pleased to place both the orders on the table of the House?

A.—(a) Government have no information.

(b) & (c) The hon. Member apparently refers to the orders issued in regard to the waiting list of the East Godavari District Board. Such of the sanitary inspectors as were employed under the defunct taluk boards in that district under the name of local fund inspectors who could not be employed in posts of sanitary inspectors or other non-ministerial posts under the district board were at first on the basis of the pay drawn by them under the taluk boards, ordered to be absorbed in vacancies of lower division clerks occurring under the district board after the date of the Government Order in preference to the ex-taluk board clerks specified in the waiting list. Subsequently, the President, District Board, East Godavari, represented to Government that the ex-local fund inspectors had no previous experience as clerks and that consequently the ex-taluk board clerks had preferential claims over the former in regard to absorption in ministerial posts. Government thereupon directed that the claims of the local fund inspectors be considered for appointment after all the ex-taluk board clerks in the waiting list have been absorbed.

(d) G.O. No. 163, L. & M., dated the 16th January 1935 and Memorandum No. 10111-1-A-1, L. & M., dated the 30th March 1935, are placed on the table.*

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know what are the reasons for cancelling the original order of Government?"

The Hon. Sir the RAJA OF BOBBILI:—"It was first considered desirable to give preference to these inspectors, but subsequently, the President, District Board, East Godavari, pointed out that preference should be given to ex-taluk board clerks in the interests of the district board, because sanitary inspectors have not got any previous experience of office work. I do realize that in either case there is some hardship. It is better to follow the principle followed in other districts."

Mr. V. P. NARAYANAN NAMBIYAR:—"May I know whether the revised order of Government has reference only to the appointment of ex-taluk board employees as clerks?"

The Hon. Sir the RAJA OF BOBBILI:—"As far as I am aware, that is so."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not a fact that the sanitary inspectors were first given preference because they have put in more service and were drawing larger salaries than the clerks?"

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The Hon. Sir the RAJA OF BOBBILI:—"It is not the question of salary or service; if the taluk board clerks are re-employed they would be absorbed in the places in which they were previously working."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not a fact that these sanitary inspectors are more qualified educationally also than the clerks?"

The Hon. Sir the RAJA OF BOBBILI:—"I have not disputed the fact about their educational qualifications. I have stated they have no previous experience."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Are the Government prepared to reconsider the question and give preference to those sanitary inspectors who have got sufficient experience, as good as any other clerk?"

The Hon. Sir the RAJA OF BOBBILI:—"I am afraid it would lead to difficulties if you make an exception in the case of a particular district. In deference to the wishes of the hon. Member I will consider whether some of the sanitary inspectors could not be absorbed."

Ex-taluk board clerks still awaiting re-entertainment in service.

* 59 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) how many taluk board clerks are yet to be absorbed either in the district board, municipal councils or any other service under the Government in each district;

(b) the names of such clerks, qualifications and pay drawn while in taluk board service and the pay now fixed by the Government in the waiting list;

(c) the number of clerks in the waiting list of each district since absorbed in the district board service; and

(d) if the list has not been exhausted, how the Government propose to give them appointments?

A.—(a), (b) & (c) Government have no information. They have called for reports.

(d) Government have already taken all possible steps for the speedy absorption of the ex-taluk board clerks in the waiting lists, by the issue of instructions to the Presidents of Panchayat Boards and the Executive authorities of Municipal Councils to select these men in preference to outsiders in filling the existing and future vacancies.

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Mr. K. A. NACHIYAPPA GOUNDER:—"Will the reports be made available to the House?"

The Hon. Sir the RAJA OF BOBBILI:—"As soon as they are received they will be placed on the table."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"Have not the ex-taluk employees met together in a conference and submitted a memorial?"

The Hon. Sir the RAJA OF BOBBILI:—"They have submitted. But we cannot avoid some amount of hardship in the matter."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I ask the Hon. the Chief Minister whether it is not a fact that ex-taluk board employees have memorialized the Government saying that their pay has been retrenched and that many of them have not been re-employed?" 11-15 a.m.

The Hon. Sir the RAJA OF BOBBILI:—"It is true that such memorials have been received, but, as there are not enough vacancies, some amount of hardship cannot be avoided."

Mr. ABDUL HAMEED KHAN:—"May I know if the Government are following the communal Government Order in absorbing these ex-employees?"

The Hon. Sir the RAJA OF BOBBILI:—"No, Sir. The communal order applies only to direct recruits and no direct recruitment will be made until after the waiting lists are exhausted."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know from the Hon. Minister whether the Government have received complaints from ex-taluk board employees that outsiders have been given preference?"

The Hon. Sir the RAJA OF BOBBILI:—"I cannot quote specific instances. One or two complaints were received and the Government are taking action."

Orders of Government, if any, regarding the grant of pension or gratuity to ex-taluk board clerks.

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

(a) whether orders have been issued in the matter of granting pensions or gratuity to the ex-taluk board clerks;

(b) if so, whether a copy of it will be placed on the table; and

(c) if not, what the reasons are for the delay and how long this question has been pending disposal?

A.—(a) & (b) The attention of the member is invited to G.O. No. 1510, L. & M., dated the 15th April 1935, a copy of which is laid on the table of the House.*

(c) The question does not arise.

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Mr. K. A. NACHIYAPPA GOUNDER:—"May I request the Hon. the Chief Minister to state what considerations weighed with the Government in abolishing the pension system to ex-taluk board clerks?"

The Hon. Sir the RAJA OF BOBBILI:—"The idea of the Government is to see that there is uniformity throughout the districts. For some years past we have no pension system for taluk board employees, but have instead the provident fund system. In the interests of uniformity, we have decided that such taluk board employees who were originally eligible for pension should have a right to get that pension."

Mr. K. A. NACHIYAPPA GOUNDER:—"Is it the intention of Government, Sir, to abolish the pension system to the existing district board clerks also?"

The Hon. Sir the RAJA OF BOBBILI:—"As far as I can remember that question has not been taken up by the Government."

Proposals, if any, for the appointment of assistant panchayat officers.

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

(a) whether there are any proposals for the appointment of assistant panchayat officers in view of the large number of panchayats;

(b) whether any new district panchayat officers are to be appointed; and

(c) if so, whether the Government propose to recruit directly or whether they propose to select from the old assistant panchayat officers?

A.—(a) Orders have already issued in regard to the strength, etc., of assistant panchayat officers under each district board. A copy of G.O. No. 2216, L. & M., dated the 11th June 1935, is placed on the table.*

(b) & (c) Of the four appointments of District Panchayat Officers recently made by Government one was by promotion of an assistant panchayat officer and the rest by direct recruitment.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know what the special reasons are for not taking the assistant panchayat officers, who are in service and well qualified, as district panchayat officers?"

The Hon. Sir the RAJA OF BOBBILI:—"When vacancies occur, the practice is to ask the Inspector to make recommendations."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Are the Government aware that there are certain assistant panchayat officers drawing the maximum pay (Rs. 100) under the old scale whereas the maximum pay under the

* Printed as Appendix III on pages 263-265 infra.

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new scale is only Rs. 70, and, if so, whether it is not waste of public money to keep them as assistant panchayat officers and not promote them as district panchayat officers?"

The Hon. Sir the RAJA OF BOBBILI:—"I do not think it is waste of public money. The whole question does not depend entirely on the pay a person is drawing. When vacancies occur, the claims of assistant panchayat officers for promotion as district panchayat officers will be considered."

Recommendation of the Local and Municipal Advisory Committee for the repeal of the Madras Motor Vehicles Taxation Act and for the reimposition of tolls.

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

(a) whether the Local and Municipal Advisory Committee has recommended the repeal of the Motor Vehicles Taxation Act and the reimposition of tolls;

(b) if so, when and whether it is a unanimous decision or the decision of the majority;

(c) who the members of the Committee are, and who the persons are that voted 'for,' and 'against' the said proposals;

(d) what further action has been taken on the subject, and at what stage it is; and

(e) whether there is any proposal to bring in any enactment in this behalf, and if so, when?

A.—(a), (b) & (c) The following papers are laid on the table:—

(1) Proceedings of the Local and Municipal Advisory Committee, dated the 21st February 1935.*

(2) List of members of the Local and Municipal Advisory Committee.*

(d) & (e) The question is under consideration.

Mr. K. A. NACHIYAPPA GOUNDER:—"In view of the fact that only seven members were present at the meeting when decision was taken, will the Hon. Minister be pleased to place this question before the Committee once again?"

The Hon. Sir the RAJA OF BOBBILI:—"This question was placed before the Local and Municipal Advisory Committee, if I remember right, three times and I am afraid they have not succeeded in procuring a greater attendance."

Mr. M. A. MANIKKAVELU NAYAKAR:—"May I ask if the printed answer was given after the Government decided to drop the idea?"

The Hon. Sir the RAJA OF BOBBILI:—"The Government have not decided to drop the idea; but no orders have been passed on the recommendation of the committee so far."

* Printed as Appendix IV on page 266 infra.

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Mr. ABDUL HAMEED KHAN:—"In view of the fact that the finances of these local bodies have been affected adversely, will the Government expedite the decision on this question?"

The Hon. Sir the RAJA OF BOBBILI:—"If it is only the financial aspect that has to be considered, there will be no difficulty in expediting the matter. There are also other considerations involved."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"In view of the fact that the recommendation of the committee was made as early as 21st February 1935, will the Government be pleased to come to a decision without further delay?"

The Hon. Sir the RAJA OF BOBBILI:—"I can only say I shall try to expedite the decision."

Mr. V. T. ARASU:—"May I have information regarding the total number of district boards in the Presidency that have sent up recommendations to the Government protesting against the re-imposition of tolls?"

The Hon. Sir the RAJA OF BOBBILI:—"As the question has been under consideration for the last two or three years, it is not possible for me to give the number asked for. I think the re-imposition is favoured by a small minority."

Mr. ABDUL HAMEED KHAN:—"May I ask whether, if the Government find difficulty so far as district boards are concerned, there is any difficulty with regard to municipalities?"

The Hon. Sir the RAJA OF BOBBILI:—"The only difficulty at present is financial stringency."

Mr. A. B. SHETTY:—"May I ask the Hon. Minister to state whether the Government have any other proposals for making good to the district boards the loss of income caused by the abolition of tolls?"

The Hon. Sir the RAJA OF BOBBILI:—"Without committing the Government in any way, I may state that we are now considering the question of increasing the resources of district boards by way of education cess and Government grants. Apart from that there is no proposal for directly helping the district boards for the loss of toll-income."

Mr. ABDUL HAMEED KHAN:—"In view of the fact that the Hon. Minister thinks that there is not much difficulty so far as municipalities are concerned, will he be pleased to expedite the decision so far as municipalities are concerned?"

The Hon. Sir the RAJA OF BOBBILI:—"I have not stated that so far as municipalities are concerned there is not much difficulty in coming to a conclusion. What I have stated is that it is not merely the financial aspect that has got to be considered."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not a fact that the Hon. Minister brought in a Bill one year ago for the re-imposition of tolls and dropped it once for all?"

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The Hon. Sir the RAJA OF BOBBILI:—"Such a Bill was never brought before this Council."

Mr. A. B. SHETTY:—"May I ask the Hon. Minister to explain a little more fully the proposals the Government have under consideration for augmenting the resources of district boards?"

The Hon. Sir the RAJA OF BOBBILI:—"I have stated that, as regards the elementary education fund, we have certain proposals to increase the resources of district boards."

Submission by local boards and municipalities of a list of Elementary School teachers whose pay has been reduced under the revised scale.

* 63 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 local boards and municipal councils have been required to submit a list of Elementary School teachers (with full particulars) whose pay has been reduced to a lower maximum in the new scales;

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

(c) how many district boards and municipalities have so far submitted such lists and what their names are;

(d) what has been done with the district boards and municipalities who have not submitted the lists; and

(e) what action has been taken on such lists so far received by the Government?

A.—(a) No.

(b), (c), (d) & (e) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know if at least some instructions have not been issued to the presidents of local boards to submit proposals with regard to the cases in which reduction of pay has to be brought in on account of the introduction of the new scales of pay, for the consideration of Government?"

The Hon. Sir the RAJA OF BOBBILI:—"The hon. Member will see when we come to the next question that the district boards have been asked to send up proposals to grant the maximum in the new scales of pay, viz., the present pay of the persons concerned."

Orders of Government, if any, with regard to fixing a personal pay to elementary school teachers under local boards and municipalities whose pay has been reduced under the revised scale.

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

(a) whether orders have been passed with regard to the granting of personal pay to elementary school teachers under local boards and municipalities whose pay has been reduced to a lower maximum in the new scales;

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- (b) if so, whether a copy of it will be placed on the table;
 (c) if not, what the reasons are for the delay and when orders are likely to be passed in the matter;
 (d) whether it is a fact that promises have been extended that cases of such teachers whose pays have been reduced to a lower maximum will be considered on their merits for giving personal pay; and
 (e) if so, whether a copy of the order in the matter will be placed on the table?

A.—(a) Yes; vide paragraph 2 of G.O. No. 749, L. & M., dated 25th February 1935, and paragraph 3 of G.O. No. 1693, L. & M., dated 2nd May 1935.

(b) A copy of G.O. No. 749, L. & M., dated 25th February 1935, was placed on the table in reply to question No. 897 on the 15th March 1935. A copy* of G.O. No. 1693, L. & M., dated 2nd May 1935, is now placed on the table.

(c), (d) & (e) Do not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. the Minister whether it is a fact that, in spite of the instructions issued in the Government Order referred to, teachers have not been paid the difference in pay yet generally and particularly in the case of those in Government girls' schools, who have been transferred to the local bodies and municipalities?"

The Hon. Sir the RAJA OF BOBBILI:—"I remember to have seen such a case. In the case of labour school teachers there is a condition that the existing scale should be continued. Anyhow I shall verify the information."

Medical Administration

Construction of new buildings for the Queen Alexandra Hospital for Women at Salem.

* 65 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 Surgeon-General has submitted proposals for the construction of new buildings for the Queen Alexandra Hospital for Women at Salem for consideration in connexion with the budget for 1935-36;

(b) if so, whether a copy of the letter of the Surgeon-General in the matter will be placed on the table;

(c) when is the construction proposed to be taken up;

(d) what the number is of maternity cases admitted in each month in the said hospital since January 1935, and what the number is of beds provided in that hospital; and

(e) what the average attendance is of patients in that hospital in each month since January 1934?

* Printed as Appendix V on pages 267-268 infra.

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A.—(a) Yes.

(b) No.

(c) The construction of a new hospital will be taken up if and when funds become available.

(d) & (e) A statement is laid on the table.*

Mr. K. A. NACHIYAPPA GOUNDER:—"The answer to clause (b) of the question is 'No.' May I know, Sir, what the difficulties are in the way of furnishing a copy of the letter?"

The Hon. Sir the RAJA OF BOBBILI:—"The Government feel that no useful purpose will be served by placing a copy on the table of the House. But I am prepared to give any information the hon. Member wants."

Public Health

Visitation of plague in Guntur district.

* 66 Q.—Mr. P. V. KRISHNAYYA CHODARI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) what the places are in Guntur district that have been affected by plague this year;

(b) how many deaths have taken place on account of the plague;

(c) what steps the Government have taken to combat the spread of the disease;

(d) whether the Director of Public Health visited the plague area; and

(e) whether he has made any report to the Government and, if so, what it is?

A.—(a) The villages of Karumanchi and Pondur in Ongole taluk.

(b) Sixteen and six deaths, respectively.

(c) The village of Karumanchi was almost completely evacuated; inoculation was done in the infected as well as in the suspected areas. In all, 7,995 persons were inoculated as detailed below:—

Village.	Persons inoculated.
(1) Karumanchi	2,565
(2) Nidamannur	2,195
(3) Karuhirwaripalem	227
(4) Pondur	1,408
(5) Ongole town	1,600
Total	7,995

* Printed as Appendix VI on page 269 infra.

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Rat destruction was conducted by means of trapping as well as baiting. Rat burrows were fumigated by Cyanogas. Houses were also disinfected with cresol. Other necessary preventive measures were adopted.

Necessary preventive measures were carried out in Ongole town also as it was threatened with plague; 1,600 persons were inoculated. An isolation shed for treatment of cases and health camps for people evacuating houses with suspected rat falls or case of plague, were put up. A special observation staff at the entrances to the town to observe people coming from infected areas and to check the transport of commodities from such areas, was also employed.

(d) No. The Assistant Director of Public Health (Epidemics) visited the place and a report detailing the recommendations was sent to the Collector, President, District Board, District Health Officer and Commissioner, Ongole Municipality, for necessary action.

(e) No. He forwarded to Government the report of the Collector of Guntur in the matter.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Government have sanctioned any special allotment for the purpose from provincial funds?"

The Hon. Sir the RAJA OF BOBBILI:—"I believe there is an allotment which could be used for all purposes of this kind."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know what steps the Government have taken to prevent plague visiting the Guntur district again?"

The Hon. Sir the RAJA OF BOBBILI:—"The answer gives details of what has been done so far."

Preparation of plans and estimates for the supply of drinking water from Mettur Reservoir to Salem town.

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

(a) whether orders have been passed for the preparation of plans and estimates in the matter of drinking water-supply to Salem town from the Mettur Reservoir;

(b) if so, whether a copy of the same will be placed on the table;

(c) when will the plans and estimates be ready;

(d) when they will be sanctioned and work commenced;

(e) what the time estimated for the completion of the work is; and

(f) whether provision has been made for the said work, and, if not, what the Government propose to do for it?

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A.—(a) Yes.

(b) The Government consider that no useful purpose will be served by placing a copy of the orders on the table.

(c) In about nine months.

(d) The plans and estimates will be sanctioned by Government after they are scrutinized by the Sanitary Engineer and the Chief Engineer.

(e) Five to six years.

(f) The question of provision of funds will be considered only after the plans and estimates are ready.

Mr. K. A. NACHIYAPPA GOUNDER:—"In view of the fact that orders have been passed for the preparation of plans and estimates and that they will be ready in about nine months, will the Government be pleased to make some lump provision in the budget for the purpose so that in the coming year work may be proceeded with as soon as possible?"

The Hon. Sir the RAJA OF BOBBILI:—"There will be no delay as far as placing funds at the disposal of the municipal council. But experience shows that even if funds are allotted, they are not generally spent within the year. Therefore it will not be prudent to make provision in the budget long before plans and estimates are sanctioned."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know what the Government propose to do, if plans and estimates are received by the end of March, for carrying on the work?"

The Hon. Sir the RAJA OF BOBBILI:—"The Government will move for a supplementary demand."

Provision of a suitable drinking water-supply to Yedapady, Salem district.

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

(a) whether representations have been received in the matter of providing suitable drinking water-supply to Yedapady Union town in Salem district;

(b) if so, what action has been taken thereon;

(c) what the strength is of the population of the said town;

(d) what the present source of drinking water-supply to that town is; and

(e) whether it is a fact that the drinking water-supply to that town is quite inadequate and unsatisfactory and, if so, what remedy the Government propose for this town?

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A.—(a) No.

(b) The question does not arise.

(c) & (d) Attention is invited to the answer to Legislative Council question No. 83 of 2nd August 1933.

(e) The Government have no information. It is for the Panchayat Board to take necessary steps in the matter in the first instance.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. the Chief Minister, Sir, whether any representations have been received after sending the answer to this question on 13th July 1935?"

The Hon. Sir the RAJA OF BOBHILI:—"I have not come across any representation. If my hon. Friend wants definite answer, I must ask for notice."

Commerce

Recommendation of the Sub-Committee of the Imperial Council of Agricultural Research for the imposition of an increased rate of tariff duties on Ceylon copra and other coconut products.

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

(a) whether the Special Sub-Committee of the Imperial Council of Agricultural Research which recently investigated the question of the imports and exports of coconuts and coconut products has recommended an increase of tariff duties on Ceylon copra, coconuts and coconut oil; and

(b) whether the Local Government have made any representations to the Government of India in regard to this matter with a view to help the indigenous producers?

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

(b) Yes.

Mr. A. B. SHETTY:—"May I know from the Hon. the Member for Finance what recommendations have been made by the Local Government in this matter and whether the Government of India have taken any action on those recommendations?"

The Hon. Mr. G. T. H. BRACKEN:—"Sir, the matter is under correspondence with the Government of India and I am afraid I cannot make any statement at this stage."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the visit of the Hon. the Second Minister to Ceylon had anything to do with the question of negotiating with the Ceylon Government on this matter?"

[6th August 1935]

Measures for controlling the heavy imports of sugar.

* 70 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Member for Finance be pleased to state—

(a) whether it is a fact that sugar is being imported on a larger scale this year than in the previous year; and

(b) whether the Government have addressed the Government of India about such increase?

A.—(a) No.

(b) Does not arise.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know if the import of sugar is less this year than in the previous year?"

The Hon. Mr. G. T. H. BRACKEN:—"Yes, Sir; it is less."

Sir WILLIAM WRIGHT:—"May I ask whether the reply of the Hon. Member refers only to sugar imported from outside India or whether it includes sugar imported into this Presidency from other parts of India?"

The Hon. Mr. G. T. H. BRACKEN:—"It includes both."

Reforms

Preparation of the voters' lists for the Provincial Upper House and the qualifications for the franchise.

* 71 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have prepared provisional voters' lists for the Provincial Upper House (Legislative Council of the new Constitution) in all districts and in the City of Madras;

(b) what the qualifications are according to which the voters' lists have been prepared;

(c) what the number is of voters in each district and in the City; and

(d) whether the Government propose to recommend the lowering of the qualification of the voters in order to increase their number?

A.—(a), (b), (c) & (d) Until the franchise of the Upper House has been decided by His Majesty's Government, it is premature to publish any information.

Mrs. RUKMANI LAKSHMIPATHI:—"Is it not a fact, Sir, that a provisional list has already been prepared by the Corporation of Madras?"

The Hon. Mr. G. T. H. BRACKEN:—"I want notice."

Mrs. RUKMANI LAKSHMIPATHI:—"The other supplementary questions that I desired to ask do not therefore arise. (Laughter.)"

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Forest Panchayats

Rate of grazing fees charged by the Government and the forest panchayats, respectively.

* 72 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state with reference to the answer to clauses (c), (e) and (f) of question No. 782, whether the Government have since received the information called for?

A.—Yes. The information is given below:—

Clause (c) of question No. 782.—The slight increase in rentals during 1932–33 and 1933–34 was due to the revision of the rentals payable by certain panchayats whose agreements came up for renewal in those years, after taking into account the moiety of compounding fees and fines payable to the panchayats.

Clauses (e) and (f) of question No. 782.—A statement^a showing the rates of grazing fees charged by the forest panchayats is annexed.

Recovery of the deficit list from the members of the forest panchayats.

11–30 a.m. * 73 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the report called for with reference to the answer to clauses (b), (c), (d) and (e) of question No. 783; and

(b) if so, whether a copy of the same will be placed on the table?

A.—(a) Yes.

(b) A copy of the report together with a copy of the Government memorandum referred to therein is attached.^b

Mr. M. DEVADASAN:—“ May I know whether Government are aware of the fact that the panchayatdars of forests render themselves liable by virtue of the agreement entered into by them to pay the entire amount according to the agreement? ”

The Hon. Mr. C. A. SOUTER:—“ I believe so, Sir.”

Land Revenue Administration

Scheme report relating to the resettlement of the Kurnool district.

* 74 Q.—Mr. A. RAMAKRISHNA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the scheme report for the resettlement of the Kurnool district has been completed;

^a Printed as Appendix VII on pages 270–271 infra.

^b Printed as Appendix VIII on pages 272–273 infra.

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(b) if so, whether the Government will be pleased to lay it on the table of the House;

(c) whether there was a conference recently of the Hon. the Revenue Member, the Member of the Board of Revenue and the District Collector regarding the resettlement of the Kurnool district;

(d) if so, what the subjects discussed at the Conference were and the conclusions arrived at therein;

(e) whether it is the present intention of the Government to introduce resettlement rates in the district; and

(f) if the Government decide on the introduction of the resettlement rates, from when it is expected to come into operation?

A.—(a) & (b) The scheme report has not been completed.

(c) Yes.

(d) The proposals of the Additional Special Settlement Officer, No. I Party, Kurnool, who was present at the conference, for the resettlement of the Kurnool district were discussed. The scheme report embodying the provisional conclusions reached at the Conference will be published in due course for criticism, and copies of the report will be laid on the table of the Legislative Council.

(e) & (f) A decision as to whether the rates will be revised and, if so, when the revised rates will be introduced 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.

Mr. A. RAMAKRISHNA REDDI:—“ With reference to the answers given to clauses (a) and (b), may I know when the scheme report will be published? ”

The Hon. Mr. C. A. SOUTER:—“ I am afraid I do not know the exact time. I hope it will shortly be published.”

S. M. K. BEYABANI SAHIB Bahadur:—“ With reference to the answer given to clause (c), may I know whether the representations made to the settlement officers in the different taluks of the district were also considered at this Conference? ”

The Hon. Mr. C. A. SOUTER:—“ The Conference did not consider those representations. When the report is published all these representations will be considered.”

Mr. A. RAMAKRISHNA REDDI:—“ May I know whether the provisional conclusions said to have been reached will result in any additional increase in the rate of assessment? ”

The Hon. Mr. C. A. SOUTER:—“ I have no idea.”

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Action taken by the Government on the representations received against the introduction of resettlement rates in the southern taluks of the Salem district.

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

(a) how many representations have been received protesting against the enhancement of assessment on account of resettlement in the southern taluks of Salem district and appealing for the non-introduction of these rates, since the passing of the G.O. No. 258, Revenue, dated 1st February 1935, introducing the new resettlement rates in these areas; and

(b) what action has been taken on them and how they have been disposed of?

A.—(a) & (b) Forty-nine petitions were received by the Government in March last. The Government did not consider that any action was called for on the petitions.

Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, in answer to clauses (a) and (b), it is stated 'The Government did not consider that any action was called for on the petitions.' May I know, Sir, in what way the Government expects the ryots to express their grievances if the Government do not investigate into their grievances contained in the petitions which they have submitted?"

The Hon. Mr. C. A. SOUTER:—"All these points, as I understand, were considered before the Government Orders were passed."

Progress of the resettlement operations in the northern taluks of the Salem district.

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

(a) at what stage the resettlement operations in the northern taluks of Salem district now are;

(b) whether the scheme report therefor has been published, and, if so, when; and

(c) when the resettlement there is likely to be brought into effect as matters stand at present?

A.—(a) The attention of the hon. Member is invited to the answer given to question No. 847 at the meeting of the Legislative Council on the 12th March 1935. The Government have no further information.

(b) The scheme report has not been published.

(c) The resettlement is due in 1936-37. A definite decision as to when the resettlement rates will be introduced can be taken only after the scheme report has been prepared and published, and the views of the Board of Revenue and people of the district on the scheme report have been ascertained and considered.

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Mr. K. A. NACHIYAPPA GOUNDER:—"In answer to clause (c) it is stated 'A definite decision as to when the resettlement rates will be introduced can be taken only after the scheme report has been prepared and published and the views of the Board of Revenue and people of the district on the scheme report have been ascertained and considered.' May I know, Sir, whether the Government will seriously take the views of the people of the district also into consideration in deciding this question?"

The Hon. Mr. C. A. SOUTER:—"Very seriously, Sir."

Publication of the representations made to Government regarding the grant of revenue concessions in South Kanara as per G.O. No. 68, Revenue, dated the 10th January 1935.

* 77 Q.—Mr. A. B. SHETTY: Will the Hon. the Member for Revenue be pleased to state whether he will lay on the table of the House the representations made to Government regarding the revenue concessions given in South Kanara in accordance with the G.O. No. 68, Revenue, dated 10th January 1935?

A.—The Government consider that there is no need to lay on the table copies of the representations made nor of the replies given to them as the matter has been fully explained to the hon. Member.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know as to what was the nature of representations made to the Hon. the Revenue Member and by whom they were made?"

The Hon. Mr. C. A. SOUTER:—"The hon. Member should himself know because he was one of the representatives."

Mr. U. C. SUBRAHMANYA BHATT:—"Excluding me, who were the representatives?"

The Hon. Mr. C. A. SOUTER:—"One of the other Members was Mr. A. B. Shetty."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether it is not a fact that in spite of the concessions given to the people they have not been benefited in any way and they are liable to pay as much as they were previously paying?"

The Hon. Mr. C. A. SOUTER:—"If the hon. Member will kindly wait until another question (which will probably come to-morrow) is answered, he will get a full answer to his question."

Levy of process fees by the Revenue authorities in South Kanara for service of demand notices and distraint warrants.

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

(a) whether any process fees have been collected this year by the Revenue authorities for serving demand notices and distraint warrants in South Kanara;

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(b) if so, the amount so collected in each taluk;

(c) whether it is a fact that these processes were not served by village officers in all cases; and

(d) whether process fees were collected when they were not served by process-servers and if so, why?

A.—The Government have no information on the subject but have called for a report.

Mr. A. B. SHETTY:—" May I know whether the Government have received any information after the receipt of this answer in the Council Office? "

The Hon. Mr. C. A. SOUTER:—" No, Sir."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know if the Government have withdrawn their answer to question No. 77 now given? "

The Hon. Mr. C. A. SOUTER:—" I am prepared to answer the supplementary question put to me by Mr. Bhatt in respect of question No. 77."

The Hon. the PRESIDENT:—" The answer to the other question referred to by the Hon. the Revenue Member has been received in this office but it has been withheld by the department because they wanted to revise their answer."

Mr. P. V. KRISHNAYYA CHOUDARI:—" We know nothing about this."

The Hon. Mr. C. A. SOUTER:—" I am quite prepared to answer the supplementary question put to me in respect of question No. 77 even now."

The Hon. the PRESIDENT:—" It is much better that it is answered in print."

* 79 Q.—Cancelled.

Rate of korambu cess in the Cauvery irrigated area of the Salem district.

* 80 Q.—Mr. K. A. NACHYAPPA 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 for the Cauvery irrigated area in that district, at the end of June 1935;

(b) what the present rate is of korambu cess per acre in that area;

(c) when the korambu cess was commuted to money value and what the original rate fixed was;

(d) when changes in the rate were made, by how much and on what basis;

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(e) what the custom and rate obtaining prior to the commutation into money value were; and

(f) whether copies of the orders passed at the time of commutation into money value and at each time of enhancement will be placed on the table?

A.—(a) The Government have no information. The attention of the hon. Member is however invited to the answer to clause (a) of question No. 825; answered at the meeting of the Council held on 11th March 1935, which gives the latest available information.

(b) to (f) The attention of the hon. Member is invited to the answer to clauses (b) to (j) to question No. 675 answered at the meeting of the Council held on 23rd February 1934.

Comparative statement of water-rate collected in certain areas in the Salem district served by the Cauvery.

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

(a) what the total amounts are of water-rate collected in the area served by Raja channel, Komarapalayam channel and Mohanur channel (each separately) in the Cauvery irrigated area of Salem district, in each year for the last five faslis ending with the fasli year in 1934-35;

(b) what the total amounts are of water-rate collected in the area of each of the said channels in each year between the years 1895 and 1900, 1910 and 1915, 1920 and 1925;

(c) what the total amounts are of water-rate collected in the area of each of the said channels during the fasli year in 1934-35; and

(d) if there is much increase during the fasli year in 1934-35 what it is due to and how it is justified?

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

(d) Does not arise.

Mr. K. A. NACHYAPPA GOUNDER:—" With reference to the answer given to clauses (a) to (c), viz., ' the Government have no information,' may I know, Sir, whether they will be pleased to call for the same and place it on the table? "

The Hon. Mr. C. A. SOUTER:—" I would call for the information if it can be easily collected. But if you look at clause (b) of the question you will find that it asks for information between the years 1895 and 1900, 1910 and 1915 and 1920 and 1925. This seems to me a very hard task which will involve much time and labour which I do not think will serve any useful purpose."

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Reduction of the water-rate chargeable in the Cauvery irrigated area of the Salem district as a temporary measure.

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

(a) whether it is a fact that the enhancement of water-rate made in the Cauvery irrigated area of Salem district as per G.O. No. 736, Revenue, dated 12th April 1934, has been reduced to one half as a temporary measure for the current fasli 1345 in 1935-36;

(b) if so, whether a copy of it will be placed on the table;

(c) what the reasons are that weighed with the Government for passing such an order; and

(d) whether there are any proposals for making the reduction as a permanent measure and, if so, at what stage they are?

A.—(a) & (b) A copy* of paragraph 2 of G.O. No. 1569 (29-S), Revenue, dated the 9th July 1935, and a copy* of G.O. No. 535, Revenue, dated the 15th March 1934, referred to therein are attached. These Government Orders contain the necessary particulars as regards the rates ordered to be charged for fasli 1345.

(c) The Government considered that some concession was desirable in introducing the revised rates.

(d) There is no such proposal.

Mr. K. A. NACHIYAPPA GOUNDER:—“With reference to clause (c) of the question that the ‘Government considered that some concession was desirable in introducing the revised rates,’ may I know, Sir, whether the Government adopted this method to cool down the agitation at least for the present?”

The Hon. Mr. C. A. SOUTER:—“The Government were not intimidated to that extent.”

Cost of maintenance of the korambu headworks at Jedarpalayam, Salem district.

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

(a) what the costs are of maintaining the korambu headworks at Jedarpalayam, and the channels, viz., Raja channel, Komarapalayam channel and Mohanur channel together with korambu, in each year for the last five years (separate figures for each may be given);

(b) what the costs involved are on works and on establishments in each case in each year;

* Printed as Appendix IX on pages 273-274 infra.

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(c) what the income derived by way of koramba cess is in the area served by each of these channels; and

(d) whether a copy of the rules governing this irrigation cess fund will be placed on the table?

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

(d) The attention of the hon. Member is invited to Chapter III of the Special Funds Code.

Statement of punishment of village officers and menials in Salem district since 1930.

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

(a) how many karnams, village munsifs, and village menials (each separately) have been fined or otherwise punished during the final (fasli end) jamabandi in each taluk of Salem district in each year since 1930; and

(b) how many of them have been so dealt with especially for slackness in collection work?

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

Mr. K. A. NACHIYAPPA GOUNDER:—“The Government say they have no information. May I know, Sir, whether they will be pleased to call for the same as it will reveal the real situation in the district?”

The Hon. Mr. C. A. SOUTER:—“Honestly I do not think it is worth the trouble.”

Public Service

Representation of the Vanniyakula Kshatriyas in the services.

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

(a) the total population of the Vanniyakula Kshatriya community in the Presidency;

(b) how they stand among the Hindu community in respect of appointments under this Government;

(c) what is their percentage among Hindus; and

(d) the total number of officers of this community at present in Police, Forest, Medical, Revenue, Agriculture and Local Self-Government departments?

A.—(a) 2,944,014.

(b) Vanniyakula Kshatriyas are not recognized as a separate community for purposes of representation in the Public

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Service. They are included among "Non-Brahman Hindus" and should take their chance along with members of other sub-communities of that classification.

(c) 7-1.

(d) Government have no information.

Subadar-Major S. A. NANJAPPA Bahadur:—"With reference to the answer given to clause (c), may I know whether in the list of backward communities, the Vanniyakula Kshatriyas are included?"

The Hon. Mr. C. A. SOUTER:—"No, Sir. They are included in the list of Non-Brahman Hindus and not in the list of backward communities."

Subadar-Major S. A. NANJAPPA Bahadur:—"With reference to the answer given to clause (d), will the Government be pleased to call for the information and after getting the information if they find that such a big community as the Vanniyakula Kshatriyas is not properly represented in the Government service, will they be pleased to treat this community as a separate class?"

The Hon. Mr. C. A. SOUTER:—"I regret I am unable to agree to that suggestion, because for one reason if the Government choose to treat this particular community separately, we should have similar requests from other non-Brahman Hindu communities for similar treatment in which case our communal rule will be a mere farce."

Mr. M. A. MANIKKAVELU NAYAKAR:—"Are the Government aware that this large classification of non-Brahman Hindus is doing communal injustice and therefore will they be pleased to revise the communal rules and classify this community under backward communities?"

The Hon. Mr. C. A. SOUTER:—"I am afraid it is impossible."

Mr. V. T. ARASU:—"May I know whether an attempt is now being made or was made to bring the Vanniyakula Kshatriyas under the category of criminal tribes?"

The Hon. Mr. C. A. SOUTER:—"I am afraid he must put that question to my Hon. Colleague, the Home Member."

The Hon. the PRESIDENT:—"I do not know what connexion there is between the classification of a certain community under criminal tribes and the representation of that community in the service of the Government."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know what is the criterion by which it is found out whether a community is backward or forward; is it by its representation in the Government service or what?"

The Hon. Mr. C. A. SOUTER:—"That is putting the cart before the horse."

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Mr. M. A. MANIKKAVELU NAYAKAR:—"Are the Government aware that backward classes in this Presidency form roughly one-third of the population and why Government fight shy to give them separate representation?"

The Hon. Mr. C. A. SOUTER:—"I should think it is far more than one-third. As I said, there are so many separate castes and sub-castes and it would be making a very invidious distinction if one is included and the other not."

Control of Vehicles

Restrictions on the plying of buses from one district to another.

* 86 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

(a) whether any complaints have been received in the matter of buses not being allowed to ply for hire from one district to another;

(b) if so, from whom, and what action has been taken and what orders have been passed thereon;

(c) whether it is a fact that the Police authorities of Coimbatore district reject the petitions from certain bus-owners in Salem district for plying their buses for hire to places in Coimbatore district;

(d) if so, how many applications have been rejected and for what reasons and on what authority; and

(e) whether any orders have been passed in the matter of issue of 'G' permits to hire buses from one district to another and, if so, whether a copy of it will be placed on the table?

A.—(a) & (b) No specific case of refusal to grant a "G" permit to a bus of one district to ply for hire in another district has been brought to the notice of Government.

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

(e) No orders have been passed in the matter. The hon. Member is referred to the answer given to clause (a) of question No. 580 on the 29th January 1935.

Mr. K. A. NACHIYAPPA GOUNDER:—"In answer to clauses (c) and (d) the Government say 'they have no information.' May I know, Sir, what difficulty there is to call for the information and consider it for themselves?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The difficulty is this: the allegation is so general that we cannot find out what cases the hon. Member has in mind. If, as I have already stated, any specific cases are brought to my notice, I shall be only too glad to examine them."

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Mr. ABDUL HAMEED KHAN:—“ If there are any such cases in the various districts in the Province, are the Government prepared to interfere with the discretion of these District Magistrates and Superintendents of Police? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ If the Government are satisfied that the discretion vested in the District Magistrates and Superintendents of Police is in particular cases not properly exercised, it is open to the Government to interfere.”

Government Press

Promotion of temporary workers in the Government Press to vacancies in the pensionable establishment.

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

(a) whether temporary workers in the Government Press are being promoted to vacancies in the pensionable establishment;

(b) if the answer to (a) is in the affirmative, what the number of persons so promoted is in different establishments since 1928;

(c) whether permanent vacancies are kept vacant for a long time without promoting temporary men; and

(d) the number of vacancies that have occurred in permanent establishment in each department in the Government Press since 1928 and the number that has been filled up?

A.—(a) Yes.

(b) The list of temporary men promoted to permanent establishment since 1928 is given below:—

1929 ... 3 readers.

1931 ... 2 Do.

1932 ... 1 pressman.

1935 ... 1 reader.

(c) The question whether the technical staff in the Government Press should be kept on a temporary footing with the benefits of a contributory Provident Fund was under the consideration of Government, and pending a decision on the question permanent vacancies which occurred after 1st October 1929 were left unfilled. The Government have since decided that the establishment required for the normal administration of the Press should be kept on a permanent and pensionable basis and the Superintendent, Government Press, has been authorized to fill up substantively the posts required permanently with effect from 13th April 1933.

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(d) The number of vacancies that have occurred in the permanent establishment in each department in the Government Press since 1928 and up to the end of 1934 is given below:—

General	...	...	...	...	4
Supervision	...	...	...	...	9
Mechanical branch	...	...	...	...	17
Operatives	...	...	...	...	168
Readers and copyholders	...	...	...	...	64
Total					262

Of these, 87 posts have been abolished and the remaining 175 posts have been filled up.

Filling of vacancies in the Machine and Binding departments of the Government Press.

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

(a) whether in the Machine and Binding departments of the Government Press, graded scale of salaries has been introduced;

(b) whether there are vacancies in certain grades, and if so, why they have not been filled up; and

(c) whether there have been long-standing vacancies remaining unfilled for some time?

A.—(a) The scales of pay of the staff in the machine and binding sections have not undergone any change since their revision in 1933. For purposes of Statutory Rules, machine-minders, pressmen and binders are divided into grades with reference to their scales of pay.

(b) There are at present no vacancies left unfilled.

(c) The hon. Member is referred to the answer given to clause (d) of question No. 87.

Police

Pay and dress regulations of Police Sergeants and Police Inspectors.

* 89 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

(a) what the grades and scales of pay are of the Sergeants and Sergeant-majors in the Police department;

(b) what the grades and scales of pay are of the Sub-Inspectors in the Police department;

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(c) among these two classes of servants, viz., Sub-Inspectors and Sergeants, which post is superior to the other;

(d) what the dress prescribed is for each of these classes of servants;

(e) whether it is a fact that the Sergeants are allowed to wear cross-belt, open coat and tie, and crests too, whereas the Sub-Inspectors of Police are not allowed to have these privileges and that even Circle Inspectors are not allowed the use of open coat and tie and crests; and

(f) if so, what the reasons are for such distinctions?

	RS.
A.—(a) Sergeants, first grade	200
Sergeants, second grade	175
Sergeants, third grade	150
Sergeants-Major, first grade	275
Sergeants-Major, second grade	220
(b) Sub-Inspectors, first grade	120
Sub-Inspectors, second grade	100
Sub-Inspectors, third grade	85
Sub-Inspectors, fourth grade	70
Sub-Inspectors, fifth grade	55

(c) The departmental status of both classes of officers is the same.

(d) *Sergeants in the mufassal*.—The following is the uniform for Sergeants—

Patrol jacket.—Khaki drill or serge of the same pattern as the optional pattern for Inspectors. Buttons 5 down the front and on shoulder straps and pocket flaps small “Madras Police” pattern. A silver metal crown on the point of each cuff and white metal M.P. block letters on shoulder straps.

Double collars are not permitted.

Khaki shorts with four loops for belt.

NOTE.—Sergeants employed in the Nilgiris district and on the Nilgiris Railway will wear khaki trousers instead of shorts.

Helmet.—Khaki Kitchener pattern with brown leather chin strap.

Pagri.—Khaki pagri with a green flash, a quarter of an inch wide at the top, between the helmet and pagri; the whole when tied not to exceed three inches in width.

Swords.—Same as for Inspectors.

Revolver or pistol.—Same as for Inspectors.

Sword belt.—Sam Browne. Same pattern as for Inspectors.

Boots.—Brown lace ammunition boots.

Putties.—Khaki woollen.

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Collar badges.—White metal bars, $1\frac{1}{2}$ inches long and $\frac{1}{2}$ inch wide, fitted with a shank at each end. One bar for third grade and two bars and three bars for second and first grade respectively, the intervening space between the bars in the last two kinds being one-eighth of an inch.

The badges should be placed one inch from the opening of the collar.

Rough working dress for Sergeants—

Helmet.

Khaki shirt half sleeves.

Khaki shorts.

Khaki putties.

Brown boots.

SERGEANTS IN THE MADRAS CITY POLICE.

Full Dress Mounted and Dismounted—

Review order khaki.

Sword in sling.

Working Dress Mounted and Dismounted—

Khaki shirt.

Bedford cord.

Shorts.

Boots and putties or Jodhpur breeches, brown gaiters and boots.

Spurs may be worn but not with Jodhpur breeches.

SUB-INSPECTORS IN THE MUFASSAL.

Rough working dress for Sub-Inspectors—

(1) *Khaki shirts and collar*.—The shirt will have two cross-patch breast pockets with flaps $5\frac{1}{2}$ inches wide by $6\frac{1}{2}$ inches deep, to the top of the flap and shoulder straps and will be fastened with two buttons, the top one of which will be an inch below the junction of the collar bones leaving the neck open. The buttons for the shirt, pockets and shoulder straps will be horn or bone. On the shoulder straps, Sub-Inspectors will wear white metal M.P. block letters.

NOTE.—The shirt may be half arm or full arm.

(2) *Khaki shorts* with four loops for belt and putties or khaki stockings.

(3) *Brown boots* with plain toe-caps or no toe-caps.

NOTE.—Brown shoes with khaki stockings may be worn instead of boots.

(4) *Belts*.—Sub-Inspectors will wear a plain leather belt two inches deep, fastened by a square leather-covered buckle.

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(5) European and Anglo-Indian Sub-Inspectors will wear a khaki pigsticker topee. Indian Sub-Inspectors will wear the pattern of turban prescribed for ordinary dress or a turban of red cotton cloth with a gold lace border of half inch tied as they please. They are, however, permitted to wear as undress uniform, solar topees for informal work out of doors.

Patrol jacket.—The same as for Inspectors, without the monogram and crown. M.P. block letters may be worn on the shoulder straps.

Trousers.—Plain khaki drill.

Turban.—Same as for Inspectors.

Boots.—Brown lace ankle boots with plain toe-caps.

Sword.—Madras Police pattern.

Revolver or pistol.—

Sword belt.—Same pattern as for constables with an elongated frog. Worn underneath the patrol jacket.

NOTE.—When carrying revolvers, Sub-Inspectors are permitted to wear their belts (without frog) outside the patrol jacket.

Mounted duty.—Khaki drill breeches and khaki woollen putties.

NOTE.—At inspection parades, Sub-Inspectors shall wear breeches and putties.

European and Anglo-Indian Sub-Inspectors.—

Helmet.—Khaki Kitchener shape with a dark green pagri.

Forage cap.—Similar to that prescribed for Sergeants with the words "Police Sub-Inspector."

NOTE.—A khaki cover should be worn over the cap.

SUB-INSPECTORS IN THE MADRAS CITY POLICE.

Full dress mounted and dismounted.—Blue or white tunic, blue breeches, black gaiters and boots with spurs sword in sling.

NOTE.—Blue tunic for cold weather or as ordered.

Undress mounted.—White tunic, khaki breeches, black gaiters and boots with spurs.

Undress dismounted.—Blue or white tunic, blue breeches, black gaiters and boots (no spurs).

NOTE.—Blue tunic for cold weather nights.

Working dress mounted.—Khaki shirt, Bedford cord breeches with putties, or Jodhpur breeches, brown boots, leather waist belt. Spurs may be worn but not with Jodhpur breeches.

Working dress dismounted.—Khaki shirt. Bedford cord breeches with putties or Jodhpur breeches, or shorts with putties and brown boots or with stockings and brown shoes. Leather waist belt.

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Head dress.—

Full dress.—

Indian Sub-Inspectors—Red and gold turban.

European or Anglo-Indian Sub-Inspectors—White helmet with red pugree. Forage cap with white cover for evening wear.

Undress.—

Indian Sub-Inspectors—Red and gold turban.

European or Anglo-Indian Sub-Inspectors—White helmet with red pugree. Forage cap with white cover for evening wear.

Working dress.—

All Sub-Inspectors—Khaki pith topee of approved pattern with M.C.P. colours on pugree as for Sergeants.

(e) No; only Sergeants in the Madras City Police wear open coats, ties and crests. Sergeants in the mufassal and Inspectors and Sub-Inspectors both in the Madras City Police and in the mufassal do not wear open coats, ties and crests.

It is presumed that by the term 'cross belt' the hon. Member means a 'Sam Browne belt.' If so, all Sergeants in the mufassal and those in the Armed Reserve in the Madras City Police are equipped with cross belts as these are required for use with the infantry sword necessary for parade work. Sub-Inspectors wear only waist belts as these are the only possible type for use with the short sword which they wear on ceremonial occasions.

(f) Uniform is prescribed for each rank in accordance with its needs.

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to the answer given to clause (c) 'The departmental status of both classes of officers is the same', may I know, Sir, why then a lot of difference is made in their grades of pay?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The nature of duties which are entrusted to the Sergeants is such that it has been considered by the officers of the Government who were constituted as a Committee for the purpose that those officers must be recruited generally from among army men and Europeans preferably. Their standard of living requires a higher scale of pay and that explains the difference of pay between Sergeants and Sub-Inspectors, though according to official status they are equal."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask whether it is the opinion of the Government that the duties of the Sergeants are more onerous than those of the Sub-Inspectors and that is why Europeans are put as Sergeants?"

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The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"They are put on a kind of work for which men with military training are considered preferable."

Mr. ABDUL HAMEED KHAN:—"In view of the longstanding grievances of the Sub-Inspectors that they have been affected adversely not only on account of the smaller pay that they are receiving when compared with that of the Sergeants but also owing to the treatment that is meted out to them, may I ask the Hon. the Home Member who has taken up the duties of Home Member recently to review this question and give his best consideration and do justice to those who deserve it?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Sir, it is a very long and involved question that the hon. Member is putting and it is very difficult for me to answer it. Anyhow I may say that the Government do not accept the basis on which the whole question is based, viz., that it has been a longstanding grievance, etc."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"With regard to the uniforms supplied to them, are they or are they not to get them made out of their own pay?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Notice, Sir."

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

II.—STATEMENT RE QUESTION No. 26 ON BIFURCATION OF DISTRICT BOARDS.

* Mr. V. T. ARASU:—"I should like to draw the attention of the House to an incident that happened at question time yesterday. In reply to a supplementary question put by me yesterday with reference to question No. 26 'May I know whether the Hon. Minister has not stated on the floor of this House on a previous occasion that orders of bifurcation of district boards will be passed only on the eve of general election and so as to coincide with the termination of the present term of the district boards,' the Hon. the Minister replied that he never made such a statement. I should like to draw the attention of the House to the answer given by the Hon. Minister to question No. 478 answered on the 23rd January 1935 and published in the official proceedings of the Legislative Council, Volume 74, No. 113, in which he says, 'What I said was that in the case of orders for bifurcation they will be issued just before the general election was coming and I would see that they coincided with the next general elections.'

"I leave it at that and I leave it to the House to judge for itself which statement is correct."

* The Hon. Sir the RAJA OF BOBBILI:—"My recollection is that I stated that as far as possible the Government would be bifurcating the districts in such a way as to coincide with the date of election. I do not

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know exactly to which my hon. Friend refers, whether a statement made in reply to a question or that made in the course of a debate on the Bill. If it is the debate on the Bill, I would invite his attention to subsequent passages of my speech which would make the position clear."

III.—HOUSE COMMITTEE—MEMBERS ELECTED AND NOMINATED.

The Hon. the PRESIDENT:—"I have to inform the House that the following six candidates were nominated for election to the House Committee:—

- (1) Mr. M. A. Manikkavelu Nayakar.
- (2) „ K. A. Nachiyappa Gounder.
- (3) Diwan Bahadur M. Gopalaswami Mudaliyar.
- (4) Sriman M. G. Patnaik Mahasayo.
- (5) Rao Sahib Pandit Ganala Ramamurti.
- (6) Rao Bahadur R. Srinivasan.

"As the number of candidates nominated is equal to the number of vacancies to be filled, namely, six, I hereby declare them to have been duly elected.

"In addition to the above, I nominate under Standing Order No. 82, the following members to be members of the said Committee:—

- Mr. J. A. Davis.
„ P. Ratnavelu Tevar.

"The Deputy President is ex officio Chairman of the Committee."

IV.—A BILL * FURTHER TO AMEND THE INDIAN REGISTRATION ACT, 1908, IN ITS APPLICATION TO THE PRESIDENCY OF MADRAS FOR A CERTAIN PURPOSE. (BILL No. 7 OF 1935).

The Hon. Mr. P. T. RAJAN:—"I do not propose to move it, Sir."

V.—A BILL ^b FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, FOR CERTAIN PURPOSES (BILL No. 8 OF 1935).

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I beg to introduce a Bill further to amend the Madras District Municipalities Act, 1920, for certain purposes (Bill No. 8 of 1935) and move that the Bill be taken into consideration at once. Sir, as the Statement of Objects and Reasons attached to the Bill and circulated to hon. Members shows, the first amendment is intended to remove a difficulty which has confronted the Government in certain cases where there is a vacancy in the office of the Commissioner. Of course, we are now having a list of names ready so that there will not, in future, be any long vacancy in these posts. In spite of that, there will be occasions when owing to unforeseen reasons a Commissioner will not be in a position to discharge the

* Published in the Fort St. George Gazette, dated 25th June 1935.

^b Published in the Fort St. George Gazette, dated 2nd July 1935.

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duties of his office even for a day or two days. In order to avoid any legal difficulties which may arise in the case of such unexpected vacancies of Commissioners, the Government have proposed that in such cases, the chairman of the municipal council concerned will be its executive authority.

"The second amendment proposed in this Bill deals with the power of the Commissioner in the matter of appointments. Under the existing Act appointments up to Rs. 80 a month are filled by the Commissioner and those above by the municipal council. It is proposed to reduce the maximum of Rs. 80 to Rs. 50. With these words I commend the measure to the acceptance of the House."

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

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I beg to move that the Bill be referred to a select committee. In moving this motion, I should like to point out that there has been some controversy over the two clauses of the Bill. In the first clause the Government propose that during the interim vacancy in the office of the Commissioner due to transfer, leave, etc., the chairman of the municipal council should take up the functions of the Commissioner. But I may ask, Sir, when once the executive power has been taken away from the municipal chairman, why should he be saddled with it even though it may be for a brief period? My hon. Friend, Mr. Krishnayya Choudari, has given notice of an amendment that during such short interim vacancies in the office of the Commissioner either the health officer or the manager or the chief ministerial officer of the municipality may be entrusted with the functions of the Commissioner. That question is one which merits some careful consideration before any decision is reached on this clause."

"With regard to the second amendment by which the Government propose to restrict the power of appointment of the Commissioner by limiting it only to posts the salary or the maximum salary of which does not exceed Rs. 50, I do not know what prompted the Government to bring in such an amendment. This question also requires some investigation. We have to find out whether the existing section has not worked satisfactorily. There have been cases where selection by the whole council causes a lot of trouble and often-times the inability of the council to select a person for a post results in keeping the post eternally vacant or in the abolition of the post itself. There was one such instance in the Salem Municipality. They wanted a lecturer in Natural Science for the college. The post was sanctioned and the council proceeded to select a candidate. They met two or three times for the purpose, but the difference of opinion in the council was so great that they could not come to any decision with regard to the choice of the candidate. The result was, although the post had been sanctioned and the special branch had to be opened in the college that year, they could not make the appointment on account of a difference of opinion in the council. Therefore if the municipal council is given more powers

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in the matter of appointments there may be confusion and deadlock. We will have to bestow some consideration over this aspect of the question."

The Hon. the PRESIDENT:—"Order, order. I wish there is silence in the House."

* Mr. K. A. NACHIYAPPA GOUNDER:—"So, Sir, with a view to have all these matters considered thoroughly, I propose that the Bill be referred to a select committee. If, on the other hand, the Hon. Minister wants to have this Bill considered straightaway in this House, I am afraid he will be put to the necessity later on of bringing forward other amending Bills as has usually been the case with him. Therefore I think it will be better to have this Bill referred to a select committee so that we may scrutinize each clause carefully and consider its implications before we agree to it. With this object in view, I move that the Bill be referred to a select committee. I shall give the names of members of the select committee later on if my proposal is accepted."

Mr. K. R. VENKATARAMA AYYAR:—"I second it."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I have heard the arguments of the hon. Member. Sir, the fact that there are amendments given notice of cannot be by itself sufficient cause, in my judgment, to refer any Bill to a select committee. No doubt amendments have been given notice of and it shall be our business to consider them and shape the Bill with the best of our efforts. No doubt there may be difference of opinion as to who should exercise the power of appointment, whether the Commissioner or the chairman or the municipal council. It is for the House to decide. But for this single point, I am afraid no useful purpose will be served by referring the Bill to a select committee and delaying the matter. I therefore beg to submit that no case has been made out for this lengthy procedure. I am therefore compelled to oppose the motion of the hon. Member."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I have carefully heard the various arguments advanced by the hon. Member, Mr. Nachiyappa Gounder, for the purpose of referring this Bill to a select committee, but I am not at all convinced of any of them. When a municipal council gets more power in the matter of the appointment of its subordinates, it is all to the good of the municipality and I do not think an alteration of the Act giving such power need be referred to a select committee. Moreover, Sir, practical experience has shown, and there was also a great demand during the passage of the main Act, that appointments on Rs. 30 and over should be made by the municipal council. I therefore welcome this Bill as it proposes to give more power to the municipality."

The motion that the Bill be referred to a select committee was put and lost.

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

Clause 1 with the insertion of the figure '5' after the figures '193' was put and carried.

Clause 2.

Mr. P. V. KRISHNAYYA CHoudari:—"Sir, I have given notice of an amendment that the executive powers should not, in the circumstances mentioned in the Bill, be vested in the municipal chairman but in somebody else. We have somehow or other passed an Act deciding to take away the executive powers from the chairmen of municipal councils and vest those powers in executive officers. Now we should not go against the principle embodied in that Act by vesting executive powers in the chairmen in the absence of executive officers on leave. Moreover, Sir, the municipal chairman is a non-official and the Commissioner is a paid subordinate. I feel as a non-official that it is not dignified for a non-official chairman to deputise for a paid subordinate.

"The second point is this. If it is made a rule that the municipal chairman should become the executive authority whenever the Commissioner goes on leave, naturally there will be a tendency to make the executive officer apply for leave. Whenever an election is about to take place in a municipality, the executive officer will be compelled to apply for leave. The Government may not have officers ready to hand to be put in charge of the municipal council and in such a contingency the chairman will be entrusted with the executive powers. He will probably revise all the orders passed by the Commissioner and thereby set up a very bad precedent. This will not in any way make the municipal administration run smooth. This amendment will also tend to create some bad blood between the municipal chairman and the executive officer and is objectionable for the following reasons. One reason is, if the municipal executive officer goes on leave, the non-official chairman who takes over the former's duties will have to oblige various people in various ways for election purposes, for catching votes. If these things are going to take place, there would not be uniformity of administration in the municipal area. With a view to have uniformity of administration, the Government brought forward a Bill one year ago and they are now appointing executive officers for municipalities. The amending Bill which has been placed before us now is indirectly against the principle of the original Bill. Another reason is, most of the Commissioners, who are appointed now, are drafted from the Secretariat clerks, municipal office managers and district board clerks also. When they are fit to be appointed as Commissioners, I cannot understand why they cannot act as the Commissioner for a week or ten days—for a short time—especially as they can be expected to know the policy of the Commissioner. I cannot quote the example of other municipalities, but I can quote the example of the Tenali Municipality. The manager

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of that municipality is drawing Rs. 150 and is a graduate. Some of the managers of municipalities are highly paid and they are being appointed as Commissioners. In the case of the Narasaraopet Municipality, they have appointed as Commissioner a clerk who was drawing only Rs. 60 in the District Board Office and who was not even a graduate. The manager of a municipal office may be asked to perform the duties of the Commissioner. What I am saying is that the municipal manager who is in touch with the administration, can function as the Commissioner for a short period. When clerks drawing Rs. 80 or Rs. 100 are fit to be appointed as permanent Commissioners, I see no reason why the municipal manager cannot function for a few days as municipal Commissioner. Instead of entrusting the work of the Commissioner to the chairman, I think it can be entrusted to the manager. If the municipal manager is not fit, there are the municipal engineers and health officers in big municipalities and they can be entrusted with the work. It was stated by some Members that these officers are not whole-time officers. I cannot understand that argument. When a Sub-Collector is asked to be in charge of the duties of the District Collector also, it cannot be said that he will not be a whole-time officer. He will be in charge of the duties of the Sub-Collector as well as those of the District Collector. I personally feel that where there is the municipal health officer or the engineer in a municipality, he may be allowed to take charge of the duties of the Commissioner. In such a case the same policy can be maintained. If the engineer or the health officer does not maintain the uniformity of administration, the Commissioner can take disciplinary action against the officer who has deviated from his policy. If the municipal chairman deviates from the policy of the Commissioner, the latter cannot take any action against the former. I move my amendment with these observations and request the Hon. Minister to accept it. This is my amendment:—

'For the words "the chairman" substitute the words "the Health Officer and where there is no such officer, the Manager or the Chief Ministerial Officer".'

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I beg to second the motion moved by my hon. Friend, Mr. Krishnayya Choudari. If the Government make it possible to deal with this matter with a little care and caution, they can so adjust that no interim vacancies arise as much as possible. Very few cases will occur and if this amendment is accepted, it will be convenient to appoint the health officer or the engineer, instead of making the chairman powerful for one or two days and depriving him of his power the next day. This will reduce the prestige of the chairman who holds this office for a day or two; he will be worried very much by the persons interested and wielding influence. Such people will be waiting for the opportunity when the chairman will come to power and it will be a source of nuisance to him then. To avoid such contingencies I would request the Government to see that

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no interim vacancies occur as far as possible and even when there are sudden vacancies of unavoidable nature, the matter can be reported to the Government and they can by means of a telegram put some officer in charge; there would not be any difficulty in the matter. Further, this sort of allowing the chairman to assume power and executive functions for an interim period will create a tendency on the part of Government, during times of need, and to achieve party interests, to take away the Commissioner for some reason or other in order to allow the chairman to enjoy power. I am led to believe that such a contingency arose at the time of elections to the District Board of Tanjore. I think it is time that the Government should put a stop to such things. If the present amendment is accepted, it will solve the difficulty. If the Government think that the managers of municipalities cannot be entrusted with such powers, they may delete that portion of the amendment and allow the power to be exercised by the health officer or engineer or some such responsible officer. In the case of the small municipalities, I do not think there will be much trouble or inconvenience if the manager is asked to be in charge of the duties of the Commissioner, if there is no health officer or engineer for the municipality, simply to carry on the day to day work of the office till a substitute turns up. I hope this amendment will be accepted in order to avoid the difficulty and the trouble which the non-official chairmen will be put to during very short interim periods."

Mr. ABDUL HAMEED KHAN:—"Sir, I am sorry I have to oppose this amendment. I think the object of the Government is to improve municipal administration in the province. With that object in view, the Government have come forward with an amending Bill of this nature. I heard the speech of my hon. Friend, Mr. Krishnayya Choudari. Instead of accepting the amendment brought forward by the Government, he opposes it and wishes to introduce more radical and less liberal procedure. The Government have taken away the administrative powers of the chairman; they want to give this power to him only on certain occasions. I am sure that such occasions will not arise frequently. The Government have thought it fit to give this power to the chairman during interim periods. I am sure that this will be a prelude to the reversal of the policy of the Government and very soon it will be possible for the Government to give back the powers to the chairman. It seems very queer that Members should come forward and oppose the Government amendment instead of accepting it. The appointment of the manager of the office in the place of the Commissioner for a short time is not a very forward step. As it is, the chairman is controlled as it were by his subordinate, by the Commissioner. The Commissioner is appointed by the Government whereas the manager of the office will be appointed as Commissioner by the municipality itself. The man who is appointed by the municipality will be the presiding or controlling officer over the chairman of the

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municipality. That is a thing which I cannot approve of. I hope my hon. Friend will withdraw his amendment and allow the Government amendment to go through."

* Mr. K. R. VENKATARAMA AYYAR:—"Sir, the amendment wants to give the chief executive authority, when the Commissioner is absent, to an officer of the municipality or to the manager or the chief ministerial officer. I do not think that is a sound proposal. The executive authority must be vested in the Commissioner as it is left in the existing provisions of the law. Wherever there is a Commissioner, the Government Bill does not purport to interfere with that position; the Government Bill purports to make provisions for the rare cases, as I imagine, when the Commissioner is away on leave and his place is not filled up by a substitute appointed by the Government. On one point I think it is desirable that the policy of the Government should be made clear. At the time when the Act *re* Commissioners was passed, it was the accepted policy for which the Government took the responsibility that in the bigger municipalities there must be a line drawn between the executive administration and the settling of the policy of the municipal council as a whole on major problems.

"While the Council was given the power to lay down its policy, 12-15 the duty of carrying out the resolutions of the Council was entrusted to p.m. Commissioners. Now the question that has to be answered by the Government is: Have the Government gained any experience in the course of working the Act—which has been in force only for a short time now—which leads them to think that the policy underlying the Act of 1933 is a doubtful policy? Have they gained any experience to show that the Commissioners who have been set up have failed so as to make Government feel that it would be better, as often as Government were so inclined to do, to reverse the process and restore the powers taken away from chairmen and entrusted to the Commissioners back to the chairmen? If any such idea is at the back of the mind of the Government, I think that had better be made absolutely clear at once before they ask for a vote of this House on their present Bill. If, on the other hand, Government adhere to the policy which underlay the Act of 1933 and merely want to provide for very rare and exceptional contingencies when leave vacancies are not immediately filled up and short periods of interregnum arise, then the question is whether there is a clear necessity for such a provision as this. Assuming there is necessity, if opportunity is to be taken hereafter to utilize the new provision to transfer a Commissioner as and when Government, owing to the pressure of partymen, think fit to do so, and to vest the power back in favoured chairmen of particular municipalities, I think that would really be destroying the principle underlying the Commissioners' Act of 1933 and retracing one's steps. I therefore wish the Hon. the Chief Minister made it absolutely clear what the policy of the Government in bringing forward this present amendment is. Do they really see sufficient reason to go back upon the previous enactment and reverse

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it by degrees, or do they merely want to provide for very rare and exceptional cases of absence of Commissioners for short periods?

"Now, Sir, when we turn to the provisions of the existing law, it seems there is very little need to embark upon this provision which amounts to retracing our steps. For, under sub-clause (7) of section 12 (c), we find it is enacted that: 'Leave may be granted to the Commissioner by the Local Government. Whenever such leave is granted, the Local Government shall appoint some person to officiate in his office.' If this provision is adhered to and enforced strictly according to the terms of the enactment, there cannot be any interregnum in the office of Commissioner; because, casual leave is not intended to be provided for, and admittedly, the office is not kept vacant then. During periods of casual leave, any person such as the health officer or some senior officer would stand deputed even under the temporary orders of the Commissioner for the time being. In such a case, the proposed amendment will not be brought into operation. Then the question arises whether you require to make a provision for the contingency of leave, not being casual leave but other leave granted by the Government under sub-clause (7) of section 12 (c). In that case the peremptory provision of the law is that the 'Local Government shall appoint some person to officiate in his office.' It is doubtful whether Government cannot always make it a point to avoid periods of interregnum by granting leave only with effect from the moment when the officiating substitute joins duty. That cannot be an administrative difficulty, much less an impossibility. Except in that one case, I fail to see how there can be periods of interregnum in the office of the Commissioner during which it would be necessary, even at the risk of retracing our steps, to vest the executive authority in the chairman. It is this aspect of the matter that leads one to suspect or infer rather remotely that possibly the idea at the back of the Government's mind is to make it possible, as often as Government might be induced to do so owing to the pressure of partymen or others, for Commissioners being kept away from the spot on leave, the vacancy not being filled up quickly enough to avoid an interregnum. In all such cases, the effect will practically be that the executive authority reverts back to the chairman of the municipality, and the Commissioner will be more an institution than an officer available on the spot to exercise executive authority. If Government propose to operate this amendment in such a manner, then they had better frankly say so to this House before asking for the vote of hon. Members now. Let them say 'We are not satisfied with the Act of 1933 empowering the appointment of Commissioners to municipalities; we want to go back on that enactment in a clever manner, and we want to provide for occasions when the executive authority will again come to the chairman.' I can understand if they say some such thing. I quite remember that when the Bill which later became the Act of 1933 was under consideration, there was a marked divergence of views in regard to the expediency and wisdom of appointing Commissioners for municipalities, as between

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the spokesmen on behalf of the City of Madras and the spokesmen of important mufassal municipalities. At that time, as my hon. Friend Mr. Hameed Khan was heard to say just now, the City representatives questioned the expediency and wisdom of leaving the executive authority in the Commissioners. They thought it would be going back upon principles of democratic Government. Equally strong views were expressed on the other side on behalf of the major mufassal municipalities, and the institution of Commissioner was felt to be a step in the right direction. If Government still adhere to the view which they then endorsed, then they ought to consistently stick to the principles of that enactment by seeing to it, in cases coming under the provision of sub-clause (7) to section 12 (c), that periods of interregnum are avoided and that Commissioners are always available on the spot—whether permanent Commissioners or improvised officiating Commissioners during periods when the permanent Commissioners are granted leave. In that case, as I said, there can be no need for the present amendment vesting executive functions back in the chairmen. I think the provision in sub-clause (7) of section 12 (c) and the present amendment will make a mutual contradiction; because, as I said already, under sub-clause (7) of section 12 (c) there must always be a Commissioner, whether permanent or officiating, in which case the proposed amendment would be absolutely a dead letter. I doubt therefore, whether the present amendment could be put through without effecting a corresponding change in the terms of sub-section (7) also. If such an amendment were also embarked upon by the Government, then it would bring out the truth, viz., that the policy of the Government is really to go back on the principles underlying the enactment to which they committed themselves so recently as 1933. My submission to the House, is: all experience so far gained is in favour of administration by Commissioners—I do not know of any adverse experience—and I shall be glad if before the debate on the present Bill closes, I hear an expression of responsible opinion on the part of the Government as to their experience. Have any instances arisen or come to the notice of the Government which lead them to think that administration by Commissioners has not been all that it was expected to be, necessitating a going back upon the policy of the Act of 1933? Personally, I do not think any such adverse experience has been gained, and I do not think the Government will be coming forward with so serious a statement on such a point in such a short time. In such a case, there is no necessity for the proposed amendment because there will be no occasion to give effect to it, side by side with giving effect to the provisions of sub-clause (7) of section 12 (c) of the Act."

* Diwan Bahadur A. APPADURAI PILLAI:—"Mr. President, Sir, the proposed measure is a very small one intended to cover the inconveniences that have been noticed in municipal administration. Those inconveniences have been set forth in the statement of objects and reasons. There are two instances where there is likely to be an absence of the Commissioner for a short period. One is consequent on the delay

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or the time taken in the Commissioner joining duty after his posting to a particular municipality is notified. Generally, Sir, some time elapses before the officer appointed actually takes charge. In such a case, it has been considered desirable that the chairman of the municipality who continued to be the executive officer until the Commissioner was appointed, should be the executive authority. The other inconvenience referred to in the statement of objects and reasons is, when the Commissioner avails himself of leave other than casual leave or due to illness or other causes, there is a short period intervening between the date of his handing over charge and the date on which his successor takes charge. This period is necessarily short. Casual leave, however, is specifically provided for under the explanation to clause 2, which says that 'the Commissioner shall be deemed to be in charge when he is absent on casual leave.' It is only in cases where the Commissioner falls sick suddenly and is granted leave before his successor takes charge, that a short period intervenes, and that has got to be provided for.

12-30 P.M. "It is thought desirable to order during such short intervals that the chairman should be the executive authority. There seems to be absolutely no question of *infra dig* in a chairman taking the place of a Commissioner. My Friend, Mr. Choudari, stressed the argument that the chairman of a municipality is a superior officer to the Commissioner and that therefore when the Commissioner is absent the chairman ought not to come down from his high pedestal and take charge of the Commissioner's work. I do not think that that opinion will be shared by any municipal chairman or by the majority of municipal chairmen. On the other hand, they would very gladly welcome the opportunity of doing the duties of a Commissioner in the short period when the Commissioner happens to be absent.

"For instance, it is a matter of everyday experience in Government service that when the subordinate officers are forced to be absent owing to sickness or some unforeseen circumstance, the superior officer takes charge of those duties. It is neither *infra dig* nor derogatory to the superior officer to take charge of the duties of a subordinate officer. On the other hand, it is a matter of common practice. For instance, if a divisional officer falls ill, or if he is unable to attend to his duties, the District Collector takes charge of his duties till his successor comes in; and no Collector worth his salt will say, I am a Collector, I find it *infra dig* to take up the responsibilities of a junior officer. The same analogy holds good in the case of a municipal chairman. He will be absolutely in order in holding charge of the duties of a Commissioner for a short time. It is only in very rare cases that such a course will be resorted to.

"My hon. Friend from Madura wants to read more meaning into the clauses of this Bill than what is intended to convey by them. He is under the impression that it would be a reflection on the policy of appointing Commissioners to municipalities. I do not for a moment

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think that any such meaning could be given to the two clauses of the Bill before the House at present. There is absolutely no question as to the correctness or otherwise of the policy of appointing Commissioners to municipalities. It is clearly stated in the statement of objects and reasons accompanying the Bill, that the measure is intended to provide for certain contingencies, namely, the inconvenience of appointing an officer immediately to take over charge; and there is no necessity to go into the general question whether the policy of appointing Commissioners has worked satisfactorily or not. After all the policy has been introduced only recently and I believe it is too soon to say anything about it at present. There is no indication whatsoever in the provisions of the Bill to go into the question of policy.

"Again, Sir, my hon. Friend from Madura pointed out that there ought not to be any delay, because section 12, clause 7, provides that a successor shall be appointed the moment a vacancy arises. I admit that a successor should be appointed and that there should be absolutely no delay. Human nature being what it is, delay must occur. Of course, it is easy to make appointments from the Secretariat and by the time a man who is fit to hold charge of a Commissioner's post is chosen and is ordered to join his new post some time must necessarily elapse: he is granted some time for preparation and journey; and I think it is very unfair to say that there shall be no delay at all even for a day or two before a man takes over charge. It is only to provide for such contingencies that this provision is now sought to be made.

"Another point urged by the opposition is, that sometimes the Commissioner will be forced to take leave in order that the chairman might take over the duties of the Commissioner and exercise his functions to help an election. I do not think so; and public opinion is so strong that it is not possible to force a Commissioner to run away from his post to allow the chairman indirectly to take over his powers and exercise his functions detrimental to public interests.

"The amendment of my hon. Friend, Mr. Krishnayya Choudari is not practicable. He says, for the word 'the chairman', substitute the words 'the health officer and where there is no such officer, the manager or the chief ministerial officer.' Every officer in a municipality has got his own duties to perform. Generally, it is the policy of Government that no officer who has certain definite duties to perform, should be saddled with any other additional duties. The health officer of a municipality has certain defined duties; he has to keep the town in proper sanitary and healthy conditions and have the conservancy staff well in hand; it is not desirable that he should be saddled with the functions of a municipal commissioner. In the case of the manager, who is a ministerial officer, he is a subordinate officer to the Commissioner. Though Commissioners have been appointed from the cadre of managers, it does not follow that a manager is in a better position to take over the duties of a Commissioner. Further, why should we have recourse to the method of appointing managers for such short periods

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when we have a superior officer like the chairman who can very well take up this work. This, as I said before, is generally a question of policy. Whenever arrangements are made for leave of absence on account of illness, the policy generally adopted in the Presidency is to make arrangements which would cause the least dislocation in the existing work. By appointing the chairman as the executive officer, instead of the health officer or some other officer of a municipality, least dislocation will be caused to the municipal administration. Further, the question of appointing the manager as the commissioner will involve getting the sanction of Government, his name has to be proposed, nomination rolls have to be sent up to Government and Government will have to approve the proposal—that cannot be done by the municipal council without delay. Not only that, if a manager is asked to take over charge of the duties of the commissioner, arrangement will have to be made for carrying on the routine work of the manager himself. These would cause dislocation of work. Putting the chairman in charge of commissioner's work will cause the least dislocation. It is on that ground, it has been considered desirable to place the chairman in charge of a municipality during the temporary absence of the commissioner for the reasons specifically mentioned in the statement of objects and reasons. I see very little ground therefore for a reconsideration of the question. I do not think that the members who have spoken against this measure have made out a case either on grounds of policy or on grounds of efficient administration. On the other hand, there is very good ground for placing the chairman in charge of the commissioner's post whenever owing to any unforeseen circumstances, such as leave, etc., there is a short interval. For these reasons I would very much like my hon. Friend, Mr. Choudari to withdraw his amendment and to allow the Bill to proceed."

* Mr. J. A. DAVIS:—"Mr. President, I welcome the introduction of this Bill. I for one am against the chairman taking over the duties of the commissioner, but to suggest that a subordinate officer of the Council should take upon himself the duties of a commissioner would be very derogatory to the chairman. The object of appointing commissioners to municipalities is to help the chairman to carry on his duties efficiently. As the Hon. the Minister has already stated, the appointment of chairmen for doing the duties of commissioners, for carrying on the work only for short periods, would be only in very rare cases. We also want that the municipality should be run by our own elected men. Of course there may be differences in regard to this matter and there are likely to be differences always. But, sooner or later, you will find our municipalities are administered by our own men. So long as there are commissioners, I am for chairmen being asked to look after their duties during their absence, but to ask a manager who is a subordinate of the chairman and who has got to work under him, to take charge of the duties of the commissioner, would be a great reflection on the chairman. I therefore strongly support the proposal in the Bill.

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In fact, the very next proposal in the Bill goes further. It seeks to take away from the commissioner powers of appointing men on Rs. 80 and gives him power only up to Rs. 50 and attempts to give more powers to the chairman and the Council. With this object in view I strongly support the provisions in this Bill."

Rao Bahadur P. C. Muthu Chettiyar, speaking on the motion in 12-45
Tamil, said he was glad that the Government had, contrary to their p.m.
usual traditions, brought forward an amendment which was acceptable to the public. He deprecated the objections that had been raised to that amendment. He hoped that the Government would go a step further and bring in a further Bill defining the powers of the Commissioner.

* The Hon Sir the RAJA OF BOBBILI:—"Mr. President, in introducing the Bill, I have explained the reasons which have prompted the Government to come forward with this amendment. I am sorry to note that in the subsequent discussions on the Bill what I stated at the beginning has been overlooked by various members. First of all, my hon. Friend, Mr. Krishnayya Choudari, moved his amendment and supported it by saying that it would be derogatory to the position of the Chairman to be asked to be in charge of the executive functions of the municipality even for a short time. Then again he followed it up with a scathing condemnation of the chairmen of municipalities and referred to the way in which they are abusing their powers. I am sure he did not mean all he said against the chairmen but only wanted to strengthen the grounds for his amendment.

"Coming to the remarks of my hon. friend from Madura, I have no hesitation in saying that he has read from the simple Bill introduced by the Government motives which were not there and I am sure as an expert lawyer experienced in municipal administration, he could not have misunderstood the object of the Bill. Probably, he wanted me in connexion with this matter to express an opinion as to the success or otherwise of the system of the appointment of commissioners for municipalities. I may say that the question of appointment of commissioners is totally outside the scope of the Bill. As far as the Government are concerned there is no reason for them to think that the system of appointing commissioners to municipalities has been wrong or has been a failure. Although there has not been sufficient time before us to come to any definite conclusion and say that it has been a success, I can say this much, that as far as my experience goes, there is nothing to show that this Council in having legislated on these lines has committed any mistake.

"Mr. Venkatarama Ayyar said that the Government are not in order in bringing forward this amendment when the main provision of the Act giving statutory instruction to the Government says that before leave is granted to a commissioner, the Local Government shall appoint some person to officiate in the office. I should have thought

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that the very fact that the Government have left that clause untouched would have been sufficient guarantee to my hon. Friend that they do not wish to go behind the Act by this amendment. When there is a statutory direction to the Government, I presume it will be acted up to. I think this will satisfy my hon. Friend. Moreover, there is no question of the principle or policy of the Government being under revision or reconsideration. I may remind the hon. Member, if that is necessary, that the Bill making provision for the appointment of commissioners has had the support of all sections of the House. While my hon. Friend stated that certain Members representing the Madras City opposed the Bill, he has not been kind enough to tell us what part he himself played"

Mr. K. R. VENKATARAMA AYYAR:—"I strongly supported the measure."

* The Hon. Sir the RAJA OF BOBBILI:—"I may once again express without taking the time of the House that the instructions contained in this section in the matter of filling up the commissioner's post, are being followed. When an application for leave is received, the Government always immediately appoint a substitute before granting the leave. That has been the policy followed not only in this department but in all other departments. This amendment is merely intended to cover unforeseen contingencies where a commissioner falls suddenly ill or is unable to discharge his duties.

"Again, when during short intervals the chairman was appointed to carry on the functions of the commissioner, some legal doubts were raised whether the actions of the chairman on such occasions were valid or not. This amendment is merely intended to clear the position. I may state that there is absolutely no intention of taking any advantage of this amendment to defeat the very object of the amending Act which has had the approval of all sections of this House. As regards the actual wording of the proposed amendment, I presume the hon. Mover of the amendment will not read anything extraordinary in it but that in view of my explanation he will now realise the real intentions of the Government in bringing this forward.

"Apart from the objections I have stated, there are other difficulties. According to the Act, the commissioner must be a whole-time servant of the Council and be employed on these particular responsible duties. I am told that as the law now stands it will not be legal to appoint the health officer as the commissioner. As a matter of fact, we have examined this question in the case of smaller municipalities whether the health officer or the municipal engineer could not be appointed as commissioner, and it was not considered desirable to concentrate so much power in one individual as also it would not be in the interests of the particular duties of these officers if additional duties of this arduous nature were saddled on them. It was therefore decided that it would not be in the interests of municipal administration to appoint health officers or municipal engineers as commissioners. It has

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also been proved by experience that the managers of these municipalities are not competent to undertake these responsible duties. With these words, I have to oppose the amendment now before the House."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I thank the Hon. Minister for giving a lot of information about municipal administration. He said that only in extraordinary cases and that only for a few days such contingencies have to be covered. If that is so, where is the objection against the municipal engineer or health officer carrying on these duties also? The Hon. Minister himself said that it would be a matter of a few days. I think for such a short time they can as well be put in charge of these duties to carry on the routine work leaving bigger problems to be tackled by the permanent commissioner, and I am sure they will be in a position to discharge both the duties. However, as the Hon. Minister has assured us that the idea is not to deviate from the intention of the Act, I do not press my amendment."

The amendment was by leave withdrawn.

Clause 2 was then put and carried.

Clause 3.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I move to omit clause 3. My object in moving this amendment is this. It has been said that the municipal commissioner is appointed to administer things more properly and in order to facilitate the municipal administration. For this purpose, he was also given certain powers of appointment, such as appointment of clerks, etc. Now, the object of this amending Bill is to take away or reduce the powers of the Commissioner. Thereby he can only appoint some lower subordinate clerks or some sanitary maistris. If the intention of the Government is to place all the powers in the municipal council, they can as well abolish the commissioner. The municipal commissioner will be really a burden on the municipalities as long as he is not going to be entrusted with the legitimate executive duties of the municipality. If his powers are restricted to appointments on less than Rs. 50, it will mean that the sanitary inspector or the vaccinator on a pay of Rs. 30—1—50 will naturally have to be appointed by the municipal council. I can understand the Government's intention if they give the power of appointment to the municipal chairman, but by giving the power to a council of 20 or 30 members it will only mean that very bad canvassing will go on. I do not however mean to cast any reflection on members of municipal councils. But, I think that unnecessary influence will be brought to bear on them even for small appointments, and the municipal subordinates cannot be expected to function properly because they will have secured the posts on account of the patronage or favouritism of the municipal councillors. So instead of keeping these clerks under the obligation of so many municipal councillors, they can as well be kept under the obligation of one member, namely, the municipal chairman. If the commissioner cannot appoint even the upper division clerks or, say, the

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"Again, when during short intervals the chairman was appointed to carry on the functions of the commissioner, some legal doubts were raised whether the actions of the chairman on such occasions were valid or not. This amendment is merely intended to clear the position. I may state that there is absolutely no intention of taking any advantage of this amendment to defeat the very object of the amending Act which has had the approval of all sections of this House. As regards the actual wording of the proposed amendment, I presume the hon. Mover of the amendment will not read anything extraordinary in it but that in view of my explanation he will now realise the real intentions of the Government in bringing this forward.

"Apart from the objections I have stated, there are other difficulties. According to the Act, the commissioner must be a whole-time servant of the Council and be employed on these particular responsible duties. I am told that as the law now stands it will not be legal to appoint the health officer as the commissioner. As a matter of fact, we have examined this question in the case of smaller municipalities whether the health officer or the municipal engineer could not be appointed as commissioner, and it was not considered desirable to concentrate so much power in one individual as also it would not be in the interests of the particular duties of these officers if additional duties of this arduous nature were saddled on them. It was therefore decided that it would not be in the interests of municipal administration to appoint health officers or municipal engineers as commissioners. It has

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sanitary inspector or the vaccinator, how can they be expected to carry on their work smoothly under the commissioner? So, I feel that this clause should be omitted, and if it is not going to be omitted by the Council, I will have to move my other amendment. I just move this amendment for the omission of the clause in the interests of municipal administration, as the Hon. Minister himself said a few minutes back that this Bill was to facilitate municipal administration. I do not see what facilities the Government amendment is going to give on administrative grounds more than giving additional powers to the municipal council. I think the whole thing has come up in this way. Recently, there was a conference of municipal chairmen held at Guntur, which is at the bottom of this amending Bill. So, I appeal to the Hon. Minister to see that these powers are vested in the municipal commissioner for the better administration of municipal affairs."

Mr. ABDUL HAMEED KHAN:—"Sir, I second the amendment moved by my Hon. Friend, Mr. Krishnayya Choudari. I agree with him when he states that once you appoint an executive officer you have to give him the maximum power possible. It will not serve any useful purpose to give him some little power. On the other hand, it will affect the administration adversely if you take away the powers that you have given him. Besides, in actual practice, I am sure the prestige of the commissioner will be affected adversely because the persons whom he will have to control will be appointed by a whole lot of municipal councillors who will have more influence over the municipal servants. So, it is very necessary that almost all the salaried men in the municipality should be directly under the control of the executive officer. For it is the chairman or the commissioner who will come into direct contact with the officers that are appointed. On the other hand, if the persons who are receiving Rs. 50 and more are excluded from this category, I am afraid even the sanitary inspector, the vaccinator and also some of the headmasters of schools will come under that category, and the executive officer will not have the necessary control over them. Besides, as has been pointed out, it will have a very demoralising effect on the whole council to make it obligatory on them to select persons for appointments on such low salaries as Rs. 50 or Rs. 60. It has been found in actual practice that the matter of appointments is best left to the municipal chairman or the commissioner. I can understand appointments, which carry very large salaries, where the policy of the officers has to be under the control of the municipal council, being made by the council itself. But in regard to the appointments of municipal servants who have to work under the executive officer, I am certain that it will not be helpful for the very sound administration of municipalities if the council is given the power of appointments under Rs. 80. So, I believe that Rs. 80 is the proper maximum that should be maintained, and in that view I hope the Hon. the Chief Minister will drop this clause."

* The Hon. Sir the RAJA OF BOBBILI:—"Probably it will facilitate discussion if I inform the hon. Mover and the Seconder of this

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amendment that I propose to accept the amendment of Mr. Daniel Thomas which is coming up later on. It is for the constitution of a committee as in the case of accepting tenders. In view of that, I request the hon. Member to withdraw the amendment."

Mr. C. BASU DEV:—"May I know what the constitution of the committee is?"

* The Hon. the PRESIDENT:—"Mr. Daniel Thomas is making a slight alteration in his amendment, and that is to appoint a committee consisting of the chairman, the municipal commissioner and one member elected by the Council."

Mr. P. V. KRISHNAYYA CHOUDARI:—"In view of the amendment to be moved by Mr. Daniel Thomas, I withdraw my amendment."

The amendment was by leave withdrawn.

The Hon. the PRESIDENT:—"I presume the hon. Member, Mr. Krishnayya Choudari, does not propose to move his next amendment to clause 3."

Mr. P. V. KRISHNAYYA CHOUDARI:—"No, Sir."

Mr. DANIEL THOMAS:—"I have given notice of an amendment 1-15
that the limit be reduced from Rs. 50 to Rs. 30. I do not press it. p.m.
With your permission, Sir, I shall proceed to the next amendment."

The Hon. the PRESIDENT:—"The hon. Member may go on to the next amendment."

Mr. DANIEL THOMAS:—"My next amendment is—

'Add the following at the end of clause 3, namely:—

"and for the words 'by the council' the words 'by a committee consisting of the chairman, the commissioner and one member elected by the council' shall be substituted."

"I request the President to make a change in the amendment as originally proposed. I have said there 'chairman and two members elected by the Council.' Various members have already made representations that the Commissioner as the chief executive officer should in some way be associated in the matter of making appointments. In deference to them I have modified my original proposal and put it in the present form, i.e., the appointments to be made by a committee consisting of the chairman, the commissioner and one member elected by the council. It will be more or less analogous to the tender committee which deals with tenders for all contracts exceeding Rs. 1,000 as provided for in section 68 of the Act. I commend this amendment for the acceptance of the House."

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

* Mr. K. R. VENKATARAMA AYYAR:—"Now, if the intention is to draw a line not at Rs. 80 but at Rs. 50 and vest the power of appointments in regard to all posts the pay or the maximum pay of which exceeds Rs. 50, in a committee consisting of the chairman, the commissioner and one other elected councillor, I will point out there is a provision for the appointment of a similar committee in section 68 of the Act

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for dealing with tenders, and so I think one committee will do for both. Why should you multiply committees? My suggestion is, this function of appointment also may be entrusted to the committee provided in the provision in section 68. We can say now in section 73, that appointments to all posts, the pay or the maximum pay of which exceeds Rs. 50 per mensem shall be made by the committee constituted under the proviso to section 68 (1) of the Act. I do not see how any advantage is gained by constituting two separate committees, in each of which two members, out of three, viz., the chairman and the commissioner would be the same. But it is not a point which involves such a great principle that I should oppose my friend. If it is the view of the House that the one elected member in each of the committees should be different, I should not divide the House on that."

* Mr. C. BASU DEV:—"With regard to the objection taken by my hon. Friend from Madura, I would like to point out to him that the committee contemplated under the section which he has now cited is to consider the question of tenders and therefore requires business experience, while the Committee suggested under the amendment is for the purpose of making appointments and requires quite a different experience or capacity. Two members of both these committees, the Chairman and the Commissioner, will be common and the third member may be different as the Council may decide. I leave it at that."

"With regard to the committee suggested by Mr. Daniel Thomas, I would like to know whether it is going to have the power to make all appointments carrying salaries of more than Rs. 50. At present, appointments on salaries above Rs. 80 as maximum are left to the Council. I do not know whether this amendment before the House would take away that power and vest it in the committee just now proposed."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, I feel that if the amendment of Mr. Daniel Thomas is carried, the very object of the Bill would be defeated. The Statement of Objects and Reasons says that it is desirable to enlarge the powers of the municipal council in the matter of making appointments. But now this amendment seeks to appoint a committee. At times it is not possible to get tenders, and the matter is referred by the council to sub-committees. At times it happens that the commissioner and one member may join together and the members of the staff proposed by the chairman may not be appointed. So I feel if the council itself is given the power of appointing the staff on Rs. 50 and above it will be better and will also meet with the object adumbrated by the Hon. Chief Minister in the Statement of Objects and Reasons of the Bill."

* The Hon. Sir the RAJA OF BOBBILI:—"I have already stated, when the House was considering the amendment moved by Mr. Krishnayya Choudari, that I propose to accept the amendment coming later on from my hon. Friend from Tinnevely. On that understanding the previous amendment was withdrawn. I am afraid I cannot agree with my Friend, Mr. Muniswami Pillai, in thinking that the very principle

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of the Bill is being defeated by accepting this amendment. After all, this committee which is proposed will be elected by the municipal council itself. We are not therefore taking away any power which is proposed to be conferred on municipal councils.

"As regards the point raised by my hon. Friend, Mr. Venkatarama Ayyar, I agree with him that there is no principle involved in this. If the amendment, as it is, is carried it will leave the discretion with the council, which is convenient. The same committee may be elected to perform both the functions, or if it is considered otherwise, they can constitute a separate committee. I therefore feel constrained to accept the amendment of Mr. Daniel Thomas."

"The original amendment says: for the words 'by the council' substitute the words 'by a committee consisting of the chairman and two members.' The amendment to the amendment which has been moved by Mr. Daniel Thomas says, in place of two members elected, it shall be commissioner and one member elected. Afterwards, the House will consider the amendment contained in the Government Bill, which reduces the maximum from Rs. 80 to Rs. 50."

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

'and for the words "by the council" the words "by a committee consisting of the chairman, the commissioner and one member elected by the council" shall be substituted.'

The motion was carried.

* The Hon. the PRESIDENT:—"Is it necessary that the House should discuss the question whether it is to be Rs. 80 or Rs. 50?"

The Hon. Sir the RAJA OF BOBBILI:—"The discussion is now open."

The Hon. the PRESIDENT:—"Clause 3, as amended, is for the vote of the House."

Clause 3, as amended, was put and carried.

The preamble was put and carried.

The Hon. Sir the RAJA OF BOBBILI:—"I beg to move—
'that the Bill be passed into law'."

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

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

The House then adjourned for lunch.

After Lunch (2-30 p.m.).

VI.—A BILL TO AMEND THE AGRICULTURISTS' LOANS ACT, 1884, IN ITS APPLICATION TO THE PRESIDENCY OF MADRAS, FOR A CERTAIN PURPOSE (BILL NO. 12 OF 1935).

* The Hon. Mr. C. A. SOUTER:—"Mr. President, Sir, I beg to introduce a Bill * to amend the Agriculturists' Loans Act, 1884, in its application to the Presidency of Madras, for a certain purpose (Bill No. 12 of 1935) and move that the Bill be taken into consideration at once."

* Published in the Fort St. George Gazette, dated 23rd July 1935.

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"The purpose of this Bill, Sir, is set out briefly in the Statement of Objects and Reasons and, perhaps before I make any comments on it, it will be convenient to the House if I read out section 4 of the Agriculturists' Loans Act. It runs thus:—

'The Local Government may from time to time make rules as to the loans to be made to owners or occupiers of arable land for the relief of distress, the purchase of seed or cattle, or any other purpose not specified in the Land Improvements Loans Act, 1883, but connected with agricultural objects.'

The point about this is that a doubt has been raised as to whether it is possible under this section to grant loans to agriculturists to clear off debts which they have taken for agricultural purposes. It might possibly be held that the words 'for the relief of distress' will cover such cases; but the Government have been advised that it is doubtful. In order to make the position clear they have brought forward this Bill which adds the words 'or indebtedness' after the words 'relief of distress.' Sir, I do not think that it is very necessary for me to expatiate at any length on this amendment which, I am certain, will commend itself to the acceptance of all the sections of this House.

"We have, especially during the last two or three years, known how deeply indebted many of the ryots, particularly the smaller ryots, have become owing to the fall in prices and the uncertainty in some places of the seasons. Government desire to do all they can to relieve distress by such means as they possess. As that is the object, Sir, this Bill must commend itself to the acceptance of all sections of the House.

"Now, we may be asked how we propose to find money for this. I may say at once that the amounts which the Government would be prepared to spend on this object must depend to a large extent on the results of the report an advance copy of which has just been received in the Secretariat from Mr. Sathianathan who has been on special duty for the last seven or eight months investigating this matter of indebtedness among other things. I have had no time yet to read this report as only a single copy came in two days ago. As the House is aware, there is a very considerable allotment in the Budget for loans to agriculturists, and if the House is pleased to pass this Bill into law and we find that there is any large demand on behalf of the agriculturists who have incurred debts in the course of their operations, we should be prepared to allow the Collectors to grant loans from the allotment already made in the Budget for takavi loans and if the demand for such loans is great we should be prepared in October to bring forward a demand for a supplementary grant for further loans for this purpose. But, as I said, the amount which we would be prepared to allot must depend very largely on the ascertained conditions of the indebtedness of the ryot population.

"Another point I would like to put forward is this: that primarily this amendment of the Agriculturists' Loans Act is intended more for

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those among the ryot population who are in need of small sums rather than for those who have incurred very large debts. The reason for this is simple and that is that the finances of the Government are not unlimited. That being so, the finances that we can spare should better be spread over a large number of people than granted to those who are *prima facie* better off and who, I hope, may be able to take advantage of the legislation which my hon. Friend, Mr. Ramalingam Chettiyar, proposes to bring forward for debt conciliation. I do not think, Sir, there is anything more that I need say on this matter. I earnestly hope that this House will pass this very necessary Bill without a dissentient voice."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I second it."

* Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I am indeed very glad that the Government have chosen to come forward with this measure at least at the present moment. As a matter of fact the complaint has been that the Government have not come to the rescue of the agriculturists in time. Better late than never. But at the same time I should like to know from the Government what exactly is their position. Of course, the Hon. the Revenue Member has stated the attitude of the Government in the matter, but I do not know whether he has really taken into full consideration the position of the indebtedness of the ryots in this province.

"Sir, according to the Banking Enquiry Committee, the indebtedness in the province comes to something like 150 crores of which about 90 crores are short-term loans required for the purpose of cultivation and similar purposes and the remainder, about 60 crores, would be long-term loans required to wipe off the existing debts. I should like to know from the Hon. the Revenue Member whether the Government are prepared to go to the full length and help all people in distress. Of course, he fortified himself by saying already in his introductory speech that his idea is to help the smaller men and not the big landholders.

"Even so, Sir, I should think that the amount required would be something like 40 or 50 crores, because the larger debts even though larger in figure, will be small in number. The commitment will therefore come to 40 or 50 crores if the Government are really going to meet the situation. I should like to know from the Hon. Member what is the length to which the Government are prepared to go.

"Sir, in considering questions connected with the indebtedness of the ryots the difficulty has always been to find some means by which, after conciliation of their debts, they could be enabled to pay the conciliated amount and have it liquidated out of the income. That has been the problem every time. I, for one, hoped when I introduced the Debt Conciliation Bill in the absence of the Government coming forward with other help, to utilize the agency of the land mortgage banks. Now I am indeed glad that the Government have

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come forward to lend a hand in relieving the agriculturists in their present plight brought about by the very large decrease in the price of holdings as well as of the produce. Now, Sir, the mere passing of this Bill will not help matters very much. I ought to warn the Government against passing a law which they are not going to seriously work. I may mention in this connexion that during the Ministership of the present Law Member, we passed a very laudable Act called the State Aid to Industries Act and it has been copied by other Governments. But, Sir, what is the work that we have turned out under that Act? It is practically nil. We have not been able to get anything out of it and all the good intentions with which it was inaugurated came to nothing. I do not want this present Act should be simply there on the Statute Book like that. I want the Government to realize the position and be ready to meet the situation which will arise as a result of the generous measure we are now asked to pass into law.

"Sir, the Hon. the Chief Minister claimed the other day that it was due to his party that this Bill is being introduced into this Council and being passed into law. I do not quarrel with that claim, but I wish to say that he should not stop with taking credit for getting this Bill passed into law. He should go further and, with his advantageous position in the Cabinet, see that the Act is given effect to, that it is really worked well and that sufficient provision is made for meeting the demands under it.

2-45 p.m. "That is the duty which the Hon. Ministers have got to perform more especially after they have claimed a share in bringing forward measures of this kind and after making a statement of policy for the first time in which this relief of agriculturists' distress looms so large. The Hon. the Revenue Member said that there is already a provision in the budget. That is too little. I have already said that a bigger amount is necessary in case this Bill is going to be a serious matter. The provision that is made is only 12 lakhs, and we require some 6 or 7 lakhs in the ordinary course of things, which we have been advancing every year. For the purpose of giving effect to this Bill the balance of 5 or 6 lakhs is too paltry an amount. I would ask the Hon. the Revenue Member to at once prepare himself to apply for a loan to the Government of India to give effect to this Bill.

"There is one other matter to which I would like to refer and that is this: this is a matter in which the agriculturist has to be helped to pay out of his income if we want to relieve his indebtedness and lighten his burden. There are two directions in which help is absolutely necessary. In addition to what I propose under my Bill even though the amount due is conciliated and brought to a proper level, a large amount when compared with the value of the holding has to be advanced and that the ryot cannot repay unless it is spread over a long time, say 25 or 30 years. Unless this is done, I am afraid the ryots will not be able to discharge their debts.

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"The other matter is the interest that is going to be charged. It should be as low as possible. Already we are trying in the Land Mortgage Bank to reduce the rate of interest to something like 6 or 6½ per cent. We get money at the rate of 3½ per cent by way of debentures and we lend at 5½ per cent to Primary Banks and they lend at 6 or 6½ per cent to the ryots. Unless the Government are going to lend their moneys at a much lower rate of interest, I do not think they will be really helping the people. I am glad to hear that Government are proposing to issue loans at 5½ per cent. They will now see that the 3 per cent loan floated by the Government of India has been a huge success. So our Government ought to be able to get money from the Government of India at 3½ or 3¾ per cent and reduce their rate of interest still further. I know the Government of India has got a soft corner for helping the ryots because they are not doing much to relieve distress unlike the Governments elsewhere. I am sure they will be able to lend money at 3½ per cent to Local Governments and those in turn can easily lend money to the ryots at 4 or 4½ per cent. If they do that, it will be a great service to the ryots. Under ordinary state of affairs it will be impossible to relieve even 20 or 25 per cent of the ryots. If my suggestion is adopted and the money is lent out at a low rate of interest and also this payment is spread over a long period as I have suggested, it will go a great way to relieve the distress of the ryots and about 50 or 60 per cent of the ryots will be saved and they will be grateful to the Government. If the Government do so, I am sure the Reserved Half will earn the sincere thanks of the people before they disappear (laughter) and people will have some good deeds done to remember them. I may probably be counting the chickens before they are hatched. I am only doing this for the purpose of making the friends on the other side to seriously work this Bill when it is passed as I am sure it will be passed."

Mr. T. S. RAMASWAMI AYYAR:—"While I am glad that the Government has brought forward this Bill to make small amends and to help the agriculturists, I desire at this stage to point out that the Agriculturists Loans Act has not been worked in such a way as to enable the agriculturists derive the maximum advantage from the Act. On a reference to the Budget itself I feel that it will show that very much has not been allotted for giving loans to the agriculturists. Again, it has been pointed out in criticizing the appropriation accounts of the Government that in the case of takavi loans very often the loan applications are received and kept by officers for some time and then at a very late stage they are returned and the agriculturists are asked to apply again. I think there is very much slackness on the part of the Revenue Officers, the Tahsildars or the Revenue Inspectors, so much so when an application comes in, it is, as it were, lodged for some time and then at the far end of the fasli or the year the paper is returned. There is not enough time for the applicant to represent his application

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or some remark is made on the application pointing out some irregularity which cannot be amended within the time by the applicant during the year. I think on account of this slackness even the allotted amount in the Budget is not utilized by the department. I think, Sir, therefore unless the Government puts spirit into the working of the Act and makes its subordinate officers take more interest in the grant of agricultural loans, a mere amendment of the Act is not going to help the agriculturists. As I said at the outset, I certainly feel glad that the Government have taken this step to make this amendment so that at least in theory it will be possible for the agriculturists to get more relief and if that theory is converted into practice I am sure it will be an advantage to the agriculturists."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Having read the Statement of Objects and Reasons of the Bill and having read also the speech of the Hon. the Revenue Member I think it is a very good piece of legislation that is going to be passed in this House. Sir, at a time when there are not sufficient facilities of marketing of the produce of the agriculturists, I think the provisions adumbrated in the Bill go a great way to relieve the agriculturists. In my own district owing to drought there has been a scanty supply of potatoes and the marketing facilities are so very little that the ryots suffer very greatly. Even some two weeks back there was a conference of the ryots and unfortunately they have not come to any decision as to floating a co-operative society for giving relief to the agriculturists. Well, Sir, at this particular time I think a measure of this kind will give some facilities for the agriculturists to get loans for getting seeds and also for getting manure. I would also urge on the attention of the Government that some special provision must be made for giving loans to the agriculturists. As already pointed out by my hon. Friend, Mr. Ramaswami Ayyar, on account of the length of time taken in granting takavi loans to the agriculturists, the object for which the loan is granted is not at all achieved. As it is, the Tahsildar is in charge of several departments and his time is fully utilized for the work he has already in hand. If legislation of this sort is to give full benefit to the ryots, I think the Government must see that a separate agency is brought into being so that loan applications from the agriculturists may be speedily disposed of. With these observations I welcome the provisions of this Bill."

* Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, I very gladly welcome the amendment brought forward by the Government to increase the scope of the Agricultural Loans Act. As one interested in finance and as one who has served on the Banking Enquiry Committee some years ago when the question of the indebtedness of the people in rural areas was deeply considered, I realize the importance of the question of solving the problem of rural indebtedness. Various suggestions have been made from time to time by various committees and responsible officers for alleviating the distress of the rural people.

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It has been agreed on all hands that most of the debts of the rural people are debts incurred for various functions in their houses, religious and marriage functions and festivals and that they are not able to repay their debts from the annual income that they get from their lands, and that their annual income is not even sufficient to keep them going. The question of relief to these people is a very important matter and unless money is given to them to clear their debts, I do not think the rural people could be saved. I am very glad that the Government have come forward to amend the section of Agricultural Loans Act to afford relief in this direction.

"We are now having the Debt Conciliation Bill of my Hon. Friend 3 p.m. Diwan Bahadur Ramalingam Chettiyar and I do not know how that measure can be a success unless the Government find the necessary money to be distributed by the Conciliation Boards to be set up under that measure. I hope that by this amending Bill it will be possible to place funds in the hands of the Debt Conciliation Boards for distribution to people who are indebted. I congratulate the Hon. the Revenue Member and the Hon. the Finance Member for having brought forward this useful measure which I am sure will be welcomed by all sections of the House. It will be welcomed not only by those who are indebted but also by the creditors. For unless there is a free flow of money in the country, it will not be possible for the creditors to make up their minds to lend money. For once the creditor gets back his money, he is not going to keep it idle. He is surely going to lend it to somebody who is in need of it. Therefore, I congratulate the two hon. Members on the Treasury Benches for having brought forward this measure."

* The Hon. the PRESIDENT:—"The Bill has been sufficiently warmly welcomed and I now call upon the Hon. the Revenue Member to speak."

* The Hon. Mr. C. A. SUTTER:—"Sir, before the motion for taking the Bill into consideration is put to vote I had better reply to one or two points that have been put to me. First as regards Mr. Ramalingam Chettiyar's speech, I have to say that certainly the intention of the Government is to help as many people as we possibly can. He asked what our total commitments would be. I cannot tell him. It is impossible to say now. We have got to see how far the ryots take advantage of this Bill. We may be prepared to put down Rs. 5,000 or so this year, but if Mr. Ramalingam Chettiyar's Party came into power they might be prepared to give five crores. He referred to land mortgage banks. This measure will help those people who cannot, under the present rules of working of the land mortgage banks, get loans from those banks. I do not think that they grant loans to anyone if his debt is over Rs. 5,000.

"In this connexion I should say that the Reserved Half of the Government have had the full co-operation of the Transferred Half in bringing forward this measure and we are very grateful indeed to the Transferred Half for the assistance they have given us in bringing

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forward this measure. I may say at once that Government have no intention whatever of allowing this Bill to be put on the shelf. They fully intend that it shall be worked properly and to the full extent of their financial powers.

"As regards the term of these loans, it will be similar to the term of takavi loans where repayment in 20 years is the usual thing. But it is always open to the Government, if they desire to do so, to extend the term of years by rule under section 4. If such an extension is really necessary, I am sure the Government will seriously consider the matter. The rate of interest charged is 6 per cent. It was $7\frac{1}{2}$ per cent some years ago, it was reduced to $6\frac{1}{2}$ per cent last year and now it is 6 per cent. The rate is on the downward grade and let us hope it will be possible to reduce the interest still more.

"I do not think it is necessary for me to reply in any detail to Mr. Ramaswami Ayyar, or Mr. Muniswami Pillai or Mr. Muthiah Chettiyar. Their speeches were concerned more with the general working of the Loans Act. I assure hon. Members here, as I said before, that we have no intention of allowing this Act to go by default in any way. I trust, Sir, that this motion will be passed by the House."

The motion that Bill No. 12 of 1935 be taken into consideration was put and carried.

Clause 1 was put and carried.

Clause 2.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I take this opportunity of thanking the Hon. the Revenue Member for introducing this Bill and the Hon. the Finance Member for finding the necessary funds for these agricultural loans. At present, so far as my recollection goes, the Agriculturists Loans Act is being availed of only by about one per cent of the debtors. The Act is not working satisfactorily and it has practically become a dead letter. If the hon. Member looks into the report of the Special Officer, he will find the number of people who have availed themselves of takavi loans. I do not want to say anything on that, because I have not myself seen that report. But it is a good thing that Government have come to the rescue of the agriculturists although at a late stage. Sir, I appreciate the object of the Hon. the Revenue Member. It is a very good one. But there is one thing. I see that the phrase 'connected with agricultural objects' is used. If that phrase is going to be added, I do not see how the indebted agriculturist can get any large sum of money to wipe off his debts. If it is laid down that loans will be granted to agriculturists only if they can prove that their indebtedness has been due to expenditure connected with agricultural objects, I am afraid it will be almost impossible for the ryots to prove to the satisfaction of the officers in charge of the distribution of these loans that their indebtedness has been brought about in that way. They might place all sorts of obstacles in the way of the granting of loans. If the object of the Bill is

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to clear the indebtedness of the agriculturists, it will be quite good, but the phrase 'connected with agricultural objects' should not be added there."

* The Hon. Mr. C. A. SOUTER:—"May I interrupt just for a moment? I am afraid the hon. Member has not understood the amendment correctly. What we propose to do is to insert the words 'or indebtedness' after the words 'the relief of distress' in section 4 of the Act. The words 'any other purpose not specified in the Land Improvements Loans Act, 1883, but connected with agricultural objects' do not refer to indebtedness at all."

Mr. P. V. KRISHNAYYA CHOUDARI:—"If the object of the Bill is to grant loans for the relief of indebtedness of the owners or occupiers of agricultural land, I have no objection to withdraw my amendment. I gave notice of it under a misapprehension. I thank the Hon. Member for his courage in bringing forward a Bill of this kind. At the same time, may I take this opportunity of requesting him to appoint a small non-official committee of two or three members to see to the distribution of these loans. Of course the Collector may be the chairman and he may be asked to take the advice of this non-official committee. This will be a better arrangement than allowing the tahsildars to grant loans. We hear sometimes that they demand 5 per cent and 10 per cent of these loans by way of commission. Instead of allowing such things, if we appoint this non-official committee to advise the Collector, the Act will work very successfully. Of course proper investigation of the matter might be made as usual by the revenue subordinates. Sir, I do not move my amendment."

Clause 2 was put and carried.

The preamble was put and carried.

The Hon. Mr. C. A. SOUTER:—"Sir, I now move that the Bill be passed into law."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I second it."

* Mr. C. BASU DEV:—"Sir, I rise to offer my congratulations to the Hon. the Revenue Member and the Hon. the Finance Member for the very courageous step they have taken in trying to accord relief to the unhappy agriculturists who are in debt. I do not want to say anything more by way of congratulations or thanks, because they have been already given expression to in a much more effective way by all sides of the House. I should like in this connexion to offer a suggestion with regard to the discharge of debts. Debts of the agriculturists were incurred mostly years before when the purchasing value of the rupee was not as much as it is to-day. So that if the Government now come forward and relieve the agricultural debtor by paying the debt amount to his creditor, they will unconsciously in one way be doing a harm to the debtor himself. The Government will have to consider

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the desirability of declaring a dividend of this debt so that what the Government pays by way of discharging the debt may (from the point of view of the purchasing power) be an equivalent to the money borrowed by the agriculturist originally. Now that the purchasing value of the rupee is nearly double of what it was in 1930, if the Government are going to discharge these debts in full according to their face value, they will be making the debtor liable to the Government for nearly double the amount that he originally had borrowed from the creditor. For these reasons, I very earnestly urge on the attention of the Government the need to consider the desirability of declaring a dividend of the agricultural debt. With these words, Sir, I once more offer my earnest and sincere thanks to the Hon. the Revenue Member and the Hon. the Finance Member for the very bold step that they have taken. Whatever may have been said about the creation of an Economic Council yesterday, I am glad to note that from no side of this House has any mention of any matter other than the desire of the Government to sincerely serve the rural masses has been made. It is indeed gratifying to find that the usual and ungenerous remark has not been made that it is an election stunt or an attempt to capture the imagination of the people. This is a sincere move on the part of the Government who are really anxious to better the condition of the people. There is ample proof of that in this measure. Very soon we are going to have another measure—the Debtors' Protection Act Amending Bill—in which the Hon. the Law Member will carry out the pledge he gave to the people and not play any trick on the imagination of the people. I am sure that these two Bills will stand as proof positive of the sincerity of the Government to come to the aid of the poor agriculturists, the poor masses of the country."

* Mr. V. P. NARAYANA NAMBIYAR:—"Sir, may I also join in the chorus of approval that has been given to this Bill? This is indeed a move in the right direction, and I congratulate the Hon. Gentleman, the Revenue Member, for having come forward with the measure. The agriculturists in the province will welcome the assurance that it is not the intention of the Government to put the Bill on the shelf after it has been passed and that the Government are anxious to work the measure properly and to the fullest extent of their financial resources. Knowing as we do that the present Hon. Finance Member has great sympathy for the suffering agriculturists, we can be sure that the necessary money will be found. My hon. Friend, Mr. Basu Dev, said that there is no election stunt in passing the Bill. I agree, but would add that there is no nomination stunt too. Finally may I say that the Government will have the whole-hearted co-operation of every section of this House in working out the measure. The readiness with which my hon. Friend, Mr. P. V. Krishnayya Choudari, withdrew his amendment proves that what is aimed at is only the beneficial results."

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

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VII.—A BILL TO AMEND THE MADRAS CO-OPERATIVE LAND MORTGAGE BANKS ACT, 1934, FOR A CERTAIN PURPOSE (BILL No. 9 OF 1935).

* The Hon. Mr. P. T. RAJAN:—"Sir, I beg to introduce the Bill ³⁻¹⁵ to amend the Madras Co-operative Land Mortgage Banks Act, 1934, ^{p.m.} for a certain purpose (Bill No. 9 of 1935) and move that the Bill be taken into consideration at once. This Bill seeks to make a small amendment to section 29 of the Madras Co-operative Land Mortgage Banks Act, 1934. This Act empowers the Land Mortgage Bank to pay the prior debt of the borrower. It also fixes the mode in which it is to be paid. The place where the payment is to be made has not been fixed. This Bill seeks to fill up that gap. I do hope that the House will accept this Bill."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I second it."

The motion was put and carried.

Clauses 1 and 2 were put and carried.

The preamble was put and carried.

The Hon. Mr. P. T. RAJAN:—"I beg to move that the Bill be passed into law."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I second it."

Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I should like to congratulate the Hon. the Minister for having brought forward this measure. Other Hon. Members of the Government who have brought forward measures of some usefulness have been congratulated. I think it my duty to offer my congratulations to the Hon. the Second Minister for bringing forward this Bill. Though it is a very short measure, it gives great relief to the Land Mortgage Banks in the disbursement of their loan amounts. At least one of the many difficulties which they have been feeling now has been solved and I am glad for it and I hope the creditors too will not mind it as it is done to promote the interests of such useful institutions."

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

VIII.—A BILL FURTHER TO AMEND THE MADRAS MEDICAL REGISTRATION ACT, 1914, FOR CERTAIN PURPOSES (BILL No. 10 OF 1935).

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I beg to introduce the Bill ^b further to amend the Madras Medical Registration Act, 1914 (Bill No. 10 of 1935), and move that the Bill be taken into consideration at once. This is only a very formal Bill. Under the present Act, the representatives of the two Universities, the University of Madras and the Andhra University are elected by the Faculty of Medicine of each of these two bodies.

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

"Now it happens that the Faculty of Medicine of the Andhra University consists of only three members; they have to elect from

^a Published in the Fort St. George Gazette, dated 16th July 1935.

^b Published in the Fort St. George Gazette, dated 23rd July 1935.

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among themselves one representative to the Medical Council; therefore the Andhra University suggested that instead of this body of three electing one to the Medical Council, it might be left to the larger body, the Academic Council to elect a representative to the Medical Council. Thereupon the Government referred the matter to the Madras University for their opinion and the Madras University preferred to continue the present system of the Faculty of Medicine electing the representative to the Medical Council. The Government thought that the opinions of these two autonomous University bodies might be accepted and therefore this Bill proposes to amend the existing law to this extent, that the Andhra University representative on the Medical Council shall be elected not by the Faculty of Medicine as has been the case so far but by the Academic Council, while in the case of the Madras University, as of old, the electing authority will be the Faculty of Medicine. There is another amendment also which this Bill contemplates and that is that the member elected shall be a member of the Faculty of Medicine. In the existing Act there is no restriction at all. The electing body can elect any registered practitioner in the whole of the Province. The idea is to restrict the choice to the Faculty of Medicine. Consequent on this amendment arises an additional amendment and that is, that the representative of the University elected from the Faculty of Medicine shall cease to be a member of the Medical Council the moment he ceases to be a member of the Faculty of Medicine of the respective Universities. It is just these three points that this Bill seeks to introduce into the existing Act."

The Hon. Mr. P. T. RAJAN:—"I second it."

* Mr. V. T. ARASU:—"Mr. Deputy President, Sir, I am surprised that the Hon. the Home Member should have brought in a measure of this kind, a measure which seeks to differentiate between two important Universities, the University of Madras and the Andhra University. You find that in clause 2 of the Bill, whereas in the case of the Andhra University the electing authority is . . ."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I do not want to interrupt the hon. Member, Mr. Deputy President. But I wish to point out that Mr. Krishnayya Choudari has given notice of an amendment to clause 2 of the Bill. When we come to the detailed consideration of this clause, this point can be more usefully discussed."

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

Clause 1 was put and carried.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. Deputy President, Sir, I beg to move the amendment standing in my name—

Substitute the following for clause 2 (b):—

"One member elected by the Academic Council of the Madras University from among the members of the Faculty of Medicine of that University."

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"The object of my amendment is to treat both the Andhra University and the Madras University alike. The Andhra University has got three members on the Faculty of Medicine. (The Hon. Rao Bahadur A. T. Pannirselvam:—Now, only two members.) The Faculty of Medicine of the Madras University also consists of three members. They have to elect one among themselves. If two candidates propose to stand for election, I do not know who would propose and who would second the nomination of the candidates. I felt the absurdity of the situation and I appeal to the Hon. the Home Member to adopt the same system for both the Universities. What the Andhra University has suggested might be followed by the Madras University also and the Academic Council of the Madras University can elect one of the members of the Faculty of Medicine. The Hon. the Home Member being a reasonable Member, I hope he will accept my reasonable amendment moved in a reasonable speech."

* Mr. V. T. ARASU:—"Mr. Deputy President, Sir, I rise to second the amendment moved by my hon. Friend, Mr. Krishnayya Choudari. Before I speak on the merits of the amendment, I should like just to make a few remarks regarding the interruption of the Hon. the Home Member when I was speaking on the motion that the Bill be taken into consideration. I submit that I was right in making a few general observations; I do not understand what prompted the Hon. the Home Member to interrupt me when I was in order in making those observations . . ."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"On a matter of personal explanation, Sir. I never rose on a point of order. I only made the suggestion that the very remarks which he was making would be more pertinent when we considered clause 2 coming immediately after, when he could more usefully make them."

* Mr. V. T. ARASU:—"I accept the explanation of my Hon. Friend. At any rate I was in order in making my remarks at that stage. As regards the amendment before the House, as was rightly pointed out by Mr. Krishnayya Choudari, it passes one's understanding as to why any distinction should be made in the method of election of a member to the Medical Council from the Andhra University and the Madras University. As admitted in the Statements of Objects and Reasons published and circulated, the Faculty of Medicine of the Andhra University consists of three members. It was suggested that it was ridiculous that a body consisting of three members should be called upon to return one of them. The absurdity of the position would be realized if we analysed it. Suppose two candidates choose to stand for election to that body; there will be only one member left to vote one way or the other. If the rules of nomination and election are to be enforced, neither of the candidates will have a seconder. Therefore the Andhra University has thought it fit to make a representation to the Government of Madras to amend the Madras Medical Registration Act,

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so as to give power to the Academic Council as a body for electing one member from among the members of the Faculty of Medicine of that University. That is a principle which has been accepted by the Government of Madras, and I fail to understand why in the case of the Madras University alone they should think that it is not absurd to call upon three members to return one member to the Madras Medical Council.

"Sir, as was admitted by the Hon. the Home Member, the Faculty of Medicine of the Madras University also consists of three members to-day. I think it is unnecessary for me to detail the absurd position in which a candidate will be placed if more than one candidate should come forward for election. I am not in a position to understand why the Madras University should have insisted that the election should be from among the members of the Faculty of Medicine alone, and not by the members of the Academic Council. I think there can be no harm in the whole Academic Council being asked to return one member from out of the three members of the Faculty of Medicine. I therefore join my hon. Friend, Mr. Krishnayya Choudari, in appealing to the Hon. the Home Member to accept this amendment which is reasonable. If, however, this amendment is rejected by the Government, I may say that it would seem to the outside public that the Government are making a distinction as between one University and another. Other conditions being the same, why should Government make one set of rules in the case of the elections from the Andhra University and another set of rules in the case of the election from the Madras University? That is a very ridiculous position. I appeal to the Hon. the Home Member to accept this amendment."

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I may just explain the position of the Government of Madras in regard to this matter. The Government first took action at the instance of the Andhra University which wanted the alteration. And as far as the Andhra University was concerned, we accepted the suggestion. We referred this question to the University of Madras, but the Syndicate thought that no such change was necessary as far as their University was concerned. We were of opinion that these being autonomous bodies, their views in the matter might be respected and their views are therefore sought to be given effect to. I may also state that at the time this Bill was drafted, the Faculty of Medicine of the Madras University consisted of a larger number than three. In fact, it seems to have been a varying figure from year to year. Year before last, the Faculty of Medicine consisted of seven members; last year it appears to have consisted of five; and this year, it consists of three at present. The Andhra University Faculty of Medicine consists just at present only of two. So, there was no question of differentiating between one University and another. It was a case of just leaving the matter to the decision of the Universities themselves. As far as the proposed amendment is concerned, the Government do not propose to take any definite attitude in the matter. They leave it completely to the sense of the House. If the hon. Members of

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the House are not prepared to accept the recommendation of the University of Madras, they are welcome not to. Our position is one of neutrality."

The amendment was put and carried.

Clause 2, as amended, was put and carried.

Clause 3.

* Mr. V. T. ARASU:—"May I make a few observations, although I have not given any amendment beforehand? I want to make a suggestion for the consideration of the Hon. the Home Member that if clause 3 is amended, as I suggest, it would look very much better. It is stated in paragraph 3 of the Statement of Objects and Reasons that the Bill provides for a member elected to the Medical Council by either University vacating his seat on the council when he ceases to be a member of the Faculty of Medicine of the University concerned. I think, Sir, a proviso may be added to the effect:

'Provided that if he gets himself re-elected to the faculty within a period of three months, he shall not lose his seat.'

I only make the suggestion for the consideration of the Hon. the Home Member. Such a provision is generally made in all Bills in the case of elections to statutory bodies."

The Hon. the DEPUTY PRESIDENT:—"The question is that clause 3 do stand part of the Bill."

The motion was carried.

The preamble was then put and carried.

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I beg to move now that the Bill be passed into law."

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

Mr. P. V. KRISHNAYYA CHOUDARI:—"I just want to take this opportunity of thanking the Hon. the Home Member for accepting my amendment in a reasonable manner and having proved himself to be a reasonable gentleman."

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

IX.—A BILL FURTHER TO AMEND THE MADRAS CITY MUNICIPAL ACT, 1919, FOR A CERTAIN PURPOSE (BILL NO. 11 OF 1935).

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I beg to introduce a Bill further to amend the Madras City Municipal Act, 1919, for a certain purpose (Bill No. 11 of 1935), and move that it be taken into consideration at once.

"Hon. Members are no doubt aware that a comprehensive Bill amending the Madras City Municipal Act has now reached an advanced stage and will be before the House probably in the course of to-morrow.

• Published in the Fort St. George Gazette, dated 23rd July 1935.

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As it is the intention of Government to bring the new Act into force early next year, it has been considered desirable to postpone the elections to the ten seats which would, in the normal course, be held in the months of August and September, as it would not be fair to expect the candidates to submit themselves to election twice within a short period of a few months. In the Madras Corporation, out of thirty elected councillors, ten vacate their seats every year by rotation. I would therefore ask the House to give the Government the power to extend the term of these ten councillors by a period not exceeding six months."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I second it."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Sir, in opposing the amending Bill which seeks to postpone the Corporation elections to some time next year, I have not got much to say, except to advance two arguments. The first is that this Bill seeks to deprive the right of the citizens to exercise his or her franchise. According to the old City Municipal Act of 1919, every year out of the thirty elected seats, ten seats should come up for election in the usual course of things. The Bill introduced by the Hon. the Chief Minister seeks to deprive the right of the citizens in the ten concerned divisions to exercise their franchise.

"My second argument is that this Bill is brought forward purely on the ground that another Bill is going to be discussed in this House to-morrow or the day after and passed into law. I ask the Hon. the Chief Minister: where is the necessity to hurry with that Bill, especially in view of the fact that we are shortly going to have a new constitution and a new party is likely to come into power? In the year 1920, just on the eve of the Mont-Ford Reforms, the old bureaucratic Government did a similar thing. They brought in a Bill to amend the City Municipal Act just before they were going to retire, hurried it through and passed it into law.

2-45 p.m. "Similarly, just at a time when we are faced with the general elections and when the Hon. the Chief Minister is about to retire—I mean when the present party is about to retire (who knows which party might come into power), the Hon. the Chief Minister thinks of bringing in this amending Bill (Bill No. 11 of 1935) before considering these two arguments. By introducing this Bill to postpone the elections, the citizens are deprived of their right to exercise their franchise. The second reason that I have already advanced is that there is no necessity for this Bill at this juncture.

"Then, Sir, the Hon. the Chief Minister when introducing this Bill said that it is not fair to expect candidates to stand the expense of election twice. Well, it is the lookout of the candidates who are prepared to stand for the elections, however short the period may be. I suppose it is not the concern of the Hon. the Chief Minister to have so much solicitude for the candidates who stand for the election. With these words, I oppose the Bill."

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* Mr. R. MADANAGOPAL NATUDU:—"Sir, I am sorry the opposition is rather too late. The implications of the existing Act are that notices of elections ought to have been given somewhere in the month of June and dates for nominations for elections to be held in August ought to have been fixed for some date in July and the elections which should take place in August ought to be coming up now; the whole procedure ought to have been gone through for the elections to be held in August or September long before now. It is therefore too late now for us to have the elections in August or September under the old Act. That one argument, I think, ought to be sufficient for this Council to pass this amending Bill now. What will be the position if we are not going to do it now? Will the present councillors automatically continue for at least one year more? I doubt it. Probably ten divisions will remain without councillors. I, for one, think strongly on the matter. I may speak without any hesitation on this matter because I am not one of the ten councillors who will be put to the necessity of having to undergo the elections this year. Many a person in Madras says that he would not be willing to undergo the expense, and the consequential troubles that candidates are put to in having two elections within one year. As the Hon. the Raja Sahib has stated, under the coming enactment, the City is going to be divided into 40 divisions and I do not think it would be fair for the persons who are going to contest the elections, to have two elections within the course of a year with two different electorates. That seems to me a very strong argument. As regards the argument of depriving people of their opportunities of voting and expressing their views, I do not suppose that their rights will be seriously affected by the elections being put off by a few months.

"Then in regard to the other argument advanced by the previous speaker, namely, that in the future constitutional changes another party might come into power—even she has conceded that even the present party in power might come to power—that is not a matter which ought to affect us. What we have to see is this. The idea of bringing forward a City Municipal (Amending) Bill was started as early as 1924 or 1925 and active work has been going on in connexion with the City Municipal Amending Bill from 1929 and it has been suggested by many parties in the Corporation and elsewhere that this amending Bill is long overdue; and now when such a Bill is likely to be brought up, for the opposition to oppose such a measure, I think is not fair, especially when the Hon. the Raja Sahib has brought forward this Bill in order to give speedy effect to that Bill. I therefore support the motion of the Hon. the Raja Sahib and desire that the Bill be passed without any opposition.

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. Deputy President, seeing the various circumstances that have been mentioned in the Statement of Objects and Reasons, I feel that a measure of this sort is necessary at this juncture. Sir, this House had experience in the past of similar amending Bills in the case of the Local Boards Act and the District Municipalities Act. At a time like this when there is such a

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depression in the country, it will not be advisable for the legislature to coax the voters or the candidates to face two elections. After all, a comprehensive Bill has been submitted to this House and the Select Committee to which it has been referred has practically completed its labours and the Bill will come up before the House either in the course of the day or to-morrow. In the meantime, as pointed out by my hon. Friend, Mr. Madanagopal Nayudu, as notices were not already given for the scrutiny of the voters' list and other things that are required for conducting the elections, it is only natural that a Bill of this sort must be introduced.

"I also understand, Sir, that Government renominated some of the members whose term of office has just expired, and it would be only fair that the elected members also should be given a chance so that they may take their stand at the new elections that may be conducted after six months. So, I support the provisions of this Bill."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, speaking with reference to the remarks of my hon. Friend, Mrs. Rukmani Lakshmi-pathi, in opposing the motion for the consideration of this measure, I need not repeat the remarks of the other members who have pointed out that at this stage there is no alternative but to proceed with this measure which seeks to extend the term of the councillors. My hon. Friend in opposing the motion has stated that this postponement deprives the right of the citizens to exercise their franchise, but I have to point out that all that this measure seeks to do is to postpone the elections by a few months, and when the matter is only going to be deferred, there is absolutely no question of the rights of electors being involved in this proposal at all. As a matter of fact when the new comprehensive Bill becomes law and is brought into force, it will give an opportunity not only to the voters of these ten divisions but for the voters throughout the City to exercise their franchise. On that analogy, I am afraid this objection has no force behind it.

"The Hon. the Lady Member has again advanced, as she has done yesterday, the argument that in view of the impending constitutional changes, this Government should not undertake any piece of legislation. Sir, we have been expecting these constitutional changes for the last five years. Does she mean to say that the Government in office should abdicate its responsibilities and privileges simply because proposals for some constitutional changes are in the air? This measure has been under the consideration of the Government for a number of years and is the result of great trouble and time which have been expended in drafting it. This House has referred the Bill to a Select Committee which has completed its labours and I may also remind the Members of this Hon. House that the direction of this Council is that the Select Committee should report at the next meeting of the Council, that is the present sitting. In these circumstances, I am convinced, Sir, that no case has been made out either for postponing this present amending Bill or the comprehensive Bill which will be coming up before the Council some time during the course of to-morrow."

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

Clause 1 was put and carried.

Clause 2.

* Mr. T. B. RUSSELL:—"I beg to move the following amendments:—

'In line 1, omit the figure and brackets "(1)''.

At the end of sub-clause (a) insert the word "and".'

These are only drafting amendments which have been made necessary by an unfortunate oversight in drafting."

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

The amendments were put and carried.

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. Deputy President, Sir, the amendment that stands in my name is:

'In clause 2, sub-clause (1) (a), for the words "not exceeding six months from the date of the commencement of the Act," substitute "of one year."'

"My hon. Friend, Mr. Basheer Ahmed Sayeed, who had also given notice of a similar amendment is unfortunately not in his seat, for he would have been able to better explain the necessity for extending the period by one year.

"I do not find any reasons assigned for fixing a period of six months. Reading through the statement of objects and reasons, I find that the position is for extension for one year, for there it is stated as follows: 'Under the Bill, there will be a general election for all seats before the 1st November 1936.' Again, normally the elections to the Corporation should be held in the month of August or September. Mr. Deputy President, as one of the divisional councillors to vacate their seats, you know quite well what it is to have an election before the normal period fixed under the Act for holding the elections. Moreover, the next Mayoralty is for a Muslim and nothing should be done to disturb his tenure of office. Taking all these into consideration, I move that the period be one year."

The motion was seconded by Mr. Nachiyappa Gounder.

* The Hon. Sir the RAJA OF BOBBILI:—"Mr. Deputy President, I am afraid I shall have to oppose this amendment. The whole intention of the Bill is that it should not cause any unnecessary disturbance. If I feel that there will be delay in bringing the new Act into force and constituting the new councils by twelve months, I would not be really justified in having brought forward this Bill. In all calculations, the Government expect an extension by a period of more than six months is unnecessary. Every arrangement will be made to bring

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the new Act into force as expeditiously as possible. I may also state that in the main Act, there is also a provision for extending the term if necessary. Therefore, I consider that the amendment is quite unnecessary and in my opinion objectionable. I oppose the motion."

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. Deputy President, I do not press the amendment and I beg leave to withdraw it."

The amendment was by leave withdrawn.

Clause 2, as amended, was put and carried.

The preamble was put and carried.

The Hon. Sir the RAJA OF BOBBILI:—"I move that the Bill be passed into law."

Mr. T. Sundara Rao Nayudu seconded the motion.

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

X.—A BILL FURTHER TO AMEND THE MADRAS PREVENTION OF ADULTERATION ACT, 1918, AND TO AMEND THE MADRAS PREVENTION OF ADULTERATION (AMENDMENT) ACT, FOR CERTAIN PURPOSES (BILL NO. 26 OF 1934).

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I beg to present the Report* of the Select Committee on the Bill further to amend the Madras Prevention of Adulteration Act, 1918, and to amend the Madras Prevention of Adulteration (Amendment) Act, for certain purposes (Bill No. 26 of 1934) and move that the Bill as amended by the Select Committee be taken into consideration.

"The Select Committee has not made any material changes in the Bill. There are certain drafting amendments carried out to improve the language of the Bill."

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

The motion was put and carried.

Clause 1.

Clause 1 was put and carried.

Clause 2.

* The Hon. Sir the RAJA OF BOBBILI:—"I beg to move—

'In sub-clause (ii) of clause 2 of the Bill, for the definition of "Local executive officer," the following definition shall be substituted, namely:—

"'Local executive officer' means—

(i) in the City of Madras, the Commissioner of the Corporation of Madras;

(ii) in the area of any other municipality, the executive authority of the municipality, or if the municipal council is superseded or dissolved and the municipality has not

* Printed as Appendix X on pages 275-286 infra.

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been included in Schedule IX to the Madras District Municipalities Act, 1920, or notified under section 12-C of that Act, any person appointed by the Local Government to exercise and perform the functions of the executive authority under clause (b) of sub-section (3) of section 41 of that Act, or such public servant as may be designated by the Local Government to exercise the functions of a local executive officer under this Act, as the case may be; and

(iii) in or for other local areas—

(a) the president of the panchayat or if the panchayat is dissolved or superseded, any person appointed by the Local Government to exercise the powers and discharge the duties of the president of the panchayat under sub-section (3) of section 45 of the Madras Local Boards Act, 1920, or under sub-section (5) of section 45-A of that Act, as the case may be;

(b) if there is no panchayat, the president of the district board or if the district board is dissolved, any person appointed by the Local Government to exercise the powers and discharge the duties of the president of the district board under sub-section (3) of section 45 of the Madras Local Boards Act, 1920; and

(c) if there is neither a panchayat nor a district board, such public servant as may be designated by the Local Government to exercise the functions of a local executive officer under this Act; and

includes any person appointed under section 16-A."

This amendment has been necessitated as certain doubts have recently arisen whether a special officer in charge of a municipality that has been superseded comes under the definition of the executive authority. This amendment seeks to remedy this defect and also improves the language as regards the other clauses dealing with the Corporation, panchayats and district boards."

Mr. Sundara Rao Nayudu seconded the motion.

The amendment was put and carried.

Clause 2 as amended was put and carried.

Clause 3.

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Mr. Deputy President, I move the following amendment to sub-clause (i):—

'In new sub-section (3) of section 4—

(a) in line 9 omit the words "or local areas";

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- (b) in line 11, for the words "any such area or areas" substitute the words "such area"; and
(c) in line 15, for the words "of carrying out" substitute the words "the carrying out of".

As you may notice, Sir, these amendments are purely of a verbal nature and do not require any comment."

4-15 p.m. Mr. T. SUNDARA RAO NAYUDU:—"I second it."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. Deputy President, I oppose this amendment. By this amendment I doubt very much whether the Government will not be prevented from appointing a public analyst for a number of local areas put together. As it is we find the clause reads: 'the Local Government may appoint one or more persons to be public analyst or public analysts for such local area or local areas.' My doubt is whether by leaving out the words 'local areas' it would not prevent the Government from appointing one public analyst for a number of panchayat areas put together. If the amendment does not affect that position, I do not want to stand in the way of the amendment. For instance, there are a number of panchayat areas which cannot afford to employ a public analyst each of its own. In such a case the Government must be enabled to appoint a single public analyst to look after a number of local areas. If that position is not going to be affected by this amendment, I do not object."

The amendment was put and carried.

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I move—

'In line 6 of sub-section (1) of sub-clause (i) of clause 3, after the word "person" insert the words "or persons".'

This is purely a verbal amendment. The Select Committee also has made an amendment to the effect that the Government 'may appoint "one or more persons to be public analyst or public analysts for such area" and may remove any person or persons so appointed' and you will find it in the proceedings of the Select Committee of 3rd May 1935. Having made that amendment, evidently by a mistake they seem to have omitted to add the words 'or persons' after the words 'any person' at the time of printing the Bill as amended. My amendment will therefore only complete the changes decided upon by the Select Committee."

Mr. P. MADHUSOODHANAN THANGAL:—"I second it."

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Sir, I beg to oppose this amendment. It is true that in the Select Committee they added the words 'or public analysts,' and they wanted to put in the words 'any person or persons so appointed' to cover the case of a plurality of public analysts. But that position has been clearly examined by experts, and it has been considered that the addition of the words 'or persons' is really unnecessary. Any person means all persons. That

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is the accepted legal position. Therefore, it has been held to be quite unnecessary to put in that plurality. I therefore oppose the motion."

The amendment was put and lost.

Diwan Bahadur A. APPADURAI PILLAI:—"Sir, I move a small verbal amendment, and that is—

'In lines 13 and 14 of sub-section (3) of sub-clause (i) of clause 3, omit the words "of and".'

Without these words, the line will read 'expenses connected with,' and that makes the meaning quite clear, and there is no necessity to put in also the words 'of and'."

Mr. R. M. PALAT:—"I second it."

The amendment was put and declared carried.

A poll was demanded which was taken with the following result:—

Ayes.

1 The Hon. Rai Bahadur Sir K. V. Reddi Nayudu.	4 Diwan Bahadur A. Appadurai Pillai.
2 " Mr. C. A. Souter.	5 Mr. G. Ranganatha Mudaliyar.
3 Mr. R. M. Palat.	6 " M. Devadasan.

Noes.

1 The Hon. Rao Bahadur A. T. Pan-nirselvam.	28 Mr. W. P. A. Soundara Pandiyan.
2 " Mr. G. T. H. Bracken.	29 Rao Sahib V. Dharmalingam Pillai.
3 " Diwan Bahadur S. Kuma-raswami Reddiyar.	30 Rao Bahadur D. Krishnamurti.
4 " Mr. P. T. Bajan.	31 The Raja of Khalikote.
5 " Sir the Raja of Bobbili.	32 The Zamindar of Mirzapuram.
6 Mrs. K. Alamelumangathayaramma.	33 Mr. G. Sriramulu.
7 Mr. W. Scott Brown.	34 " C. Indrayya.
8 " H. R. Uzielli.	35 " J. Kuppuswami Choudari.
9 " C. E. Jones.	36 Rao Sahib C. Jayaram Nayudu.
10 " G. T. Boag.	37 " D. V. Narasimhaswami.
11 " R. Madanagopal Nayudu.	38 " Pandit Ganala Rama-murti.
12 " T. B. Russell.	39 Mr. K. Kesavaramamurti Nayudu.
13 " T. Sundara Rao Nayudu.	40 " M. A. Muthiah Chettiyar.
14 Khan Sahib Syed Tajudin Sahib Bahadur.	41 " J. A. Davis.
15 Rao Sahib N. Sivaraj.	42 Rao Sahib V. I. Muniswami Pillai.
16 Sir William Wright.	43 Subadar-Major S. A. Nanjappa Bahadur.
17 Mr. D. M. Reid.	44 Mr. H. M. Jagannatham.
18 The Raja of Parlakimedi.	45 " V. P. Narayanan Nambiyar.
19 Mr. M. Vedachala Mudaliyar.	46 " C. Basu Dev.
20 Rao Bahadur B. P. Sessa Reddi.	47 " Mahboob Ali Baig.
21 Mr. P. C. Moses.	48 " P. V. Krishnappa Choudari.
22 " P. V. Rajagopala Pillai.	49 Diwan Bahadur S. Ellappa Chet-tiyar.
23 " V. G. Vasudeva Pillai.	50 Rao Sahib P. Subrahmanya Chetti.
24 " J. M. Smith.	51 Mr. I. C. Iswaran Pillai.
25 " F. J. Stanes.	52 Diwan Bahadur M. Gopalaswami Mudaliyar.
26 Rao Bahadur R. Subbayya Nayudu.	
27 Mr. G. Simhachalam Pantulu.	

[6th August 1935]

Neutral.

- | | |
|------------------------------------|----------------------------------|
| 1 Sriman M. G. Patnaik Mahasayo. | 9 Mr. K. A. Nachiyappa Gounder. |
| 2 The Zamindar of Bodinayakanur. | 10 The Pattagar of Palayakottai. |
| 3 Mr. Daniel Thomas. | 11 Mr. U. C. Subrahmanya Bhatt. |
| 4 Dr. P. Subbarayan. | 12 " P. Ratnavelu Thevar. |
| 5 Diwan Bahadur T. A. Ramalingam | 13 " C. Obi Reddi. |
| Chettiyar. | 14 " K. P. Raman Menon. |
| 6 Mr. K. R. Venkatarama Ayyar. | 15 Mr. G. R. Premayya. |
| 7 Bashoor Ahmed Sayeed Sahib Baha- | 16 Rai Sahib C. Kolanda Reddi. |
| dur. | 17 Mrs. Rukmani Lakshmipathi. |
| 8 Mr. P. Peddi Raju. | |

Ayes 6. Noes 52. Neutral 17.

The amendment was lost.

4-30 P.M. * Rao Bahadur R. SUBBAYYA NAYUDU:—" Mr. Deputy President,
Sir, I move—

*'In sub-clause (ii), for "word and figure" in both the places
where they occur, substitute "word, figure and brackets".'*

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

The amendment was put and carried.

Clause 3 as amended was put and carried.

Clause 4 was then put and carried.

Clause 5.

* Rao Bahadur R. SUBBAYYA NAYUDU:—" Sir, I move—

'In line 2, after the word, figure and brackets "sub-section (1),"
insert the words "of that section".'

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

The amendment was put and carried.

Clause 5 as amended was put and carried.

Clause 6.

* Rao Bahadur R. SUBBAYYA NAYUDU:—" Sir, I move—

'In line 2 of sub-section (2) of new section 6-A, for the words "as
principal or agent" substitute the words "whether as principal
or as agent".'

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

The amendment was put and carried.

Clause 6 as amended was put and carried.

Clauses 7 and 8 were then put and carried.

6th August 1935]

Clause 9.

* Rao Bahadur R. SUBBAYYA NAYUDU:—" I move—

'In lines 6 to 9 of the new second proviso to sub-section (1) of
section 12, for the words "returned to the owner or person
from whose possession the same was seized at the cost of the
local authority in whose area the seizure was made," substitute
the words "returned, at the cost of the local authority in whose
area the seizure was made, to the owner or person from whose
possession the same was seized".'

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

The amendment was put and carried.

Clause 9 as amended was put and carried.

Clause 10.

Rao Bahadur R. SUBBAYYA NAYUDU:—" I move—

'In line 3, insert the word "public" between the words "or"
and "analysts".'

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

The amendment was put and carried.

Clause 10 as amended was put and carried.

Clause 11.

* Rao Bahadur R. SUBBAYYA NAYUDU:—" I move—

'For new section 14, substitute the following, namely:—

"14 (1) The local executive officer may—

(a) take a sample of any article of food from—

- (i) any person exposing such article for sale, or*
- (ii) any person who is in the course of conveying it or of*
delivering or preparing to deliver it, to a purchaser or
consignee, or
- (iii) a consignee after delivery to him; and*

(b) send such sample for analysis to the public analyst or
any of the public analysts appointed for the area within
which such sample has been taken.

Explanation.—The power conferred by this sub-section on the
local executive officer includes power to break open any
receptacle or package in which any article of food may be
contained.

(2) Where any sample is taken under sub-section (1), the cost
thereof calculated at the rate at which the article is usually
sold in the market, shall be tendered or paid to the person
from whom it is taken.

[Mr. R. Subbayya Nayudu] [6th August 1935]

- (3) *Any person who in any manner whatsoever prevents the local executive officer or any person duly authorized by him from taking a sample under sub-section (1), shall, where his act does not amount to an offence under the Indian Penal Code, be punished with fine which may extend to one hundred rupees.*

"Sir, in moving this amendment I just wish to state that the Select Committee had recast the original section in a particular manner, and the amendment now made is purely to make the position more clear, except that an explanation has been added on a representation from the Government Analyst at the instance of certain Health Officers that a practical difficulty has been experienced whenever they came across a big case or package containing adulterated foodstuff. It was said that when a big case or package was seized, it was found difficult for these people to insist upon the person in charge of it to give away a sample for examination; and this explanation has been included to give that power to the executive officer, to break open any package or receptacle which may contain any article of food and take out what quantity was required for analysis."

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

The amendment was put and carried.

* Mr. K. A. NACHIYAPPA GOUNDER:—"I beg to move an amendment to the amendment of my hon. Friend, Mr. Subbayya Nayudu. My amendment is—

'Omit sub-clauses (ii) and (iii) of sub-section (1) (a); and omit the explanation under sub-section (1).'

"My object in moving this amendment is this. From the fact the Act is revised now I take it that the Government are seriously thinking of introducing it in all places in the Presidency, even in panchayat areas. There is already power given in regard to seizing of articles during the course of delivery, and now provision is made for seizure during the course of conveyance also. If such powers are given and the Act is introduced in all places, even in small panchayat areas, it will lead to persecuting some individuals unnecessarily. There is sufficient time and opportunity to seize an adulterated article when it is exposed for sale and thereby bring the person who is selling such articles to book. When such opportunity is available, I am not fully convinced of the necessity of seizing the article during the course of conveyance and during the course of delivery. We are interested in putting down the adulteration that is being practised in some of the shops selling commodities to the public. Any day the articles would be exhibited for sale. I do think the authorities can very well seize the articles then and bring the person exhibiting such articles to book and prevent such things. So I do not find any actual need for seizing the articles during the course of conveyance or during the course of delivery. My great anxiety is

6th August 1935] [Mr. K. A. Nachiyappa Gounder]

that if this privilege is allowed and if the Act is extended to a wider sphere it will lead to unnecessary harassment of individuals. With this view I move the amendment to the amendment of my hon. Friend."

Mr. BASHEER AHMED SAYEED:—"I second it."

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Mr. Deputy President, I beg to oppose the amendment of Mr. Nachiyappa Gounder to the amendment I have moved. Sir, the necessity for extending the provisions of the Act so as to cover persons not only openly exposing such articles for sale but also persons who might manage to sell them surreptitiously in the course of conveying them and also consignees after delivery has been felt by the authorities who are responsible for the administration of the Act. After the Act came into force, dishonest and unscrupulous dealers tried to evade the provisions of the Act by resorting to practices such as selling such articles in the course of transit and also immediately after delivery to the consignee. It has been necessary to seize such articles, but the Act did not permit it in the absence of the amendment I have moved."

"I have already explained to the House the need for the explanation. The necessity for it arises from the fact that in some cases these articles when seized by the authorities are found packed in big cases making it impossible to take samples of them. In such cases it is necessary to break open the cases and take as much of the article as may be necessary for the purpose of the examination."

Mr. Nachiyappa Gounder's amendment to the amendment of Mr. Subbayya Nayudu was put and lost.

Mr. Subbayya Nayudu's amendment was put and carried.

Clause 11 as amended was then put and carried.

Clause 12.

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Sir, I move—

'For this clause substitute the following clause, namely:—

"12. In section 15 of the said Act—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

'(1) When the local executive officer takes a sample of any article of food with the intention of sending it for analysis to any public analyst appointed for the local area, he shall—

(a) give notice in writing of his intention to have it so analysed to the person from whom he has taken the sample;

[Mr. R. Subbayya Nayudu] [6th August 1935]

- (b) *separate the sample then and there into three parts and mark and seal or fasten up each part in such manner as its nature permits; and*
- (c) (i) *deliver one of the parts to the person from whom the sample has been taken;*
(ii) *send another part for analysis to any such public analyst; and*
(iii) *retain the third part for production in case proceedings are taken or for analysis by the Government analyst under sub-section (2) of section 16, as the case may be; and*
- (ii) *in sub-section (2) for the word 'seller' the words 'person from whom the sample has been taken' shall be substituted, and the words 'to the purchaser, or' shall be omitted.' , , ,*

Mr. T. SUNDARA RAO NAYUDU:—"I second the amendment."

• Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I beg to move the amendment standing in my name, viz.:—

'In the amendment given notice of by Rao Bahadur R. Subbayya Nayudu, viz., the substitution of a new clause for clause 12,

In clause (b) of sub-section (1) after the word 'seal' in line 2 add the following:—

"With his own seal as well as with the seal of the person from whom the sample has been taken if he (the person) desires to put his seal also."

"The position is very clear from the amendment itself. Here it is provided that the seal of the officer who seizes the article can be put. I want to add that the seal of the person from whom an article is seized should also be put in the packet containing the sample so as to be on the safe side. It will obviate a number of difficulties later on. It will be seen that it is not a compulsory thing for him and that I have added the words 'if he desires to put his seal also'. It is only right that we should be fair to him."

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

• Rao Bahadur R. SUBBAYYA NAYUDU:—"Mr. Deputy President, I beg to oppose this motion of my hon. Friend, Mr. Nachiyappa Gounder. The effect of his motion will be that it will enable the party from whom an article is seized to affix his seal. I may tell the House that these amendments of his have all been fully considered by the Select Committee. There are so many practical difficulties in giving effect to this amendment. In the original Act there was provision only to seize articles when they are openly kept for sale. That was found insufficient

6th August 1935] [Mr. R. Subbayya Nayudu]

and therefore in this amending Bill provisions have been made to enable the authorities to seize these articles from any person who is in possession either as a seller, or a carrier or a consignee or a consumer. Now it is likely that seals may not be available and the Act therefore does not strictly insist upon any part of the article seized being sealed. It says, he may seal it or fasten it according to the nature of the circumstances and in such manner as the nature of the article permits. That is one consideration.

"Secondly, in all cases of seizure by an officer for examination, it is not usual that the seal of the party concerned is also affixed. In some cases it may be necessary to send part of it to a court and sometimes to the analyst. In all cases of sealed articles it is necessary that a sample of the seal should be sent with the article so as to enable comparison being made. In case this amendment is accepted it will be necessary for the officer concerned to go and hang about the person from whom an article has been seized for his sample seal first when the article has to be sent to the public analyst and then to the police court. That is not the usual procedure.

"Then, Sir, as regards the safeguard for the seller, there is already provision in the Bill for leaving one part of the article in his own possession. This enables him, if subsequently he suspects that the article analysed is not the same as that seized and sealed, to compare it with the portion left with him and then to move any authority competent to take cognizance of such malpractices. I therefore submit that this amendment of Mr. Nachiyappa Gounder is unnecessary."

The amendment was, by leave, withdrawn.

Mr. Subbayya Nayudu's amendment was then put and carried.

Clause 12, as amended, was put and carried.

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

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

[6th August 1935]

APPENDIX I.

[Vide answer to question No. 58 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 6th August 1935, on page 183 supra.]

(i)

G.O. Ms. No. 163, L. & M., dated 16th January 1935.

READ—the following paper:—

Petitions from Local Fund Inspectors of the late taluk boards in East Godavari district.

Order—Ms. No. 163, L. & M., dated 16th January 1935.

The President, District Board, East Godavari, is informed that such of the Local Fund Inspectors employed under the late taluk boards in the district as cannot be employed in posts of Sanitary Inspectors or other non-ministerial posts for which they are fit should be offered posts of lower division clerks on the pay specified against their names in the appended list. He is accordingly directed to fill all vacancies in lower division posts occurring after the date of this order by selecting them in preference to the men in the waiting list issued with G.O. No. 4139, L. & M., dated the 18th September 1934.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To the President, District Board, East Godavari.
Copy to the Examiner of Local Fund Accounts.

Appendix.

Name.	Pay.
	RS.
A. Achutharamiah	50
P. Sitaramayya	50
M. Sitaramamurti	50
Bh. Satyanarayana Sarma	50
G. Suryaprakasa Rao	42
M. Venkatratnam	50
M. Venkataraju	50
K. V. Ramanaiah	50

6th August 1935]

(ii)

Memorandum No. 10111-1-A-1, L. & M., dated 30th March 1935.

READ—the following papers:—

G.O. Ms. No. 163, L. & M., dated the 16th January 1935.

Letter from the President, District Board, East Godavari, dated the 5th March 1935, R.C. No. 2044-D.B. of 1935.

Memorandum—No. 10111-1-A-1, L. & M., dated 30th March 1935.

In the circumstances stated, Government in partial modification of the orders in G.O. No. 163, L. & M., dated the 16th January 1935, direct that the claims of the Local Fund Inspectors referred to therein, be considered for appointment under the East Godavari District Board after all the ex-taluk board clerks in the waiting list issued with G.O. No. 4139, L. & M., dated the 18th September 1934, have been absorbed.

M. V. SANKARA VARIAR,
Assistant Secretary to Government.

To the President, District Board, East Godavari.
Copy to the Examiner of Local Fund Accounts.

APPENDIX II.

[Vide answer to question No. 60 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 6th August 1935, on page 185 supra.]

G.O. No. 1510, L. & M., dated 15th April 1935.

READ—the following papers:—

From the President of the Coimbatore District Board, dated 8th August 1934, No. 2229-D.B./34.

From the Accountant-General, dated 1st March 1935,
No. P.V. 3274.

Order—No. 1510, L. & M., dated 15th April 1935.

The presidents of district boards are informed that there is no objection to the payment of compensation pension under Article 426, Civil Service Regulations, according to the rates strictly admissible under Article 474, Civil Service Regulations, to the discharged employees of the late taluk boards whose services were pensionable under Article 802, Civil Service Regulations, and who have not been

[6th August 1935]

provided with appointments under the district boards at present. A statement showing the number of pensionable posts abolished consequent on the abolition of taluk boards and the savings thus effected should be furnished by the presidents of district boards direct to the Accountant-General.

2. They are also informed that such of the pensionable employees of the late taluk boards as have been provided with appointments under the district boards are eligible to draw compensation pension exactly in the same way as the employees referred to in paragraph 1 above, simultaneously with their pay in the district board service under Article 439, Civil Service Regulations, and that the limitations imposed in Article 514 (a), Civil Service Regulations, do not apply to their cases. Such employees shall be regarded as new entrants to the district board service and they are entitled only to subscribe to the provident fund in respect of their service under the district boards. The general permission accorded in G.O. No. 3941, L. & M., dated 5th September 1934, for the continuance of payment by the district boards of pensionary contribution on behalf of the employees of late taluk boards absorbed in the service of the district boards, is hereby cancelled, and the pensionary contribution paid up to date, if any, in pursuance of that Government Order will be refunded to the district boards concerned.

3. The powers now enjoyed by the presidents of district boards under Article 423 (1), Civil Service Regulations, to condone deficiencies in the qualifying service of officers up to a maximum of three months, will be withdrawn so far as pensions to the employees of the late taluk boards are concerned, and the pensions (including gratuity) should be sanctioned only for the completed years of service qualifying for pension. Any cases of hardship (e.g., where a deficiency of few days might result in disproportionate reduction of pension) may however be submitted for the orders of Government.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards.

- .. all Collectors.
- .. the Accountant-General (through the Finance Department).
- .. the Finance Department.
- .. the Revenue Department.
- .. the Examiner of Local Fund Accounts.
- .. the Inspector of Municipal Councils and Local Boards.

6th August 1935]

APPENDIX III.

[Vide answer to question No. 61 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 6th August 1935, page 186 supra.]

G.O. No. 2216, L. & M., dated 11th June 1935.

READ—the following paper:—

From the Inspector of Municipal Councils and Local Boards, dated 6th February 1934, No. 7173.

Order—No. 2216, L. & M., dated 11th June 1935.

Government observe that there is great diversity in the designations and grades of, and the salaries and allowances paid to, the assistants employed under district panchayat officers by district boards, known variously by the names of rural reconstruction officers, panchayat supervisors, panchayat overseers, assistant panchayat officers, etc. In order to achieve uniformity in the matter, Government in exercise of the powers conferred by sub-section (3) of section 67 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), hereby fix the strength and scale of pay of these servants who shall in future be designated as assistant panchayat officers, as shown in the annexure to this order.

2. Government are also pleased to issue the following orders in regard to recruitment, etc., of the assistant panchayat officers:—

(1) *Recruitment*.—The appointments of assistant panchayat officers will be made by the presidents of district boards in consultation with the Inspector of Municipal Councils and Local Boards, from the following classes of persons:—

- (a) *firstly*, from persons in the service of district boards variously designated as rural reconstruction officers, panchayat supervisors, etc.;
- (b) *secondly*, from clerks in the district board office and ex-taluk board employees; and
- (c) *thirdly*, from outsiders including retrenched or discharged employees of district boards.

(ii) *Qualifications*.—No person will be eligible for appointment as an assistant panchayat officer unless he is a graduate of a recognized University (vide Annexure II in G.O. No. 2932, L. & M., dated 20th June 1934), provided that the Inspector of Municipal Councils and Local Boards may, subject to the approval of the Local Government, exempt for reasons to be recorded in writing, any person who is or was in the service of a district or taluk board from the possession of this qualification, if he had passed the Intermediate Examination in Arts or the Matriculation Examination of the University of Madras or had obtained a completed Secondary School-Leaving Certificate

[6th August 1935]

issued under the authority of the Government of Madras or any equivalent examination held by any other recognized University. An assistant panchayat officer will be required to qualify himself in Part I of the Account Test prescribed for subordinate officers in Government service within the period of probation, unless he has already passed in the said part. Necessary provision to this effect will be made in the rule prescribing qualification for officers and servants under local boards.

Such of the existing incumbents [referred to in clause (a) of sub-paragraph (i) above], as may not be eligible for appointment as assistant panchayat officers and are consequently thrown out of service, will be regarded as retrenched servants and they will be eligible for re-employment as clerks in future vacancies under the respective district boards, provided they are suitable for such posts.

(iii) *Probation*.—The probation laid down in sub-rule (i) of rule 7 of the rules in G.O. No. 5062, L. & M., dated the 23rd November 1934, will be applied to all recruits, whether previously in service or not.

(iv) *Pay*.—In the case of fresh recruits [referred to in clause (c) of sub-paragraph (i) above], who are graduates in two separate subjects, the maximum pay in the scale will be allowed, if necessary. The pay of the existing men who may be appointed as assistant panchayat officers will be fixed at a point in the new scale corresponding to the pay drawn by them on the date of their appointment under the new scheme. Where, however, there is no point in the new scale corresponding to their pay, they will be given a personal allowance equivalent to the difference, the allowance being absorbed in the next increments. Those who are already drawing pay in excess of the maximum of the new scale, will be given a personal pay equivalent to the difference between their existing pay and the maximum in the new scale.

(v) *Travelling allowance*.—A fixed travelling allowance of Rs. 30 per mensem will be paid to assistant panchayat officers. The minimum number of days in a month for which they should be on tour is twenty and the allowance is liable to proportionate reduction for short touring.

(vi) *Discipline and control*.—Instructions relating to the guidance of assistant panchayat officers for the discharge of their duties and for the supervision of their work will be issued by the Inspector. No punishment should be inflicted on these officers by presidents of district boards, except with the approval of the Inspector. Necessary amendments to the rules relating to appointments and punishments of local board servants will accordingly be made.

[6th August 1935]

3. In G.O. No. 1512, L. & M., dated 15th April 1935, orders have issued in regard to the strength and personnel of the assistant panchayat officer under the Tinnevely District Board. The officer will continue to draw a fixed travelling allowance at the rate sanctioned to him in G.O. No. 5103, L. & M., dated 26th November 1934, until a district panchayat officer is appointed to the district.

4. Orders will issue later in regard to the North Arcot and Guntur district boards.

5. Government sanction the employment by district boards, of one peon under each assistant panchayat officer.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Presidents of District Boards.
„ the Inspector of Municipal Councils and Local Boards.
„ the Examiner of Local Fund Accounts.

Annexure.

Name of district board.	Assistant Panchayat officers.		Name of district board.	Assistant Panchayat officers.	
	Number of posts.	Scale of pay.		Number of posts.	Scale of pay.
1 Anantapur ..	1	Rs. 45—3 (biennial)—75.	14 Kurnool ..	1	Rs. 45—3 (biennial)—75.
2 Arcot, South ..	2	Do.	15 Madura ..	1	Do.
3 Bellary ..	1	Do.	16 Malabar ..	1	Do.
4 Bobbili ..	1	Do.	17 Nellore ..	1	Do.
5 Chingleput ..	3	Do.	18 Nilgiris, the ..	1	Do.
6 Chittoor ..	2	Do.	19 Ramnad ..	1	Do.
7 Coimbatore ..	1	Do.	20 Salem ..	4	Do.
8 Cuddapah ..	1	Do.	21 Tanjore, East.	2	Do.
9 Ganjam ..	1	Do.	22 Tanjore, West.	2	Do.
10 Godavari, East ..	2	Do.	23 Tinnevely ..	1*	Do.
11 Godavari, West ..	2	Do.	24 Trichinopoly.	2	Do.
12 South Kanara ..	1	Do.	25 Vizagapatam.	1	Do.
13 Kistna ..	1	Do.			

* Sanctioned in G.O. No. 1512, L. & M., dated 15th April 1935.

[6th August 1935]

APPENDIX IV.

[Vide answer to question No. 62 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 6th August 1935, page 187 supra.]

(1)

Proceedings of the Advisory Committee for Local and Municipal Administration, held on 21st February 1935.

P R E S E N T :

- 1 The Hon. the RAJA OF BOBBILI (*President*).
 - 2 Mr. T. B. RUSSELL, I.C.S.
 - 3 Rao Bahadur G. JAGANNADHA RAJU.
 - 4 The ZAMINDAR OF MIRZAPURAM.
 - 5 Mr. F. BIRLEY.
 - 6 Mr. T. C. SRINIVASA AYYANGAR.
 - 7 Diwan Bahadur M. GOPALASWAMI MUDALIYAR.
- [*Subject*.—Reimposition of tolls on vehicles other than motor vehicles and on animals.]

Resolution.—The Committee unanimously resolved to recommend to the Government that the Madras Motor Vehicles Taxation Act should be repealed.

(2)

Members constituting the Advisory Committee for Local and Municipal Administration.

- 1 The Hon. the RAJA OF BOBBILI, Chief Minister (*President*).
- 2 T. B. RUSSELL, Esq., I.C.S., M.L.C., Secretary to Government, Local Self-Government Department (*Ex officio*).
- 3 M.R.Ry. Rao Bahadur G. JAGANNADHA RAJU, M.L.C.
- 4 M.R.Ry. TAHAVAR-O-JALADAT DASTAGHRI SRI RAJA VENKATA RAMAYYA APPARAO Bahadur, Zamindar of Mirzapuram, M.L.C.
- 5 RAJA VELUGOTI SARVAGNYA KUMARAKRISHNA YECHENDRULU Varu, Kumarakaraja of Venkatagiri, M.L.C.
- 6 R. FOULKES, Esq., O.B.E., M.L.C.
- 7 F. BIRLEY, Esq., M.L.C.
- 8 Dr. P. SUBBARAYAN, M.L.C.
- 9 Khan Bahadur T. M. MOIDOO SAHIB Bahadur, M.L.C.
- 10 M.R.Ry. Diwan Bahadur S. ELLAPPA CHETTIYAR Avargal, M.L.C.
- 11 M.R.Ry. T. S. RAMASWAMI AYYAR Avargal, M.L.C.
- 12 M.R.Ry. T. C. SRINIVASA AYYANGAR Avargal, M.L.C.
- 13 M.R.Ry. Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR Avargal, M.L.C.
- 14 M.R.Ry. Rao Bahadur T. M. NARAYANASWAMI PILLAI Avargal, M.L.C.
- 15 M.R.Ry. Diwan Bahadur M. GOPALASWAMI MUDALIYAR Avargal, M.L.C.

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APPENDIX V.

[Vide answer to question No. 64 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 6th August 1935, page 190 supra.]

G.O. No. 1693, L. & M., dated 2nd May 1935.

READ—the following papers:—

G.O. No. 5096, L. & M., dated 7th December 1933.

G.O. No. 2504, L. & M., dated 23rd May 1934.

Order—No. 1693, L. & M., dated 2nd May 1935.

In G.O. No. 5096, L. & M., dated 7th December 1933, the Government suggested for adoption by local bodies two scales of pay for teachers employed in elementary schools under their control. The marginally noted eleven municipal councils have adopted the scales of pay for teachers in the Madras Educational Subordinate Service, viz., those specified in paragraph 2 of the Government Order and a large majority of the rest, the lower scales specified in paragraph 1. Under sub-section (3) of section 70 of the Madras District Municipalities Act, 1920, the Government now fix the scale of pay specified in paragraph 2 of the Government Order as the scales for teachers in the employ of the eleven municipal councils specified above and the scales of pay specified in paragraph 1 of the Government Order as the scales in the case of the teachers in the employ of other municipal councils. These scales of pay will apply to all teachers including the existing incumbents from the date of their adoption by municipal councils and where they have not so far been adopted with effect from 1st April 1935.

2. It is observed that some municipal councils have not adopted the scales of pay on a uniform basis. Some have adopted the higher scales for one category of teachers and the lower scale for another category. Such variations will not be permitted. There should be uniformity in the adoption of the higher or lower scales in regard to all the teachers in a municipality.

3. As regards the manner of fitting in the present incumbents into the new scales, the Government consider that their place in the revised scales may be decided with reference to their permanent service, continuous acting service immediately prior to their confirmation being also taken into account. If the pay so calculated is less than the pay drawn on the date immediately preceding the date of adoption of the new scales, the difference should be granted as personal pay to be

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absorbed in future increments, unless municipal councils in their discretion refuse or reduce it in cases where the salary previously drawn was excessive, especially where advance increments or personal allowances were unjustifiably given.

4. In paragraph 4 of G.O. No. 2504, L. & M., dated 23rd May 1934, local bodies were given the option either to fix the number of posts in each grade or to apply the revised scales according to the qualifications of the person filling the post. In this connexion the Director of Public Instruction has made the following recommendations:—

- (1) That secondary trained teachers should be employed in higher elementary schools for standards VI to VIII.
- (2) That it is desirable to employ secondary trained teachers (as headmasters) in big five standard schools employing a large number of higher elementary grade teachers.
- (3) That secondary trained teachers should not be employed in the other elementary schools.
- (4) That as regards the rest of the teachers the pay should be personal depending on the qualifications, local bodies being advised to recruit as far as possible higher elementary trained teachers.

These suggestions are generally accepted and commended to the municipal councils with the remarks that no higher elementary trained teacher should be paid less than the rate laid down for such teachers irrespective of the post in which he is employed and that if secondary trained teachers are employed in posts for which such qualification is not prescribed they should be paid the scale of pay laid down for higher elementary trained teachers.

5. The teachers in Government girls' schools who were transferred to municipal councils during the years 1921-22 and 1922-23, along with the schools should be given the excess over the maximum of the revised scales as personal pay.

(By order of the Government, Ministry of Local Self-Government)

T. B. RUSSELL,
Secretary to Government.

To all Executive Authorities of Municipal Councils, through the Chairmen of Municipal Councils.

- „ all Collectors.
- „ the Director of Public Instruction.
- „ the Examiner of Local Fund Accounts.
- „ the Inspector of Municipal Councils and Local Boards.
- „ the Law (Education) Department.
- „ the Public Works and Labour Department.
- „ the Revenue Department.

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APPENDIX VI.

[Vide answer to question No. 65 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 6th August 1935, page 191 supra.]

1. Number of maternity cases in the Queen Alexandra Hospital for Women at Salem since January 1935—

Month.					Number of labour cases.
January 1935	..	..	..	..	50
February „	..	..	..	..	45
March „	..	..	..	..	48
April „	..	..	..	..	51
May „	..	..	..	..	56

2. The number of beds provided in the hospital is 21.

3. Daily average attendance of in-patients in the hospital since 1934—

January 1934	..	19·8	January 1935	..	..	21·8
February „	..	23·8	February „	..	..	19·6
March „	..	22·2	March „	..	..	22·1
April „	..	21·0	April „	..	..	24·1
May „	..	22·45	May „	..	..	23·19
June „	..	25·33				
July „	..	23·61				
August „	..	24·8				
September „	..	18·33				
October „	..	22·25				
November „	..	23·16				
December „	..	21·29				

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APPENDIX VII.

[Vide answer to question No. 72 asked by Mr. M. B. Rangaswami Reddi at the meeting of the Legislative Council held on the 6th August 1935, page 196 supra.]

Statement showing the rates of grazing fees charged by forest panchayats.

District.	Number of pan- chayats.	Grazing rates for			Remarks.
		Buffalo.	Cow or bull.	Sheep.	
(1)	(2)	(3)	(4)	(5)	(6)
		Rs. A. P.	Rs. A. P.	Rs. A. P.	
Visagapatam ..	7	0 12 0	0 6 0	0 3 0	
	1	0 6 0	0 3 0	0 1 6	
Total ..	8				
East Godavari ..	1	2 0 0	1 0 0	0 8 0	
	2	1 0 0	0 8 0	0 4 0	
	1	0 14 0	0 7 0	0 3 6	Local.
	2	1 0 0	0 8 0	0 4 0	Foreign.
	2	0 6 0	0 3 0	0 1 6	Local.
	2	0 12 0	0 6 0	0 3 0	Foreign.
Total ..	6				
West Godavari ..	12	0 12 0	0 6 0	0 3 0	
	1	0 10 0	0 5 0	0 2 6	
Total ..	13				
Kistna ..	1	0 8 0	0 4 0	0 2 0	
	3	1 0 0	0 8 0	0 4 0	
	3	0 12 0	0 6 0	0 3 0	
	1	0 6 0	0 3 0	0 1 6	
	1	1 8 0	0 12 0	0 6 0	
	2	0 12 0	0 8 0	0 4 0	
	1	1 0 0	0 12 0	0 4 0	
	2	1 0 0	0 10 0	0 2 0	
	1	0 12 0	0 10 0	0 4 0	
	1	0 8 0	0 6 0	0 2 0	
	1	0 8 0	0 6 0	0 3 0	
	1	0 8 0	0 8 0	0 4 0	
	1	..	0 12 0	..	
Total ..	20				
Guntur ..	60	(1) 1 8 0	(1) 1 0 0	(1) 0 6 0	Buffaloes are not allowed in 17 panchayat reserves. Enhanced rates are charged where foreign cattle are allowed.
		(37) 1 0 0	(3) 0 12 0	(55) 0 4 0	
		(1) 0 12 0	(52) 0 8 0	(3) 0 3 0	
		(8) 0 8 0	(3) 0 6 0	(1) 0 2 0	
		(1) 0 5 0	(1) 0 5 0	..	
		(2) 2 0 0	(1) 1 8 0	(3) 0 8 0	
		(27) 1 8 0	(59) 1 0 0	(11) 0 7 0	
		(4) 1 4 0	(84) 0 12 0	(53) 0 6 0	
		(34) 1 0 0	(4) 0 10 0	(10) 0 5 0	Buffaloes are not allowed in 76 reserves and sheep in 24 reserves.
		(5) 0 12 0	(3) 0 8 0	(4) 0 4 0	
		(1) 0 10 0	(1) 0 14 0	(1) 0 3 6	
		(3) 0 8 0	(1) 0 4 0	(2) 0 2 0	
		(1) 0 4 0	..	..	
		0 12 0	0 6 0	0 3 0	
		0 8 0	0 6 0	0 3 0	
		0 8 0	0 8 0	0 4 0	
		1 0 0	0 6 0	0 3 0	
		0 4 0	0 2 0	0 1 0	
	1*	0 12 0	0 6 0	0 3 0	
Total ..	54				
Anantapur ..	92	1 0 0	0 8 0	0 4 0	* Patur panchayat in the Rajampet taluk serving Mantapampalle and four other villages. Reduced rates are allowed for Mantapampalle village and enhanced rates are charged for the other villages.

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District.	Number of pan- chayats.	Grazing rates for			Remarks.
		Buffalo.	Cow or bull.	Sheep.	
(1)	(2)	(3)	(4)	(5)	(6)
		Rs. A. P.	Rs. A. P.	Rs. A. P.	
Bellary ..	1	1 0 0	0 8 0	0 4 0	
	63	0 12 0	0 6 0	0 3 0	
	3	0 10 0	0 5 0	0 2 6	
	26	0 8 0	0 4 0	0 2 0	
Total ..	93				
Kurnool ..	18	1 0 0	0 8 0	0 4 0	
	2	0 12 0	0 6 0	0 3 0	
	2	0 10 0	0 5 0	0 2 6	
	1	0 8 0	0 4 0	0 2 0	
Total ..	24				
Chingleput ..	2	2 0 0	1 0 0	0 8 0	
	3	1 12 0	0 14 0	0 7 0	
	1	1 10 0	0 13 0	0 6 6	
	65	1 8 0	0 12 0	0 6 0	
	3	1 4 0	0 10 0	0 5 0	
	1	1 2 0	0 9 0	0 4 6	
	1	1 0 0	0 8 0	0 4 0	
	1	0 10 0	0 5 0	0 2 6	
Total ..	67				
Chittoor ..	65	0 12 0	0 6 0	0 3 0	
	2	0 12 0	0 6 0	0 3 6	
	4	1 0 0	0 8 0	0 4 0	
	1	0 12 0	0 8 0	0 4 0	
Total ..	72				
North Arcot ..	1	6 0 0	3 0 0	..	Sheep are not allowed.
	89	1 0 0	0 8 0	0 4 0	
	1	0 12 0	0 6 0	0 3 0	
Total ..	91				
South Arcot ..	40	2 0 0	1 0 0	0 8 0	
	16	1 8 0	0 12 0	0 8 0	
	4	1 4 0	0 10 0	0 5 0	
	4	1 0 0	0 8 0	0 4 0	
Total ..	64				
Trichinopoly ..	42	1 2 0	0 9 0	0 4 6	
Madura ..	17	5 8 0	0 12 0	0 6 0	
	2	1 0 0	0 8 0	0 4 0	
	1	0 12 0	0 6 0	0 3 0	
	1	0 4 0	0 2 0	0 1 0	
Total ..	21				
Ramnad ..	1	0 8 0	0 4 0	0 2 0	
Tinnevely ..	1	2 8 0	1 4 0	0 10 0	
	1	2 0 0	1 0 0	..	Sheep are not allowed.
	1	1 8 0	0 12 0	0 6 0	
	1	1 0 0	{ 0 8 0 }	0 4 0	
	3	1 0 0	{ 1 4 0 }	0 4 0	* The Sivalarkulam panchayat in Tenkasi taluk consisting of two reserves. Kottamalai and Karalkutti reserve, is reserved exclusively for the grazing of bulls at Re. 1-4-0 per bull. Sheep are not allowed. Permits for buffaloes not issued till now.
Total ..	7				
Coimbatore ..	5	3 0 0	2 0 0	..	Sheep are not allowed.
	12	..	1 0 0	0 4 0	Permits for buffaloes not issued till now.
	13	2 0 0	1 0 0	0 8 0	
	1	1 0 0	0 8 0	0 4 0	
Total ..	21				
Salem ..	42	(22) 1 2 0	(31) 0 9 0	(31) 0 4 6	Buffaloes are not allowed in 14 panchayats. In some panchayats concessional rates are allowed for Malayan cattle.
		(6) 1 0 0	(10) 0 8 0	(10) 0 4 0	
		..	(1) 0 4 0	(1) 0 2 0	Sheep are not sent to the reserves for grazing.
South Kanara ..	4	0 4 0	0 2 0	..	
	1	0 8 0	0 2 0	..	
	2	0 2 0	0 1 0	..	
	3	0 1 0	0 1 0	..	
Total ..	10				

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APPENDIX VIII.

[Vide answer to question No. 73 asked by Mr. M. B. Rangaswami Reddi at the meeting of the Legislative Council held on the 6th August 1935, page 196 supra.]

(i)

Memorandum to the Board of Revenue (Land Revenue and Settlement), No. 488-B/35-1, Revenue, dated 5th February 1935.

[Panchayats—Forest—Rent—Increase—Information—
Legislative Council question.]

The Board of Revenue is requested to state at a very early date—

- (1) whether the rents payable by the forest panchayats have been raised gradually from year to year;
- (2) whether it is a fact that, if the panchayats were unable to pay the rents, the rents were recovered from the private resources of the panchayat members;
- (3) whether the recovery of the rents in such cases has been waived in the past; and
- (4) whether such waiver of the recovery has now been stopped and, if so, for what reasons.

(ii)

Proceedings of the Board of Revenue (Land Revenue and Settlement), Rout. No. 1340, dated 8th March 1935.

Replies to the several questions raised in the Government memorandum are—

- (1) No. The actual figures are—

Year.	Number of panchayats.	Area in square miles.	Rent. Rs.
1927-28	1,130	3,353	1,57,266
1928-29	1,102	3,445	1,59,494
1929-30	1,047	3,425	1,59,027
1930-31	994	3,384	1,55,448
1931-32	971	3,404	1,50,972
1932-33	972	3,423	1,51,281
1933-34	968	3,420	1,52,486

The increase in the rent for 1928-29 compared with 1927-28 was due to the increase in the area under the management of panchayats. In 1929-30 and 1930-31 there was a drop in the rent with a corresponding decrease in the area. In 1931-32, though there was a slight increase in the area, there was no proportionate increase in the rent. On the other hand there was a drop. This was due to the reduction of the grazing limits in order to effect a more normal incidence. In 1932-33 and 1933-34 there was an increase in the rent. This was due

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to the fact that in fixing the rent the moiety of compounding fees and fines paid to the panchayats was taken into account in fixing the rents payable by the panchayats.

- (2) Yes, if the inability to pay the rent was not due to causes beyond the control of the panchayatdars.
- (3) Yes, in cases where such inability was due to causes beyond the control of the panchayatdars.
- (4) No.

APPENDIX IX.

[Vide answer to question No. 82 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 6th August 1935, page 202 supra.]

(i)

Paragraph 2 of G.O. Ms. No. 1569 (29-S), Revenue, dated the 9th July 1935.

2. The Government also direct that, for fasli 1345, water-cess for the regular irrigation with Cauvery water supplied otherwise than through the Grand Anicut Canal system and the Vadavar system in the Tanjore district and for regular irrigation in the areas irrigated by the Cauvery channels in the Trichinopoly and Salem districts, should be levied at the same rates as those sanctioned in G.O. No. 535, Revenue, dated 15th March 1934, for regular irrigation with Cauvery water supplied through the Grand Anicut Canal system and the Vadavar system.

(ii)

G.O. No. 535, Revenue, dated 15th March 1934.

The Government accept the recommendation of the Board of Revenue that, with a view to encourage the development of irrigation under the Cauvery-Mettur Project and in modification of the rates leviable under rule III (e) of the Tanjore District Cauvery Water-cess Rules, 1932,

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water-cess for regular irrigation with Cauvery water supplied through the Vadavar system and the Grand Anicut Canal system should be levied at the following rates during faslis 1344 and 1345:—

Class of land and crop.						Rate per acre.		
						RS.	A.	P.
Dry lands—								
First crop	...	...	...	...	...	5	0	0
Second crop	...	...	...	...	...	2	8	0
Dufasal crop	...	...	...	...	...	7	8	0
Third crop	...	...	...	...	...	1	4	0
Manavari lands—								
First crop	...	...	...	...	...	4	10	8
Second crop	...	...	...	...	...	2	5	4
Dufasal crop	...	...	...	...	...	7	0	0
Third crop	...	...	...	...	...	1	2	8
Proprietary and minor inam wet lands—								
First crop	...	...	...	...	...	3	5	4
Second crop	...	...	...	...	...	2	8	0
Dufasal crop	...	...	...	...	...	5	13	4
Third crop	...	...	...	...	...	1	4	0

They also accept the suggestion of the Board of Revenue that where the above rates contain figures in the pies column, pies should be rounded off to the nearest anna provided that the resulting figure does in no case exceed the charge leviable under rule III (e) of the Tanjore District Cauvery Water-cess Rules. The question of granting any concessions in the rates of water-cess to be charged after the end of fasli 1345 will be considered with reference to the circumstances which may then prevail. The Board of Revenue is requested to submit proposals in this regard in due course.

(By order of the Governor in Council)

J. A. THORNE,
Secretary to Government.

Press including Madras Landholders' Association.

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APPENDIX X.

[Vide item X at page 250 supra.]

REPORT OF THE SELECT COMMITTEE ON THE BILL FURTHER TO AMEND THE MADRAS PREVENTION OF ADULTERATION ACT, 1918 AND TO AMEND THE MADRAS PREVENTION OF ADULTERATION (AMENDMENT) ACT (BILL No. 26 OF 1934).

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

The Select Committee appointed to consider the bill further to amend the Madras Prevention of Adulteration Act, 1918, and to amend the Madras Prevention of Adulteration (Amendment) Act for certain purposes (Bill No. 26 of 1934) has the honour to make the following report:—

2. The Bill was published in the *Fort St. George Gazette*

in English on 1st January 1935, and
in Tamil
in Telugu
in Kanarese
in Malayalam and
in Hindustani

on 15th January 1935.

3. The Committee met on the 6th February 1935 in the Committee Room, Fort St. George, and resolved to meet again at Stonehouse Hill on the 3rd May 1935. The Committee accordingly met at Stonehouse Hill on the 3rd and 4th May and the 10th June 1935 for the purpose of considering the provisions of the Bill, and on the 11th June for passing its report.

4. The Committee has subjected the provisions of the Bill to a careful scrutiny but has not found it necessary to make any material changes. In Clause 11, which deals with amendments to section 14 of the principal Act, the Committee has thought it desirable to avoid the use of the expression 'the local executive officer may purchase a sample' as the person from whom a sample is taken under the section may be one who has no right to sell it

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at all, for example, a carrier. The Committee has therefore preferred the expression 'may take a sample' to the expression 'may purchase a sample,' and amended the section accordingly. At the same time, the Committee has provided that the cost of the sample so taken, calculated at the rate at which the article is usually sold in the market, shall be tendered or paid to the person from whom it is taken.

5. In Clause 14, the Committee has split up the two parts of the proposed new section 16-A into two sub-sections, as they deal with two different matters, the first part dealing with the power of the Local Government to appoint local executive officers in certain cases, and the second part dealing with the question of who should bear the expenses incurred by such officers.

6. As a consequence of the addition to Clause 6 of the Bill, of a new section 6-A dealing with the offence of a false warranty or description in respect of an article of food, the Committee has considered it necessary to add the following proviso to section 19 providing for the period within which proceedings can be instituted for a prosecution under that section, namely:—'Provided that a prosecution in respect of an offence under section 6-A may be commenced before the expiry of three months from the date on which the vendor gives notice of his intention to plead a warranty by way of defence under the first proviso to sub-section (2) of section 6.'

7. For the rest, the Committee has made only some verbal changes in the Bill which are all shown in the copy of the Bill annexed.

8. The Committee does not think it necessary that the Bill should be republished.

MAHBOOB ALI BAIG,
Chairman of the Select Committee.

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[Changes made by the Select Committee are shown in clarendon type and portions omitted are shown by dots.]

BILL No. 26 OF 1934.

(As amended by the Select Committee.)

A Bill further to amend the Madras Prevention of Adulteration Act, 1918, and to amend the Madras Prevention of Adulteration (Amendment) Act for certain purposes.

WHEREAS it is expedient further to amend the Madras Prevention of Adulteration Act, 1918, and to amend the Madras Prevention of Adulteration (Amendment) Act, for the purposes hereinafter appearing;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows:—

1. This Act may be called the Madras Prevention of Adulteration (Amendment) Act, 1935.

2. In section 2 of the Madras Prevention of Adulteration Act, 1918 (hereinafter referred to as the said Act) :—

(i) after the definition of "public analyst," the following definition shall be inserted, namely:—

" 'Government analyst' means any person appointed by the Local Government to exercise the powers of a Government analyst under this Act," and

(ii) for the definition of "local executive officer", the following definition shall be substituted, namely:—

" 'Local executive officer' means—

(i) in the City of Madras, the Commissioner of the Corporation of Madras;

(ii) in the area of any other municipality, the executive authority of the municipality; and

(iii) in or for other local areas, the president of the panchayat or if there is no panchayat, the president of the district board or if

Madras
Act III of
1918.

Madras
Act III of
1932.

Madras
Act III of
1918.

Amendment
of section 2,
Madras
Act III of
1918.

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there is neither a panchayat nor a district board, such public servant as may be designated by the Local Government to exercise the functions of a local executive officer under this Act; and includes any person appointed under section 16 A."

Amendment
of section 4,
Madras
Act III of
1918.

3. In section 4 of the said Act—

- (i) sub-section (3) shall be renumbered as sub-section (4) and for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

"(1) The local authority having control over any local area to which the Local Government have extended the provisions of this Act, may appoint one or more persons to be **public analyst or public** analysts for such area and may remove any person so appointed.

(2) Every such appointment and removal shall be subject to the previous approval of the Local Government who may give their approval absolutely or with such conditions as to the period of the appointment, removal, or otherwise, as they may think fit.

(3) Where no public analyst has been appointed for any local area under sub-sections (1) and (2), or where no local authority has been constituted for any local area to which the Local Government have extended the provisions of this Act, the Local Government may appoint one or more persons to be **public analyst or public** analysts for such local area or local areas and may require the local authority or authorities, if any, constituted for any such area or areas to defray in whole or in part and in such proportions as the Local Government may determine, the expenses of, and connected with, the appointment of such analyst or analysts and of carrying out the provisions of this Act;" and

- (ii) in sub-section (4) as renumbered, for the word and figure "sub-section (2)," the word and figure "sub-section (3)" shall be substituted.

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4. In clause (iii) of the proviso to sub-section (1) of section 5 of the said Act, for the words and figures "brought the fact to the notice of the purchaser either by means of a label on or with the food or in such other manner as the Local Government may, by rule, framed under section 20 of this Act, prescribe," the words and figures "brought the fact to the notice of the purchaser in such manner as the Local Government may by rule made under section 20 prescribe, or in the absence of any such rule, by means of a label on or with the food" shall be substituted.

Amendment
of section 5,
Madras
Act III of
1918.

5. Sub-section (2) of section 6 of the said Act shall be renumbered as sub-section (3) and for sub-section (1), the following sub-sections shall be substituted, namely:—

Amendment
of section 6,
Madras
Act III of
1918.

"(1) Save as otherwise provided in sub-section (2), it shall be no defence to a prosecution for an offence **under** section 5, to allege merely that the vendor was ignorant of the nature, substance or quality of the food sold by him or that the purchaser having bought only for analysis was not prejudiced by the sale.

(2) (a) A vendor shall not be deemed to have committed an offence **under** section 5, if he proves—

(i) that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty in the prescribed form, if any, to the effect that it was of such nature, substance and quality;

(ii) that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality; and

(iii) that he sold it in the same state as that in which he purchased it:

Provided that such defence shall be open to the vendor only if he has, within seven days of the service on him of the summons, sent to the local executive officer a copy of the warranty with a written notice stating that he intends to rely on it and specifying the name and address of the person from whom he received it and has also sent a like notice of his intention to that person:

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Provided further that a warranty given by a person resident in any area in which this Act is not in force shall be a defence to the vendor only if the vendor proves to the satisfaction of the Court that he had taken reasonable steps to ascertain, and did in fact believe in, the accuracy of the statement contained in the warranty.

(b) The person by whom the warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence."

6. After section 6 of the said Act, the following section shall be inserted, namely:—

"6-A. (1) Every person—

(a) who in any proceedings under this Act wilfully applies to an article of food a warranty given in relation to any other article of food, or

(b) who wilfully gives a label with any article of food sold by him which falsely describes the article sold,

shall be punished for the first offence with fine which may extend to one hundred rupees and for every subsequent offence with fine which may extend to five hundred rupees.

(2) Every person who, in respect of an article of food sold by him as principal or agent, gives to the purchaser a false warranty in writing shall, unless he proves to the satisfaction of the Court that when he gave the warranty he had reason to believe that the statements or descriptions contained therein were true, be punished for the first offence with fine which may extend to one hundred rupees and for every subsequent offence with fine which may extend to five hundred rupees."

7. Sub-section (2) of section 7 of the said Act shall be omitted.

8. In section 11 of the said Act, for the words "the public analyst," the words "a public analyst appointed for the local area concerned" shall be substituted.

Insertion of new section 6-A in Madras Act III of 1918.

False warranties and descriptions.

Amendment of section 7, Madras Act III of 1918.

Amendment of section 11, Madras Act III of 1918.

[6th August 1935]

9. For the proviso to sub-section (1) of section 12 of the said Act, the following provisos shall be substituted, namely:—

Amendment of section 12, Madras Act III of 1918.

"Provided that where a sample of an article has been sent to a public or Government analyst, the article or sample thereof may be produced before the magistrate after the receipt of the certificate of the public or the Government analyst, as the case may be:

Provided further that where a sample of an article sent to the public or Government analyst is certified by him to be not adulterated or to be what it purports or is represented to be, the article and the vessel or utensil seized therewith under section 9 may be returned to the owner or person from whose possession the same was seized at the cost of the local authority in whose area the seizure was made."

10. In sub-section (1) of section 13 of the said Act, for the words "a public analyst has been appointed," the words "a public analyst or analysts have been appointed," for the words "appointing the analyst," the words "appointing such analyst or analysts," and for the words "such public analyst" the words "such public analyst or any of such public analysts" shall be substituted.

Amendment of section 13, Madras Act III of 1918.

11. Substitution of new section for section 14,

For section 14 of the said Act, the following section shall be substituted, namely:—

Madras Act III of 1918.

"14. (1) The local executive officer may take a sample of any article of food from any person exposing such article for sale or from any person who is in the course of conveying it or of delivering or preparing to deliver it, to a purchaser, a consignee or from a consignee after delivery to him and may submit it to be analysed by the public analyst or any of the public analysts appointed for the area within which such sample has been procured.

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(2) The cost of the sample so taken calculated at the rate at which the article is usually sold in the market shall be tendered or paid to the person from whom it was taken.

(3) Every person who in any manner whatsoever prevents the local executive officer or any person duly authorized by him from taking a sample under sub-section (1), shall be punished, where his act does not amount to an offence under the Indian Penal Code with fine which may extend to one hundred rupees."

Amendment
of section 15;
Madras
Act III of
1918.

12. In section 15 of the said Act—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) When the local executive officer purchases an article of food with the intention of submitting it to be analysed by any public analyst appointed for the local area, he shall—

(a) notify **in writing** to the person from whom he has purchased the article his intention to have it analysed;

(b) separate the article then and there into three parts and mark and seal or fasten up each part in such manner as its nature permits; and

(c) (i) deliver one of the parts to the seller;
(ii) submit another part for analysis by any such public analyst; and

(iii) retain the third part for production in case proceedings are taken or for analysis by the Government analyst under sub-section (2) of section 16, as the case may be."; and

(ii) in sub-section (2), the words "to the purchaser, or" shall be omitted.

Amendment
of section 16,
Madras
Act III of
1918.

13. In section 16 of the said Act, for sub-section (2), the following sub-sections shall be substituted, namely:—

"(2) Where the sample was submitted by the local executive officer, he may, if not satisfied with the certificate delivered to him under sub-section (1), subject to such rules as may be

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prescribed by the Local Government and the payment of such fees, if any, as may be fixed by them in this behalf, submit to the Government analyst for analysis the part referred to in sub-clause (iii) of clause (c) of sub-section (1) of section 15. The Government analyst shall thereupon analyse the sample and grant a certificate in the form prescribed in the schedule to this Act or to the like effect, specifying the result of his analysis.

(3) The certificate granted by the Government analyst under sub-section (2) shall supersede the certificate delivered by the public analyst under sub-section (1).

(4) Where a certificate obtained from the Government analyst under sub-section (2) is produced in any proceedings under this Act or under sections 272 to 276 of the Indian Penal Code, it shall not be necessary in such proceeding to produce any part of the sample of food taken for analysis.

(5) Any document purporting to be a certificate signed by a public analyst unless it has been superseded under sub-section (3), or any document purporting to be a certificate signed by the Government analyst may be used as evidence of the facts stated therein in any proceedings under this Act or under sections 272 to 276 of the Indian Penal Code:

Provided that any Court before which a case under this Act is pending, whether exercising original, appellate or revisional jurisdiction, may in its discretion, at the request either of the accused or of the complainant, cause any article of food to be sent for analysis to the Government analyst, unless it has already been analysed by him under sub-section (2). The Government analyst shall thereupon analyse the said article and report the result of such analysis to the said Court. The expenses of such analysis shall be paid by the accused or the complainant as the Court may by order direct.

[6th August 1935]

Insertion of new sections 16-A and 16-B in Madras Act III of 1918.
Power of Local Government to appoint local executive officers in certain cases.

14. After section 16 of the said Act, the following sections shall be inserted, namely:—

“ 16-A (1) The Local Government may appoint any public servant to exercise the functions of any local executive officer under this Act.

(2) If in the opinion of the Local Government, such appointment was necessary on account of the failure of the local executive officer to carry out any of the provisions of this Act, the expenses incurred by such public servant, in exercising the functions of the local executive officer, shall be borne by the local authority concerned.

Explanation.—If any question arises as to whether any expense was properly incurred by the public servant appointed under this section, it shall be referred to the Local Government whose decision shall be final.

“ 16-B. The Local Government may, in relation to any matter appearing to them to affect the general interests of the consumer, direct any public servant to procure for analysis samples of any article of food and thereupon such public servant shall have all the powers of a local executive officer under this Act and this Act shall apply as if such public servant were the local executive officer except that—

(a) both the parts referred to in sub-clauses (ii) and (iii) of clause (c) of sub-section (1) of section 15 shall be forwarded to the Government analyst who shall analyse one of the parts and if he finds it adulterated, he shall send the other part with his certificate to the local executive officer of the place where the sample was procured; and thereupon such officer shall, subject to the rules, if any, prescribed by the Local Government, cause proceedings to be taken as if he had himself caused the analysis to be made; and

(b) any fee for such analysis fixed by the Local Government, the cost of the sample and the

Power of Local Government to have articles analysed.

[6th August 1935]

expenditure incurred in procuring it including the travelling allowances, if any, of the public servant procuring the same, shall be payable by the local authority of the place where the sample was procured.”

14-A. To section 19 of the said Act, the following proviso shall be added, viz. :—

“ Provided that a prosecution in respect of an offence under section 6-A may be commenced before the expiry of three months from the date on which the vendor gives notice of his intention to plead a warranty by way of defence under the first proviso to sub-section (2) of section 6.”

Amendment of section 19, Madras Act III of 1918.

15. After section 19 of the said Act, the following section shall be inserted, namely:—

“ 19-A. No suit, prosecution or other proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act or any rules or by-laws made or orders issued thereunder.”

Insertion of new section 19-A in Madras Act III of 1918.

Saving for acts done in good faith.

16. In sub-section (2) of section 20 of the said Act—
(i) in clause (g), the word ‘and’ at the end shall be omitted; and

(ii) after clause (h), the following clauses shall be added, namely:—

“ (i) prescribing the form of the written warranty referred to in sub-section (2) of section 6;

(j) prescribing the conditions under which the local executive officer may send samples to the Government analyst for analysis under sub-section (2) of section 16; and

(k) prescribing the conditions, if any, under which the local executive officer shall cause proceedings to be taken under section 16-B.”

Amendment of section 20, Madras Act III of 1918.

17. For section 21 of the said Act, the following section shall be substituted, namely:—

“ 21. (1) Every local authority exercising control over any local area to which this Act has been

Substitution of new section for section 21, Madras Act III of 1918.

[6th August 1935]

extended, may, under the provisions with regard to the making of by-laws contained in the Act under which such local authority is established, make by-laws, not inconsistent with this Act or the rules made under section 20, for all or any of the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the local authority may make by-laws—

(a) for the prevention of the manufacture or preparation for sale, the exposure for sale or hawking about, or the sale, of articles of food which are adulterated or other than what they purport or are represented to be;

(b) for rendering licences necessary for the manufacture or preparation for sale, the exposure for sale or hawking about, or the sale, of articles of food and prescribing the fees payable for such licences, provided that no such licence shall be necessary for any purpose for which a licence has already been obtained under any of the provisions of the Act under which the local authority is established or any rule or by-law made thereunder; and

(c) for the inspection and the regulation of places in which articles of food are kept, stored, packed, cleansed, manufactured, prepared or exposed for sale, hawked about or sold."

Amendment
of Schedule
to Madras
Act III of
1918.

18. In the schedule to the said Act, for the words "public analyst for the . . . , do." the following shall be substituted, namely:—

"public analyst for the . . . , do."
Government analyst

Amendment
of section 1,
Madras
Act III of
1932.

10. In section 1 of the Madras Prevention of Adulteration (Amendment) Act, after the word "Act" at the end, the figures "1932" shall be added.

LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 7th August 1935.

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

PRESENT:

Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K. V.
Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, C.S.I., I.C.S., The Hon. Mr. C. A.
Bracken, C.S.I., C.I.E., I.C.S., The Hon. Mr. G. T. H.
Raja of Bobbili, K.C.I.E., The Hon. Sir 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.
Basu Dev, Mr. C.
Beyabani Sahib Bahadur, S. M. K.
Bhanoji Rao, Sri A. V.
Boag, C.I.E., I.C.S., Mr. G. T.
Dayis, Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Indrayya, Mr. C.
Iswaran Pillai, Mr. I. C.
Jagannatham, Mr. H. M.
Javad Hussain Khan Sahib Bahadur, Khan Bahadur.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Krishnan, Mr. C.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Mahboob Ali Baig Sahib Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa Bahadur, Subadar-Major S. A.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Narayanaswami Pillai, Rao Bahadur T. M.
Natesa Mudaliyar, Diwan Bahadur O.
Obi Reddi, Mr. C.
Palat, Mr. R. M.
Parthasarathi Ayyangar, Mr. C. R.
Patnaik Mahasayo, Sciman M. G.
Patro, K.C.I.E., 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 Kallikote, The.
Raja of Parlakimedi, The.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalinga Reddi, Mr. C.
Ramalingam Chettiyar, Diwan Bahadur T. A.
Ramamurti, Rao Sahib Pandit Ganala
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Rangaswami Reddi, Mr. M. B.
Ratnavelu Tevar, Mr. P.
Reid, Mr. Douglas Muir
Rukmani Lakshminpathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Scott Brown, I.C.S., Mr. W.
Sesha Reddi, Rao Bahadur B. P.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Siva Raj, Rao Sahib N.
Smith, Mr. J. M.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.

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PRESENT—cont.

Srinivasan, Rao Bahadur R.
 Sriramulu, Mr. G.
 Stanes, Mr. F. J.
 Subbarayan, Dr. P.
 Subrahmanya Chetti, Rao Sahib P.
 Subrahmanya Bhatt, Mr. U. C.
 Subbayya Nayudu, Rao Bahadur R.
 Sundara Rao Nayudu, Mr. T.
 Syed Tajudin Sahib Bahadur, Khan Sahib.
 Thangal, Mr. P. M.
 Thomas, Mr. Daniel.

Uzielli, C.I.W., I.C.S., Mr. H. R.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venkatarama Ayyar, Mr. K. R.
 Venugopal Nayudu, Rao Bahadur R. K.
 Wright, Sir William.
 Yakub Hassan Sahib Bahadur.
 Zamindar of Bodinayakkanur, The.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Administration of Justice

Period of office of Official Receivers in the mufassal.

* 90 Q.—Mr. T. NARASA REDDI: Will the Hon. the Law Member be pleased to state what the ordinary duration of the office of the Official Receiver attached to a District Court is?

A.—An Official Receiver is appointed on probation for a period of one year. If his work is satisfactory during the period of probation his appointment is continued for a period of three years. His term of office may be extended by a further term of two years, subject ordinarily to a maximum of six years in all, including probation, provided that no Official Receiver can continue in office after he has attained the age of sixty.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether there are any proposals before the Government to split up the appointments of official receivers and give them to various sub-courts? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ I do not think so, Sir.”

Mr. A. RAMAKRISHNA REDDI:—“ May I know if there is any scheme for the appointment of a whole-time salaried official for this post? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ It cannot be said that there is any full fledged scheme but the matter is under correspondence with the High Court and the High Court's proposals have not yet been received.”

Mr. A. RAMAKRISHNA REDDI:—“ May I know when the Government are likely to reach a decision? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ As soon as it is possible.”

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Electricity

Payment of heavy commission to the Power Securities Corporation, Limited, in connexion with the Pykara Hydro-Electric Project.

* 91 Q.—Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that the Government have paid a huge sum of money to the Power Securities Corporation, Limited, London, by way of commission in connexion with the Pykara Hydro-Electric Project;

(b) the circumstances under which the Government had to pay such commission;

(c) the total amount so paid;

(d) out of the above amount, how much relates to commission on purchases—

(i) in England,

(ii) in India, and

(iii) other countries; and

(e) how much of the commission relates to what was paid on labour and other charges?

A.—(a) & (b) The Government entered into a contract with the Power Securities Corporation, London, for the construction works connected with the Pykara Scheme. These works comprised—

(i) Penstock lines complete from surge tank to powerhouse including haulage track.

(ii) Power-house building, machinery and transformer station.

(iii) Transmission lines.

(iv) Receiving stations.

(v) Distribution lines and transformer stations.

The terms of the contract provided for payment to the Corporation of a commission of 10 per cent on the cost of these works and the commission due to the Corporation was paid.

(c) Rs. 6,44,732.

(d) & (e) The information is not available and cannot be prepared without an expenditure of time and labour which cannot be justified.

Mr. ABDUL HAMEED KHAN:—“ Sir, I find that Government have paid commission to the extent of nearly Rs. 6,44,732 to the Power Securities Corporation, Limited, London. May I know from the Government whether at the time of the contract, they scrutinized thoroughly whether this Corporation had not put up their overhead charges too high? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ I think expert officers of the Government had gone through the matter carefully and what was considered beneficial to the Government had been agreed upon.”

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Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know, Sir, whether any tender was called for for the construction work of the Pykara Hydro-Electric Project and if so, whether the tender of the Power Securities Corporation was the lowest that was received? "

The Hon. Sir K. V. REDDI NAYUDU:—" I want notice."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether the payment of such a huge amount as Rs. 6,44,732 by way of commission to a firm in England was absolutely unavoidable? "

The Hon. Sir K. V. REDDI NAYUDU:—" I should think so."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask what proportion the expenditure on machinery and things purchased in India bears to that incurred in purchasing machinery in other countries? "

The Hon. Sir K. V. REDDI NAYUDU:—" The information is not available."

Progress of the Mettur Hydro-Electric Works.

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

- (a) at what stage the hydro-electric scheme works at Mettur are;
- (b) when the works are expected to be completed and supply given from this place; and
- (c) what the places are to be served by this scheme?

A.—(a) The coffer-dam round the power-house was completed in May last and the area has been prepared for starting the foundations. Tenders for the power plant are under the consideration of Major Howard in London and details of the plant decided on are expected shortly. Preparations have been made for starting work on the foundations in August and materials are being collected.

(b) About March 1938.

(c) The hon. Member is referred to the answer given on 29th January 1935 to clause (c) of question No. 582.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know whether the Government have come to a decision with regard to the rates to be charged under this scheme? "

The Hon. Sir K. V. REDDI NAYUDU:—" No, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—" With reference to the answer given to clause (a), i.e., 'Tenders for the power plant are under the consideration of Major Howard in London and details of the plant decided on are expected shortly,' may I know whether this Government will have a voice in the selection finally of the tenders? "

The Hon. Sir K. V. REDDI NAYUDU:—" Certainly."

7th August 1935]

Forest

Promotion of clerks of the Forest department to the Executive branch.

* 93 Q.—Mr. M. S. SRESHTA: Will the Hon. the Law Member be pleased to state—

- (a) whether appointments in the executive branch of the Forest department are open to the clerical officers of that department;
- (b) what is the highest salary to which a clerk of the Forest department, can aspire;
- (c) how many appointments are there carrying that salary;
- (d) what the strength is of the clerical service of the Forest department; and
- (e) whether the Government have considered the desirability of throwing open a proportion of the executive appointments in the Forest department to the clerks of that department?

A.—(a) No.

(b) Rs. 175—15/2—220 (Revised scale).

(c) One.

(d) There are 492 posts (excluding the temporary establishments sanctioned by the Chief Conservator of Forests from time to time).

(e) No.

Mr. M. S. SRESHTA:—" May I know whether owing to the separation of the Forest section from the Revenue section of the Collector's office, the clerks of the Forest section have lost the chance of being appointed as Revenue Inspectors and Tahsildars which the clerks of the Revenue section have? "

The Hon. Sir K. V. REDDI NAYUDU:—" It is possible, Sir. I do not know."

Mr. M. S. SRESHTA:—" May I ask the Hon. the Law Member whether he will be pleased to make enquiries in the matter and also to see whether it is not fair that compensation should be given to the clerks of the Forest section for the loss of their prospects and to effect this purpose whether it is not desirable to earmark certain appointments in the executive branch of the Forest department to such clerks? "

The Hon. Sir K. V. REDDI NAYUDU:—" I am not aware that there is any loss of prospects to those gentlemen."

Mr. M. S. SRESHTA:—" I only ask the Hon. the Law Member to make enquiries to find out whether there has been any loss of prospects to any clerk owing to his having lost the chance of becoming a Revenue Inspector and if so, whether it is not fair to give him some chance in the executive line of the Forest department."

The Hon. Sir K. V. REDDI NAYUDU:—" The thing has happened so long ago. I do not think any practical purpose will be served by my going into affairs which took place some 20 or 30 years ago."

[7th August 1935]

Ports*Levy of an enhanced rent for fishing boat-sheds on the sandspit in Mangalore.*

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

(a) whether the rate of rent fixed by G.O. No. 239, Finance (Marine) of May 1934, for fishing boat-sheds on the sandspit in Mangalore is higher than the rate of rent for fishing boat-shed sites on the mainland within port limits and for sites occupied for storing tiles, firewood, etc., on the foreshore within port limits; and if so, how many times the rent in the former case is higher than the rent in the latter case;

(b) whether the fishing boat-owners of Mangalore submitted a memorial to the Government praying that the rates for boat-sheds on the sandspit should be reduced to what they are on the mainland; and

(c) whether the Port Conservancy Board of Mangalore in their resolution No. VII, dated 6th December 1934, recommended an annual concession rate of 6 annas per 100 square feet for periods of not less than one year for these sheds?

A.—(a) The erection of sheds for fishing or cargo boats is not allowed on sites on the mainland within port limits. Only river foreshore reclaimed by the parties is leased out at Rs. 24 per annum per acre and the lease is granted solely for the purpose of constructing a wharf for hauling up boats.

Different rates are levied for sites leased for storing tiles, firewood, etc., as follows:—

(1) Land reclaimed by parties in front of their tile factory premises.	Rs. 24 per acre per annum.
(2) For temporary occupations of space within the Landing and Shipping enclosure.	Rate per 100 square feet.
(i) for the first week or part thereof	4 annas.
(ii) for the second week or part thereof.	8 annas.
(iii) for the third week and every succeeding week or part thereof.	12 annas.
(3) Lands leased out within the Landing and Shipping Fund reclamation area.	Rs. 6 per annum.

The rate of rent levied for fishing boat-sheds on the sandspit is 1 anna per mensem or part thereof per 100 square feet. This rate can properly be compared only with the rate in item (3) above, and is one-eighth of the latter.

(b) A memorial praying for the reduction of the rates of rent for fishing boat-sheds on the sandspit to what they are on the mainland was sent to the Chairman, Port Conservancy Board, Cochin, but not to the Government.

(c) Yes; but only for open sheds without side walls of any kind.

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Mr. A. B. SHETTY:—" May I know whether the Hon. Member will be pleased to call for the papers and consider what could be done to help the fisher folk."

The Hon. Sir K. V. REDDI NAYUDU:—" I do not follow the question. I have not admitted that anything was wrong. I want to know what it is that is required by the hon. Member?"

Mr. A. B. SHETTY:—" I want concession to be given in the rate of rent for the site for the erection of sheds."

The Hon. Sir K. V. REDDI NAYUDU:—" Hon. Members will notice from the answer that the basis on which the question has been put is not quite correct. It will be seen from the answer that there has been no disadvantage at all to the fisher folk. They are not paying any higher rent."

Mr. A. B. SHETTY:—" May I know whether Government will be pleased to grant the concession rate recommended by the Port Conservancy Board, Mangalore?"

The Hon. Sir K. V. REDDI NAYUDU:—" The question will be considered."

Prisons and Prisoners*Allotment of work to under-trial prisoners detained in jails.*

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

(a) whether under-trial prisoners are made to work during the period of their detention in jails; and

(b) if so, under what authority and what the kind of work allotted to them is?

A.—(a) & (b) The hon. Member is referred to rule 734 of Part II of the Madras Jail Manual and rule 79 of Part III of the Madras Subsidiary Jail Manual.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. the Law Member whether, in view of the fact that answers to questions are not circulated to hon. Members of this House earlier, Government will be pleased to give along with their answers extracts from such books whenever they refer us to certain books?"

The Hon. Sir K. V. REDDI NAYUDU:—" I am sure that an hon. Member like Mr. Nachiyappa Gounder whose diligence and adherence to his work have become almost famous would not be without a copy of the Madras Jail Manual."

Mr. K. A. NACHIYAPPA GOUNDER:—" Thanks for the compliment but the difficulty is that it is not readily available here now."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know whether it is not a fact that in spite of the instructions given in the Jail Manual, the under-trial prisoners are given very hard labour?"

The Hon. Sir K. V. REDDI NAYUDU:—" I am not aware, Sir."

[7th August 1935]

Government Press

Provision in the Government Press for the entertainment of the four apprentices deputed for training in England.

*96 Q.—**MR. ABDUL HAMEED KHAN:** Will the Hon. the Home Member be pleased to state—

(a) whether the four apprentices that were sent to England for training in printing have finished their training and whether they are returning to India this year;

(b) whether they will be appointed as officers in the Government Press when they return; and

(c) whether it is a fact that they were sent to England on the understanding that they would be appointed as officers in the Press?

A.—(a) The four apprentices are expected to complete their training in England by the end of August 1935 and to return to India by the end of September 1935.

(b) The question will be considered after the apprentices return to India. Their appointment will depend on the nature of the reports received from the High Commissioner on the results of their training and the occurrence of vacancies in the Government Press.

(c) No.

MR. ABDUL HAMEED KHAN:—“In view of the fact that just on the eve of the return of the four apprentices from England the Government have thought fit to make permanent the people who were brought on contract and have imported one gentleman from Assam and put all these gentlemen as permanent officers, are Government going to provide for these apprentices when they return?”

THE HON. RAO BAHADUR A. T. PANNIRSELVAM:—“If I remember right when making these permanent appointments, the fact that these apprentices are returning from England after training has not been ignored.”

MR. V. P. NARAYANAN NAMBIYAR:—“May I know whether in 1932 when the late Mr. Green was the Superintendent of the Government Press, he sent up proposals which were accepted by the Government that these apprentices on their return should be taken as officers?”

THE HON. RAO BAHADUR A. T. PANNIRSELVAM:—“There is no question of obligation on the part of the Government to take them back. When vacancies arise they will be given preference.”

MR. ABDUL HAMEED KHAN:—“What will be their position in the Press as soon as they return?”

THE HON. RAO BAHADUR A. T. PANNIRSELVAM:—“These four men have been sent out for training in four different branches of work. When suitable vacancies arise in those respective branches, they will be provided.”

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MR. ABDUL HAMEED KHAN:—“May I know whether they will have to be without employment till vacancies arise?”

THE HON. RAO BAHADUR A. T. PANNIRSELVAM:—“Just possible.”

MR. V. P. NARAYANAN NAMBIYAR:—“May I know whether the fact of four apprentices returning from England will be borne in mind by the Government when proposals relating to confirming of officers brought on contract system come up before the Government?”

THE HON. RAO BAHADUR A. T. PANNIRSELVAM:—“As I said in answer to a question from Mr. Abdul Hameed Khan, when these permanent appointments were made, the fact of these gentlemen returning in a short time was not ignored.”

MR. M. A. MANICKAVELU NAYAKAR:—“May I know whether there will shortly be two vacancies, one by retirement and another by the termination of the contract of service? If so, may I ask whether the Government will consider the desirability of appointing these gentlemen now under training in those vacancies?”

THE HON. RAO BAHADUR A. T. PANNIRSELVAM:—“As regards the probability of vacancies arising in the near future, I should like to have notice.”

MR. ABDUL HAMEED KHAN:—“May I ask when the Government expect vacancies to arise for the first time in the future?”

Irrigation

Proposal for the construction of a bridge across the North Pennar at Nellore.

*97 Q.—**KHAN BAHADUR YAHYA ALI SAHIB BAHADUR:** Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Government have been contemplating the construction of a bridge over the North Pennar at Nellore, with shutters; and

(b) if so, when the construction will be taken up and what the probable cost of it will be?

A.—(a) & (b) There is a proposal to construct a combined bridge and regulator across the Pennar at the site of the Nellore anicut at a cost of Rs. 10,40,000. The remarks of the Irrigation Development Board on the proposal have been called for and they are awaited. Pending receipt of the Board's report, it cannot be stated definitely when the scheme is likely to be taken up.

Progress of the scheme for putting up falling shutters at the anicut at Sangam, Nellore district.

*98 Q.—**KHAN BAHADUR YAHYA ALI SAHIB BAHADUR:** Will the Hon. the Member for Revenue be pleased to state at what stage the

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question is of putting up falling shutters at the anicut at Sangam in the Nellore district and whether estimates have been prepared and sanctioned?

A.—The investigation of the scheme has been completed and plans and estimates are under scrutiny in the Chief Engineer's Office.

Formation of irrigation panchayats.

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

(a) how many new irrigation panchayats have been started in each district after Collectors were given the power for organising the same; and

(b) when they propose to start such panchayats in districts where they have not yet been started?

A.—(a) & (b) The Government have not the information asked for, but have called for it.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government will place a copy of the report on the table of the House as soon as they get it?”

The Hon. Mr. C. A. SOUTER:—“ I think I had better see the report first.”

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—“ May I ask whether as soon as the report is received, the Government will direct that similar panchayats should be formed in districts where they do not now exist?”

The Hon. Mr. C. A. SOUTER:—“ I cannot say without seeing the report.”

Opening of a river channel from the Pennar to irrigate the lands in certain villages in Jammalamadugu taluk.

* 100 Q.—Mr. T. NARASA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it has been recommended to have a river channel from the river Pennar to irrigate the lands of Guden cheruvu and other villages of Jammalamadugu in Cuddapah district; and

(b) if so, whether the Government will be pleased to undertake the work this year to relieve the distress of the famine-stricken villages of this taluk (Jammalamadugu)?

A.—(a) No such recommendation has been received by the Government.

(b) Does not arise.

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Mr. A. RAMAKRISHNA REDDI:—“ May I ask whether a scheme like that is being examined by the Chief Engineer? ”

The Hon. Mr. C. A. SOUTER:—“ The Government have no information.”

Mr. A. RAMAKRISHNA REDDI:—“ May I ask whether the Government will be pleased to call for the information? ”

The Hon. Mr. C. A. SOUTER:—“ I do not think it is necessary, Sir. If, as my hon. Friend says, a scheme like that is being examined by the Chief Engineer, I have no doubt that he will submit the case for the orders of Government.”

Land Revenue Administration

Direct recruitment to the cadre of Deputy Collectors from the Ceded districts during the last quinquennium.

* 101 Q.—Mr. T. NARASA REDDI: Will the Hon. the Member for Revenue be pleased to state how many were directly recruited as Deputy Collectors from the Ceded districts for the last five years 1930-34?

A.—None.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—“ May I ask why the Ceded districts have been so cruelly neglected? ”

The Hon. Mr. C. A. SOUTER:—“ I think I had better explain. Deputy Collectors are not as a rule appointed direct; they are appointed from the Madras Provincial Service, from the cadre of tahsildars and so on. It is only in those cases in which when the turn of a particular community comes and there is no member of that community available from the Provincial Service for appointment as Deputy Collector that Government appoint direct. In the ordinary course, as I said, Deputy Collectors are appointed by transfer from the Madras Provincial Service and not direct. That is the reason why there has been no direct appointment from the Ceded districts, but it does not mean that no Deputy Collectors have been appointed from the Ceded districts.”

Appointment of a Deputy Collector from the ‘ Scheduled classes ’.

* 102 Q.—Mr. P. V. RAJAGOPAL PILLAI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the appointment of a Deputy Collector from the ‘ Scheduled classes ’ as advertised by the Madras Services Commission in the *Fort St. George Gazette* of 30th April 1935, has since been made;

(b) if the reply to (a) is in the affirmative, the age and qualification of the candidate so appointed; and

(c) how many applications were received from those not already in service and what their ages were?

A.—(a) & (b) No. The Government are awaiting the list of qualified candidates from the Madras Services Commission.

(c) The Government have no information.

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Mr. M. A. MANIKKAVELU NAYAKAR:—"Are there now any Deputy Collectors belonging to the scheduled castes and if so, how many?"

The Hon. Mr. C. A. SOUTER:—"I can recollect at least three or four, Sir."

Irrigation Advisory Committee for the Cauvery-irrigated area of Namakkal taluk.

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

(a) whether any irrigation advisory committee exists for the Cauvery-irrigated area of Namakkal taluk of Salem district;

(b) if so, how it is constituted and who the personnel of the committee are;

(c) whether a copy of the rules regarding the constitution and working of the committee will be placed on the table;

(d) what the powers assigned to that body are; and

(e) whether there are any proposals to make it representative, and if so, what they are?

A.—(a) Yes. One for the Raja and Komarapaliyam channels, and another for the Mohanur channel.

(b), (c) & (d) A copy of the rules is attached *. The Government have no information as to the landholders who have been nominated members of the Committee.

(e) The Government have no information.

Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, in answer to my question, clause (e), whether there are any proposals to make the Board representative, the Government have said that they have no information. May I know whether the Government will be pleased to call for the information, and if they find that there is no such proposal, whether they will consider such a proposal?"

The Hon. Mr. C. A. SOUTER:—"If the hon. Member studies the rules which are printed as an appendix, he will see that this matter is really more or less in the hands of the Advisory Board itself. One of the rules says that each of the Boards shall consist of six members nominated by the Collector from among the leading and influential landholders of the non-official class owning lands under the channels. Therefore, if the Boards themselves recommend to the Collector that certain representatives should be on the Boards, it will be for the Collector in his discretion to appoint those members. I do not see how very much further the Government could go in the matter."

Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, the rules referred to are stated as draft rules for the constitution and working of the advisory boards. May I know whether they have been confirmed?"

The Hon. Mr. C. A. SOUTER:—"I understand these rules have been working for a considerable time."

* Printed as Appendix I on page 362 infra.

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Mr. K. A. NACHIYAPPA GOUNDER:—"But you note them as 'draft rules'. May I know whether they have been confirmed?"

The Hon. Mr. C. A. SOUTER:—"Notice, Sir."

Mr. K. A. NACHIYAPPA GOUNDER:—"Rule 8 says that the working of the Boards shall not entail any expense to the Government. May I know how such inevitable expenditure as travelling allowance of members and other things are met?"

The Hon. Mr. C. A. SOUTER:—"The members of these Boards live on these three channels and I do not see what expenditure they incur by walking over the road and attending a meeting."

Scheme report for the resettlement of Kurnool.

* 104 Q.—Mr. A. B. SHETTY: Will the Hon. the Member for Revenue be pleased to state whether the scheme report for the settlement of Kurnool is ready and when the Government propose to publish it for public criticism?

A.—The attention of the Hon. Member is invited to the answer to Question No. 74.

S. M. K. BEYABANI SAHIB Bahadur:—"May I know whether the representations made by the ryots of the several taluks in Kurnool will be borne in mind?"

The Hon. Mr. C. A. SOUTER:—"We expect representations after the scheme report is published."

S. M. K. BEYABANI SAHIB Bahadur:—"I refer to the representations made by the several ryots of the taluks in Kurnool district?"

The Hon. Mr. C. A. SOUTER:—"I will consider the matter, Sir."

Progress of the resettlement operations in the hill villages of the Salem district.

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

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

(b) whether the scheme report has been published therefor and, if so, when; and

(c) when the resettlement there is likely to be brought into effect, as things stand at present?

A.—(a) The scheme report is under preparation.

(b) The report has not been published.

(c) The resettlement is due in the current fasli. A decision as to when the resettlement rates will be introduced can be taken only after the scheme report has been published and the views of the Board of Revenue and the people of the district on the scheme report have been ascertained and considered.

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Mr. K. A. NACHIYAPPA GOUNDER:—“With reference to the answer to clause (b), may I know, Sir, when the report is expected to be published?”

The Hon. Mr. C. A. SOUTER:—“It has not been received yet. It will be published as soon as it is received here.”

Land revenue remissions in the taluks of Nellore and Kovur during fasli 1344.

* 106 Q.—Khan Bahadur YAHYA ALI SAHIB Bahadur: Will the Hon. the Member for Revenue be pleased to state—

(a) the total amount of land revenue remission granted by the Government in the Nellore and Kovur taluks during fasli 1344; and

(b) the reasons for which the remission was granted?

A.—(a) & (b) The Government presume that the question refers to season remissions granted by the Collector. They have no information regarding the amount of such remissions.

Levy of penalty for the user of the waters of the Kalingarayan channel during the months of May and June.

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

(a) whether penalty is levied for taking water in Kalingarayan channel by the ryots for fields irrigated under it for taking water by the end of May and the beginning of June this year, at a time when they were directed not to take water;

(b) if so, on what authority, and whether a copy of it will be placed on the table;

(c) whether such penalty is levied even for the permanent wet ayacut; and

(d) what the total amount of penalty levied in that area is during May and June 1935?

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

Mr. K. A. NACHIYAPPA GOUNDER:—“May I ask whether the Government will be pleased to call for the information and furnish it to the House?”

The Hon. Mr. C. A. SOUTER:—“I think, Sir, that it will probably be waste of time. From certain inspection notes made by the Chief Engineer for Irrigation, I find that he has raised this question himself and made certain proposals locally, which I think would satisfy the hon. Member. I think, if he addresses the Chief Engineer for Irrigation and the Collector on the subject, he will probably get all the satisfaction that he requires.”

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Penalty for raising fodder crops in the delta taluks of the Nellore district.

* 108 Q.—Khan Bahadur YAHYA ALI SAHIB Bahadur: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that in the delta taluks of the Nellore district the raising of fodder crops has been penalized during fasli 1344;

(b) if so, for what reasons; and

(c) the amounts of penalties levied on this account in Kovvur and Nellore taluks separately?

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

Mr. P. V. KRISHNAYYA CHODARI:—“May I ask whether the Government will call for a report from the Collector of Nellore as to whether the ryots are not penalized for taking water for fodder?”

The Hon. Mr. C. A. SOUTER:—“I will call for a report.”

Proposals to levy water-cess on paimash wet lands in inam and proprietary estate villages in the Salem district.

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

(a) whether it is a fact that the Government are seeking to levy water-cess on paimash wet lands in inam and proprietary estate villages irrigated by the waters of Raja channel, Paimash channel or Mohanur channel in Namakkal taluk of Salem district;

(b) on what basis or principles they propose to make such levy;

(c) whether the tenants (owners) of those lands are already paying wet assessment on such lands to the proprietors of those inams or estates;

(d) whether the inamdar or the estate-holder pay quitrent or peshkash, as the case may be, to the Government as settled at the time of permanent settlement on the basis of the wet assessment of these paimash wet lands;

(e) if so, what the justification is for the Government in levying this new water-cess;

(f) on what authority do they propose to make this levy;

(g) whether the Government have considered the legality of such levy in view of the rights of inamdars and estate-holders under the inam settlement, and permanent settlement, as the case may be, and the Irrigation Cess Act; and

(h) if so, whether a copy of the legal opinion obtained in the matter will be placed on the table?

A.—(a) The attention of the Hon. Member is invited to the notification contained in Appendix II to G.O. No. 736, Revenue, dated 12th April 1934, which contains the rules for the levy of water-cess for irrigation with Cauvery water in the Salem district. The Government Order has been placed at the disposal of the press.

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- (b) The rules referred to above were issued under the Madras Irrigation Cess Act, 1865.
- (c) It is possible that they are.
- (d) The Government have no information as to the basis on which quit-rent or peshkash, if any, payable by each proprietor to the Government was fixed, and the information cannot be collected without considerable labour.
- (e) Under section 1 of the Madras Irrigation Cess Act, it is lawful for the Government to levy a *separate* cess for water.
- (f) The Madras Irrigation Cess Act, 1865.
- (g) Yes.
- (h) No.

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to the answer to clause (c), may I ask what justification there is for the Government to demand water-rate from the ryots when they are already paying ~~wet~~ assessment to the proprietors who pay peshkash to Government fixed permanently on the basis of these high rates?"

The Hon. Mr. C. A. SOUTER:—"The justification lies in this: these tenants on inam and proprietary lands have apparently been paying water-rates to the owners long before the Mettur Project was brought into being. The justification of the Government for levying a rate which, I may add, is the same rate as that charged in the old Tanjore delta, is that they are now providing a much better water-supply from Mettur."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know whether the Hon. Member is quite sure that water-rate was charged in these cases before the Mettur Project came into being?"

The Hon. Mr. C. A. SOUTER:—"I am not aware of the fact, Sir."

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to the answer to clause (h), may I know, Sir, what objection the Government have to placing a copy of the legal opinion on the table of the House?"

The Hon. Mr. C. A. SOUTER:—"I think, that it is very unusual indeed to place such advice on the table of this House."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, whether the Irrigation Cess Act contemplates the levy of water-rate only in cases where the Government incur certain expenditure and not in cases where they incur no expenditure at all and the whole thing is contributed by the ryots under the Kudimaramath system?"

The Hon. Mr. C. A. SOUTER:—"Notice, Sir."

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Amendment of the Board's Standing Order regarding the resumption of temple service inams.

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

(a) whether in pursuance of the Act passed by the Legislative Council regarding the resumption of temple service inams the Government have amended the Board's Standing Orders;

(b) if not, what the reasons for the delay are; and

(c) whether there are any cases of resumption of inams by the Board of Revenue after the Act was passed and whether they have been re-granted to the occupants or to the concerned temples?

A.—(a) & (b) The matter is under the consideration of the Government. Rules under the Act are under preparation and will be published as early as possible.

(c) The Government have no information. They have called for a report.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask what are the reasons for the delay in framing rules under the Act although it was passed a year back?"

The Hon. Mr. C. A. SOUTER:—"My Secretary informs me that the rules have been sent to the Law (Drafting) Department for final approval. They will be issued shortly."

S. M. K. BEYABANI SAHIB Bahadur:—"May I ask why there has been no rule made with regard to Muslim endowments?"

The Hon. the PRESIDENT:—"That question does not arise."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Government will place the report of the Board of Revenue on the table of this House?"

The Hon. Mr. C. A. SOUTER:—"I shall consider the question after the report is received. I do not know what it will be."

Reforms

Date of elections to the Central and Provincial Legislatures under the Reforms.

* 111. Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have decided when the elections for the Provincial and Central Legislatures are to come under the new Reforms; and

(b) whether the present Legislative Council at Madras is to continue up to that time?

A.—(a) No decision has yet been arrived at in the matter.

(b) The extension of the term of the present Legislative Council is within the discretion of His Excellency the Governor.

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Mr. K. A. NACHYAPPA GOUNDER:—" May I ask the Hon. Member, Sir, whether the Government can give us at least the probable time when the next elections will be held? "

The Hon. Mr. G. T. H. BRACKEN:—" I have no idea."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the matter is under the consideration of the Government of India or the Local Government and what are their anticipations? "

The Hon. Mr. G. T. H. BRACKEN:—" The matter is in the hands of the Government of India and not with the Local Government."

Instructions to the Provincial Delimitation Committee.

* 112. Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have given Provincial Delimitation Committee any instructions for their guidance;

(b) if so, what the instructions are;

(c) whether a copy of such instructions will be placed on the table of this House; and

(d) whether the Local Government have already sent any proposals to the Government of India with regard to the delimitation of urban constituencies, plural member constituencies, constituencies for women and depressed classes?

A.—(a) & (b) No instructions have been issued. Memoranda containing the statistics necessary for the formulation of proposals for the delimitation of constituencies and a discussion of some possible ways of delimitation have been supplied to the members of the Delimitation Committee.

(c) Copies * of the memoranda supplied to the members of the Delimitation Committee are placed on the table of the House.

(d) No. The Government propose to publish the Delimitation Committee's report together with their provisional views on its recommendations at an early date.

Mrs. A. RUKMANI LAKSHMIPATHI:—" May I know, Sir, when we can expect the publication of the report of the Provincial Delimitation Committee? "

The Hon. Mr. G. T. H. BRACKEN:—" Next week, I hope."

Mrs. A. RUKMANI LAKSHMIPATHI:—" May I know, Sir, why in the Government Memorandum regarding the delimitation of constituencies only four Non-Muhammadan seats have been allotted to the City of Madras? "

The Hon. Mr. G. T. H. BRACKEN:—" The number of seats in the Memorandum was fixed on the basis of the population of the City. On that basis I think Madras City will only be entitled to that number of seats."

* Laid separately on the table.

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Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know why Guntur has been given only five seats although it has a population much larger than Nellore? "

The Hon. Mr. G. T. H. BRACKEN:—" I have not examined the report of the Delimitation Committee as yet."

Mr. ABDUL HAMEED KHAN:—" May I ask whether the Government by presenting a memorandum and suggesting the way in which delimitation should proceed, have not prejudged the recommendations of the Committee? "

The Hon. Mr. G. T. H. BRACKEN:—" In the Memorandum submitted by the Secretary to Government, various alternative suggestions have been put before the Committee. It is entirely left to the Delimitation Committee to accept any of the alternatives or to suggest new ones if they could think of better suggestions."

Mrs. A. RUKMANI LAKSHMIPATHI:—" May I know, Sir, whether the four seats allotted to the City of Madras will be proportionate to the number of members that the Lower Chamber will have under the new constitution? "

The Hon. Mr. G. T. H. BRACKEN:—" As far as possible, the number of seats for any particular area ought to be fixed according to the proportion of its population."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know why the Committee has turned down the proposals of the Government memorandum, so far as the Ceded Districts are concerned? "

The Hon. Mr. G. T. H. BRACKEN:—" I have not as yet studied the report of the Delimitation Committee. I do not know if they have turned down anything."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Has the report been printed? "

The Hon. Mr. G. T. H. BRACKEN:—" Not yet."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" May I ask if the Government would set apart half a day during this meeting for the consideration of that report? "

The Hon. Mr. G. T. H. BRACKEN:—" The Delimitation Committee has not yet considered their final draft report; they will consider it on Sunday next."

Rao Sahib V. I. MUNISWAMI PILLAI:—" Will the Hon. Member be pleased to state whether the several representations received from depressed classes have been submitted to the Delimitation Committee? "

The Hon. Mr. G. T. H. BRACKEN:—" All the representations were sent direct to the Delimitation Committee; so, I presume they have been considered by the Committee."

Mr. U. C. SUBRAHMANYA BHATT:—" May I ask the reasons why the Delimitation Committee has not thought it fit to amalgamate South Kanara with Malabar with reference to seats? "

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The Hon. Mr. G. T. H. BRACKEN:—"I have no idea what the recommendation is."

Preparation of the voters' lists for the Provincial Lower House.

* 113 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have prepared voters' lists for the Provincial Lower House (Legislative Assembly of the new Constitution) in all the districts and in the City of Madras; and

(b) what the number is of voters in each district and in the City?

A.—(a) Provisional lists of electors for the Provincial Lower House have been prepared.

(b) A list* showing the number of voters is annexed. The statement being compiled from lists which were prepared only to assist in the delimitation of constituencies must not be regarded as more than approximately correct.

Wireless Installations

Measures taken for the establishment of a broadcasting service in the Province.

* 114 Q.—Mr. A. B. SHETTY: Will the Hon. the Member for Finance be pleased to state the action which the Government are taking in the matter of establishing a broadcasting service for this province?

A.—Various points of detail connected with the establishment by the Government of India of a Broadcasting station at Madras, were discussed with the Controller of Broadcasting in person on 10th July 1935 and the question of establishing a 20 K.W. Medium Wave station in the course of next year is now under the consideration of the Government of India.

In addition to placing at the disposal of the Government of India, plans and estimates prepared by Mr. Bulow for a station of that type and for a suitable studio and selecting possible sites for a transmitting station and studio, this Government have provisionally offered their co-operation in the matter of placing sites at the disposal of the Government of India and in other ways.

Mr. A. B. SHETTY:—"May I know what, according to the estimates prepared by Mr. Bulow, will be the initial and recurring expenditure to establish a broadcasting service in this Presidency and whether the entire expenditure will be borne by the Government of India?"

The Hon. Mr. G. T. H. BRACKEN:—"The matter of broadcasting is a central subject and the main expenditure will be borne by the Government of India; but in order to expedite the matter in this Province as early as possible, it is possible that we may make some slight contribution towards the cost."

* Printed as Appendix II on page 363 infra.

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Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask on what ground a 20 K.W. Medium Wave station has been decided upon and not a short wave station?"

The Hon. Mr. G. T. H. BRACKEN:—"Experts consider this to be most suitable?"

Mr. V. M. RAMASWAMI MUDALIYAR:—"What are the grounds on which the experts decided?"

The Hon. Mr. G. T. H. BRACKEN:—"I am afraid, I do not know."

Mr. ABDUL HAMEED KHAN:—"Who will prepare the rules to look after the machinery, once it is installed?"

The Hon. Mr. G. T. H. BRACKEN:—"I presume the Central Government, Sir."

Publication of the report of the special officer appointed to investigate the possibilities of establishing a broadcasting service in the Province.

* 115 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Finance be pleased to state—

(a) whether the special officer appointed to investigate the possibilities of broadcasting in this Presidency has submitted a report to this Government on the result of his consultation with the Central Government; and

(b) if so, whether a copy of it will be placed on the table of the House?

A.—The attention of the hon. Member is invited to the answer to question No. 744, dated 9th March 1935.

Local Self-Government

Bifurcation of the Chingleput District Board.

* 116 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government propose to bifurcate the Chingleput District Board;

(b) if so, when;

(c) what the considerations are that prevail with the Government for bifurcating the district now;

(d) what the taluks are that will be included in the two district boards respectively;

(e) what the income of each board will be;

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(f) whether the Government propose to bifurcate other district boards before December next; and

(g) if so, what they are?

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

(c) The bifurcation is being considered with a view to promote the administrative interests of the local fund district with due regard to the financial stability of the new boards.

(d) The proposal is that the revenue taluks of Saidapet, Sriperumbudur, Tiruvallur and Ponneri should form one of the new local fund districts to be called Chingleput North and those of Chingleput, Madurantakam and Conjeeveram should form the other district to be called Chingleput South.

(e) So far as at present ascertained:

	RS.
Chingleput North	3,95,000
Chingleput South	2,78,000

(f) & (g) The Government are considering the question of bifurcating the North Arcot and Ganjam District Boards. They have not yet considered the question of bifurcating any other district boards.

S. M. K. BEYABANI SAHIB Bahadur:—" May I ask . . . ? "

The Hon. the PRESIDENT:—" The hon. Member may speak more audibly."

S. M. K. BEYABANI SAHIB Bahadur:—" May I ask the Hon. the Chief Minister whether there is any proposal to trifurcate any District Board? "

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

Mr. V. M. RAMASWAMI MUDALIYAR:—" It is stated in the answer that the question of the bifurcation of the North Arcot and Ganjam District Boards is under active consideration. May I know whether this will delay the elections being held for these district boards this year? "

The Hon. Sir the RAJA OF BOBBILI:—" Only in the case of the North Arcot district, elections will be held this year; elections for the Ganjam district will be held only next year. The bifurcation is not expected to delay the elections being held in the normal course."

Mr. M. A. MANIKKAVELU NAYAKAR:—" May I know what the special reasons are for bifurcating the District Boards now mentioned? "

The Hon. Sir the RAJA OF BOBBILI:—" Last session I answered questions of similar nature; there are no special reasons; it is not possible to deal with all the districts simultaneously; the Government have to select some of them."

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Proposals for the transfer of certain powers of the presidents of district boards to their secretaries.

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

(a) whether there are any proposals for enactment to make over certain powers of the presidents of district boards to their secretaries;

(b) if so, what they are and what powers are proposed to be transferred statutorily to the secretaries of district boards;

(c) whether it is a fact that the presidents of district boards have been asked to state their views with regard to this proposal;

(d) if so, whether a copy of the letter addressed to them will be placed on the table; and

(e) what views did each of the presidents offer in the matter and whether copies of the view of each will be placed on the table?

A.—(a) & (b) No.

(c) The presidents of district boards have been asked to offer their remarks on a suggestion that the position of the secretary of the district board might, where necessary, be raised in status and that many of the president's executive functions could be delegated to the secretary under section 23 (4) of the Madras Local Boards Act, 1920.

(d) & (e) The correspondence was in demi-official form and asked for the personal views of the presidents. The Government do not consider it desirable to place it on the table.

Mr. K. A. NACHIYAPPA GOUNDER:—" It is stated in the answer that the Government have asked for the remarks of the district board presidents on the suggestion that the position of the secretary of the district board might where necessary be raised in status. May I know what is meant by raising the status? "

The Hon. Sir the RAJA OF BOBBILI:—" The proposal is to delegate some of the functions of the district board presidents to the secretaries; if this proposal is acceptable to the presidents, the Government feel it is necessary to have as secretaries of district boards men with higher qualifications and status."

Mr. K. A. NACHIYAPPA GOUNDER:—" Does the raising of status include increase of pay also? "

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

Mr. K. A. NACHIYAPPA GOUNDER:—" Is the Hon. Minister aware that even at present almost all the district board presidents have delegated their powers to the secretaries under section 23? "

The Hon. Sir the RAJA OF BOBBILI:—" As far as my information goes, important powers have not been delegated to the secretaries."

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Proposals for the appointment of executive officers to district boards.

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

(a) whether there are any proposals under consideration of the Government for introducing a measure for the appointment of executive officers for district boards; and

(b) if so, at what stage they are and when they are likely to be given effect to?

A.—(a) No.

(b) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—“ Will the Hon. the Minister be pleased to state whether the presidents of district boards are being consulted in the matter of the appointment of executive officers? ”

The Hon. Sir the RAJA OF BOBBILI:—“ There is no proposal before the Government; how to consult them when there is no proposal? ”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Have the Government issued a communication to all the presidents of district boards to express their opinion as to whether they are in favour of appointing executive officers? ”

The Hon. Sir the RAJA OF BOBBILI:—“ The answer is clearly given in the printed list. There is no proposal at present for the appointment of executive officers.”

Mr. M. A. MANIKKAVELU NAYAKAR:—“ May I ask whether the Government propose to consider this question? ”

The Hon. Sir the RAJA OF BOBBILI:—“ They consider that the experiment of appointing commissioners for municipalities should be given longer trial before it is extended to the district boards.”

Recommendation of the Special Officer for Road Development for the construction of a bridge across the Cauvery connecting Trichinopoly and Salem.

* 119 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 Special Officer for Road Development has recommended strongly for the construction of a bridge across the river Cauvery connecting Trichinopoly and Salem districts; and

(b) if so, what steps the Government have taken or propose to take towards this object?

A.—(a) The Special Engineer for Road Development has recommended the construction of a bridge across the Cauvery at Pugalur on the Salem-Karur-Dindigul road.

(b) The question of financing such schemes is being examined by the Government.

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Mr. K. A. NACHIYAPPA GOUNDER:—“ With regard to answer (b), may I know whether this Government expect the financial help of the Government of India on this matter? ”

The Hon. Sir the RAJA OF BOBBILI:—“ Every year we have at our disposal Rs. 16 lakhs of the Petrol Fund; on an average another Rs. 15 lakhs are found from the Provincial revenues to meet the expenditure in this matter.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Is it the intention of the Government to examine the report of the Special Officer piecemeal or in a comprehensive manner? ”

The Hon. Sir the RAJA OF BOBBILI:—“ It is proposed to examine the proposals together; but each district will be taken up separately.”

Mr. T. S. RAMASWAMI AYYAR:—“ Will the recommendation of the Special Officer be placed on the table of the House for information? ”

The Hon. Sir the RAJA OF BOBBILI:—“ Yesterday I stated that if it is the general desire, I shall make the report available.”

Mr. T. S. RAMASWAMI AYYAR:—“ May I ask whether it will be made available before the works are executed? ”

The Hon. Sir the RAJA OF BOBBILI:—“ Certainly.”

Introduction of a legislative measure to provide for the addition of dissenting minutes by members to the proceedings of district boards.

* 120 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Local Self-Government be pleased to state whether any representations have been received by the Government suggesting the introduction of a measure for making clear provisions for adding minute of dissent by members to the proceedings of district board meetings; and if so, when and from whom, and what action the Government have taken or propose to take thereon?

A.—Yes. Representations were received from the persons mentioned below on the dates noted against them:—

- (1) Mrs. P. Subbarayan, Member, Salem District Board, through the Inspector of Municipal Councils and Local Boards—4th April 1933; and
- (2) M.R.Ry. K. A. Nachiyappa Gounder Avargal, M.L.C. and Member, Salem District Board—23rd May 1933, 29th December 1933 and 8th March 1934.

It is proposed to undertake legislation to amend the Madras Local Boards Act, 1920, suitably.

Mr. K. A. NACHIYAPPA GOUNDER:—“ In view of the fact that representation for the amendment of the Act has been received as early as April 1933, may I know, Sir, the reasons for the delay in bringing forward an amendment of such a vital importance? ”

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The Hon. Sir the RAJA OF BOBBILI:—"Very many proposals for amendment have been received; when sufficient time is available they will be attended to."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Government are going to appoint a special officer to prepare an amending Bill to the Local Boards Act?"

The Hon. Sir the RAJA OF BOBBILI:—"There is a proposal to appoint one officer to examine the various suggestions for changes made from time to time during the last three years."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know how long it will take for the Government to bring in such a legislation which is so necessary?"

The Hon. Sir the RAJA OF BOBBILI:—"I cannot give any definite date; all the amendments will be considered when a comprehensive Bill is brought forward."

Mr. T. S. RAMASWAMI AYYAR:—"May I know whether the Government propose to bring forward a comprehensive Bill or amending Bills every now and then?"

The Hon. Sir the RAJA OF BOBBILI:—"Since it takes a long time to prepare a comprehensive Bill, the Government are compelled to bring forward any urgent matter piecemeal."

Government Order regarding the pension of ex-taluk board servants.

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

(a) whether final orders have been passed settling the question of pension to the clerks and other pensionable establishments of the ex-taluk boards; and

(b) if so, whether a copy of it will be placed on the table?

A.—The attention of the hon. Member is invited to the answer to Legislative Council question No. 60 (starred).

Applicability of the rule of two years probation to ex-taluk board clerks since employed in municipalities.

* 122 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state whether two years probation fixed in G.O. No. 5062, L. & M., dated 23rd November 1934, is being insisted on the ex-taluk board clerks who are since absorbed in municipalities in permanent vacancies?

A.—The matter is under consideration.

Order of the conduct of elections to district boards included in a group.

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

(a) in what order the elections for district boards as contemplated in the Act XIII of 1935 are taken up; whether it is one after

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another in the serial order in which they are arranged in each group, or whether the elections in all the districts in each group will be simultaneously taken up and finished at one and the same time at the end of the year; and

(b) if they are not taken up in the serial order in which they appear in each group, what the reasons therefor are?

A.—(a) & (b) The Act does not require that the elections to the district boards included in each group should be held in any particular order. Elections will be held in each district soon after the electoral rolls are finally published.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask whether in the present arrangement elections to all the district boards will come up simultaneously or whether each district board in a group will have election at different times?"

The Hon. Sir the RAJA OF BOBBILI:—"There is no question of holding elections for the district boards simultaneously; as soon as the electoral rolls are ready, dates will be fixed and elections held. The electoral programme will be completed before the time fixed."

Mr. M. A. MANIKKAVELU NAYAKAR:—"Will the Hon. Minister be pleased to state if the electoral rolls are ready for the districts for which elections have to be held?"

The Hon. Sir the RAJA OF BOBBILI:—"The hon. Member must probably be aware that the preliminary rolls are expected to be published before the end of this month."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask whether preparations for holding the elections for all the twelve districts that will have to be completed within the year, are going on?"

The Hon. Sir the RAJA OF BOBBILI:—"The Government have appointed a staff to carry out the necessary arrangements."

Appointment of a permanent election staff for the conduct of elections to the local boards to be held during the year.

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

(a) whether any permanent election staff has been appointed for the first and second groups of districts where elections for the local boards have to be held this year; and

(b) if so, the districts where this staff is at present working?

A.—(a) The staff has been appointed only for six months.

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(b) The particulars as to the jurisdiction and headquarters of each election unit are given below:—

Jurisdiction.	Headquarters.
South Kanara district ...	Mangalore.
South Arcot and Trichinopoly districts ...	Cuddalore.
Tinnevely district ...	Tinnevely.
Cuddapah and Chittoor districts ...	Cuddapah.
Bellary and Anantapur districts ...	Bellary.
West Godavari district ...	Ellore.
Guntur and Kurnool districts ...	Guntur.
North Arcot ...	Vellore.

Mr. A. B. SHETTY:—" May I ask whether persons who do not know a bit of Kanarese have been appointed and sent to South Kanara for preparing the electoral rolls? "

The Hon. Sir the RAJA OF BOBBILI:—" I am not aware of that; the staff has been borrowed from the Revenue Department."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know why persons who do not know Kanarese have been appointed? "

The Hon. Sir the RAJA OF BOBBILI:—" I have already answered that question."

Mr. A. B. SHETTY:—" Will the Hon. the Minister be pleased to state the total number of the staff appointed and the total salary and travelling allowance expenditure that will be incurred for this staff? "

The Hon. Sir the RAJA OF BOBBILI:—" For each unit there is one Deputy Tahsildar, some revenue inspectors and clerks; I cannot give the exact number now; I am sorry I have not got the papers with me regarding the estimated cost; probably it will come to half a lakh of rupees."

Mr. P. V. KRISHNAYYA CHOUDARI:—" The Hon. the Minister stated some time back that there would be a permanent staff for conducting elections; now persons have been taken from various departments. Is it not against the policy of the Hon. the Minister? "

The Hon. Sir the RAJA OF BOBBILI:—" This year elections to a large number of district boards will be held; until experience is gained, it is considered best to appoint the staff on a temporary basis in the first instance."

Entry of the correct address of the electors for the local bodies in the electoral rolls.

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

(a) whether rules have been framed and instructions have been issued for the purpose of noting the clear addresses of electors in the preparation of electoral rolls for the elections to local bodies;

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(b) if so, whether copies of them will be placed on the table; and

(c) if not, at what stage such proposals now are and when orders are likely to be passed?

A.—(a), (b) & (c) A copy* of circular R.O.C. No. 17868/35-E-3, dated the 24th June 1935, of the Inspector of Municipal Councils and Local Boards on the subject is placed on the table. The question of amending the rules for the preparation of electoral rolls suitably will be taken up later, if necessary.

Progress of the scheme regarding the entertainment of Assistant Panchayat Officers.

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

(a) at what stage the entertainment of the Assistant Panchayat Officers is;

(b) whether orders have been passed prescribing qualifications for such officers and issuing instructions for such appointments and, if so, whether a copy of the orders will be placed on the table; and

(c) whether orders have been passed regulating the entertainment, service and scale of pay of such officers and, if so, whether a copy of it will be placed on the table?

A.—(a), (b) & (c) The attention of the hon. Member is invited to the answer to clause (a) of question No. 61.

Appointment of Assistant District Panchayat Officers.

* 127 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) with reference to the answer given to question No. 773, whether the Government have since issued orders regarding the appointment of Assistant District Panchayat Officers;

(b) if so, whether the Government will be pleased to place on the table a copy of the same; and

(c) if not, when the same will be issued?

A.—(a), (b) & (c) The attention of the hon. Member is invited to the answer to clause (a) of question No. 61.

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact that recently the Government have changed the pay of Assistant District Panchayat Officers from Rs. 40 to Rs. 75? "

The Hon. Sir the RAJA OF BOBBILI:—" It was fixed some time back and there has been no change."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact that there are Assistant Panchayat Officers in the service who are already drawing Rs. 100? "

The Hon. Sir the RAJA OF BOBBILI:—" There are some persons; they cannot be asked to lose their present emoluments."

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Mr. V. M. RAMASWAMI MUDALIYAR:—“ Will the Hon. Minister be pleased to state whether the claims of persons who are drawing Rs. 100 and above will be considered for appointment as District Panchayat Officers? ”

The Hon. Sir the RAJA OF BOBBILI:—“ When vacancies arise, the claims of the Assistant Panchayat Officers also will be taken into consideration. ”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Is it not a fact that representations have been made to the Hon. the Minister that there are deserving Assistant Panchayat Officers who can be appointed as District Panchayat Officers? ”

The Hon. Sir the RAJA OF BOBBILI:—“ Some representations have been made; but it is for the Inspector of Local Bodies to make recommendations in this matter; he is in direct touch with the work of these officers. ”

Agriculture

Selection of candidates of the Yadhava community to the Madras Agricultural Subordinate Service.

* 128 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Minister for Public Works be pleased to state—

(a) what the number of Upper Subordinates belonging to Yadhava (Golla) community in the Madras Agricultural Subordinate Service is;

(b) how many graduates in Agriculture of Yadhava community appeared before the Madras Services Commission for selection as Upper Subordinates of the Madras Agricultural Subordinate Service in December 1934;

(c) how many of them were selected by the Commission;

(d) what was the rank in the University Examination obtained by each of the candidates of the Yadhava community, who applied for the last selection of Upper Subordinates; and

(e) what was the rank in the University Examination obtained by each of the Non-Brahman Hindu candidates selected in the last selection and to what community each of them belongs?

A.—(a) So far as information is available there is one Upper Subordinate belonging to the ‘Yadava’ community in the Department.

(b) Two.

(c) None.

(d) The rank of one of the candidates was 5 and that of the other 10.

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(e) The following statement furnishes the information:—

Statement.

Community.				Rank.
Non-Brahman	(Chetti)	...	...	8
„	(Kapu)	...	...	28
„	(Vellala)	...	...	25
„	(Telaga)	...	...	46
„	(Mudaliyar)	...	...	38
„	(Mogvera Fisherman)	...	...	16
„	(Nayar)	...	...	17
„	(Adi-Velama)	...	...	3

Registration

Proposals, if any, for addition to the staff of the Registration department in the Ceded districts and South Kanara.

* 129 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any action has been taken on the statement made in paragraph 17 of the Administration Report of the Registration department for the three years ending 1934 that the offices of some Registrars are badly undermanned;

(b) whether any steps are being taken to increase the number of offices in the Ceded districts and the South Kanara district where the average area for each existing Sub-Registrar's office is stated in the above report to be too large; and

(c) whether the increase of officers and staff in the above districts has kept pace with the increase of work during the last three years?

A.—(a) & (b) The Inspector-General's promised report is awaited.

(c) The Government have no information.

Mr. M. S. SRESHTA:—“ With reference to the answer to clause (c) of the question, will the Hon. Minister be pleased to call for the information? ”

The Hon. Mr. P. T. RAJAN:—“ I will consider the suggestion of my hon. Friend. ”

Education

Time and place for the trial of the modified form of compulsory elementary education.

* 130 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Excise be pleased to state when and where the Government propose to try the modified form of compulsion proposed in the amending Bill recently passed by the Council?

A.—The matter is under consideration.

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Mr. A. B. SHETTY:—" May I know whether the Government propose to try the modified form of compulsion in any particular area or in any select area in each district of the Presidency? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It has not yet been considered."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether Government are prepared to increase the scale of grant to elementary school teachers before the introduction of this scheme? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot say anything at present."

Orders on the report of the committee appointed for the conversion of the foreshore at Madras into playing fields.

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

(a) whether orders have been passed on the report of the committee appointed for the conversion of certain portion of the foreshore at Madras into playing fields;

(b) if so, whether a copy of it will be placed on the table;

(c) whether any protests have been received against this subject; and

(d) if so, from whom and what have been done with them?

A.—(a) & (b) No orders have as yet been passed on the Committee's report.

(c) & (d) No specific protests on this subject have been received by Government since the issue of the Committee's report. The resolutions of the Corporation of Madras passed after a discussion of the Committee's report will be considered by Government along with the report.

Excise

Representations for the closure during stated hours of toddy and arrack shops situate within a radius of five miles from the famine work centres.

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

(a) whether representations have been made to the Government that all toddy and arrack shops situated within a radius of five miles from the famine work spots should remain closed during certain hours of the day;

(b) whether those representations have received favourable consideration;

(c) whether the Board of Revenue was consulted in the matter; and

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(d) whether the Government will be pleased to place on the table of the House orders passed on the subject either by the Government or the Commissioner of Excise or the Collectors of the districts concerned?

A.—(a) to (d) No representations have been received by the Government. The Government have no information as to the orders, if any, passed on the subject either by the Commissioner of Excise or the Collectors of the districts concerned.

Fisheries

Abandonment of deep-sea fishing experiments off the Indian Coast.

* 133 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether deep-sea fishing experiments off the Indian Coast have been abandoned;

(b) if so, when were they started, and on what grounds and what did they cost during the period they were carried on; and

(c) whether there is any proposal to recommence these experiments?

A.—(a) Yes.

(b) These experiments were started in May 1927, by the trawler "Lady Goschen." A systematic survey of fishing grounds, both in the East and West Coasts was made. As the trawler was engaged for other purposes as well, separate figures for fishing experiments alone are not available.

(c) No.

Mr. M. S. SRESHTA:—" Will the Hon. Minister be pleased to state what advantages have resulted from the very extensive survey that was made? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The survey has been abandoned."

Mr. M. S. SRESHTA:—" I only want to know whether any advantages have resulted from the survey which was partially made? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The survey should have been proceeded with if any results were to be achieved."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether it is the opinion of the Government, from the experiments conducted, that deep-sea fishing is a failure? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No, Sir; the Government did not come to any such conclusion; but the Retrenchment Committee recommended strongly that this experiment should not be carried on, and that the trawler should be sold for the best terms possible."

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Mr. A. B. SHETTY:—" May I know whether the Government propose to try the modified form of compulsion in any particular area or in any select area in each district of the Presidency? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It has not yet been considered."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether Government are prepared to increase the scale of grant to elementary school teachers before the introduction of this scheme? "

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(b) if so, whether a copy of it will be placed on the table;

(c) whether any protests have been received against this subject; and

(d) if so, from whom and what have been done with them?

A.—(a) & (b) No orders have as yet been passed on the Committee's report.

(c) & (d) No specific protests on this subject have been received by Government since the issue of the Committee's report. The resolutions of the Corporation of Madras passed after a discussion of the Committee's report will be considered by Government along with the report.

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(a) whether representations have been made to the Government that all toddy and arrack shops situated within a radius of five miles from the famine work spots should remain closed during certain hours of the day;

(b) whether those representations have received favourable consideration;

(c) whether the Board of Revenue was consulted in the matter; and

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(d) whether the Government will be pleased to place on the table of the House orders passed on the subject either by the Government or the Commissioner of Excise or the Collectors of the districts concerned?

A.—(a) to (d) No representations have been received by the Government. The Government have no information as to the orders, if any, passed on the subject either by the Commissioner of Excise or the Collectors of the districts concerned.

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(a) whether deep-sea fishing experiments off the Indian Coast have been abandoned;

(b) if so, when were they started, and on what grounds and what did they cost during the period they were carried on; and

(c) whether there is any proposal to recommence these experiments?

A.—(a) Yes.

(b) These experiments were started in May 1927, by the trawler "Lady Goschen." A systematic survey of fishing grounds, both in the East and West Coasts was made. As the trawler was engaged for other purposes as well, separate figures for fishing experiments alone are not available.

(c) No.

Mr. M. S. SRESHTA:—" Will the Hon. Minister be pleased to state what advantages have resulted from the very extensive survey that was made? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The survey has been abandoned."

Mr. M. S. SRESHTA:—" I only want to know whether any advantages have resulted from the survey which was partially made? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The survey should have been proceeded with if any results were to be achieved."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether it is the opinion of the Government, from the experiments conducted, that deep-sea fishing is a failure? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No, Sir; the Government did not come to any such conclusion; but the Retrenchment Committee recommended strongly that this experiment should not be carried on, and that the trawler should be sold for the best terms possible."

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Mr. T. S. RAMASWAMI AYYAR:—" May I know if the recommendation of the Retrenchment Committee was due to the fact that the trawler was not efficient for the purpose, and that it was a loss to the Government? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think that was the only ground on which they based their recommendation."

Mr. T. S. RAMASWAMI AYYAR:—" May I know if the Government now feel that no results could have been achieved at all by the survey on account of the fact that it was only partial? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Yes; if probably the survey went on for some time more, some tangible results might have been achieved."

Mr. T. S. RAMASWAMI AYYAR:—" That means that all the money has gone to waste? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Probably."

Industries

Principles governing the award of scholarships for foreign study by the Department of Industries.

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

(a) how many scholarships for foreign study have been sanctioned by the Department of Industries, Madras, in each year since 1930, including the current year;

(b) what the value is of each of such scholarships, and how long each was tenable;

(c) to whom (name and address may be given) each of such scholarships has been awarded and what his qualifications and experience in research work, if any, were;

(d) on what principles the award of such scholarships is made;

(e) whether a uniform policy is pursued all through;

(f) whether it is a fact that the students of the Indian Institute of Science at Bangalore are not encouraged in granting such scholarships and whether the Government have passed any order in this behalf, and if so, whether a copy of it will be placed on the table;

(g) to whom, if any, such scholarships are restricted, and on what principle;

(h) by whom the award of such scholarships is finally made; and

(i) if it is done by a committee, who the members of the committee are, and whether a copy of the order constituting the committee will be placed on the table?

A.—(a), (b) & (c) A statement* is appended.

(d), (e) & (g) The hon. Member's attention is invited to the rules governing the grant of State Technical Scholarships.

* Printed as Appendix IV on page 364 infra.

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(f) No. One of the scholars of 1933 came from the Institute.

(h) The Government.

(i) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know whether the Government have appointed any committee and asked them to make recommendations with regard to the selection of persons for the award of such scholarships? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" There is a committee to advise in the matter. The question was how the award of scholarships was finally made; they were finally made by the Government. That is the answer given on the paper."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know the principles on which these awards are made? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Candidates suitable for the studies are awarded scholarships."

Nomination of members to the Board of Directors of the Madras Hand-loom Weavers Provincial Co-operative Society.

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

(a) whether the Government have nominated members for the Board of Directors of the Madras Hand-loom Weavers Provincial Co-operative Society and, if so, who the persons so nominated are;

(b) whether they hold the requisite number of shares in accordance with by-law 14 of the society; and

(c) whether they possess any other qualifications to direct the affairs of the society?

A.—(a) Yes. A list of names of the members of the Board of Directors is attached.*

(b) Under the last sentence of the by-law, the Members of the Board for the first year shall be nominated by the Government and the qualifications laid down for Directors in the by-law do not apply to such nominated members.

(c) They possess administrative and business experience.

Mr. C. BASU DEV:—" May I know whether the Government have satisfied themselves that the constituent societies which are members of the Provincial Hand-loom Weavers Society are well and properly administered? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The representatives of these societies were nominated on the recommendation of the Registrar of Co-operative Societies."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know what was the idea of the Government in not nominating even one member from the

* Printed as Appendix V on page 365 infra.

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Telugu districts to the Board of Directors of this provincial society, though there are several weavers available in our own Council, like our friend Rao Sahib Pinjala Subrahmanyam Chetti Garu?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not think the omission of people from the Telugu districts was deliberate. I find there are people coming from the Telugu area—Mr. A. Ranganatha Mudaliyar for example."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether persons like Mr. Ranganatha Mudaliyar and Mr. Ramalingam Chettiar represent the weaving industry or the mill industry?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not think they need necessarily represent either of these interests for being members of the first board."

Mr. C. BASU DEV:—"Is this provincial body going to be a close preserve for the societies that we find here or is it the intention that other weaving societies also should be encouraged?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Certainly every encouragement will be given to all the societies."

Mr. C. BASU DEV:—"Are the Government aware that in Coimbatore the Deputy Registrar of Co-operative Societies refused to register a society of hand-loom weavers, though there are in Coimbatore more than 4,000 weavers?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not know."

Members from the West Coast nominated to the Board of Directors of the Madras Hand-loom Weavers Provincial Co-operative Society.

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

(a) whether the name of any gentleman belonging to South Kanara was suggested to the Government by the Director of Industries for nomination as a member of the Board of Directors of the Madras Hand-loom Weavers Provincial Co-operative Society;

(b) whether the Government have nominated any member from the West Coast; and

(c) whether the person nominated has any special qualifications and, if so, what they are?

A.—(a) Yes.

(b) Yes. The Government have nominated M.R.Ry. Suryanarayana Rao Garu of Tanur Weavers' Co-operative Society as a member of the Board of Directors of the society.

(c) He represents a weavers' society.

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Mr. A. B. SHETTY:—"May I know if, when there is a vacancy in the Board of Directors, the Hon. Minister will be pleased to consider the name of the gentleman who belongs to South Kanara, whose name has been suggested by the Director of Industries for the place?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"It is too early for me to make promises."

Grant, if any, from the Central Government for the development of cottage industries.

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

(a) whether any grant has been received from the Central Government for the development of cottage industries such as spinning, weaving, etc.;

(b) if so, what the amount is and how it has been spent or proposed to be spent;

(c) whether any orders have been passed in this behalf, and if so, whether a copy of it will be placed on the table; and

(d) whether any similar grants have been received in the past years and, if so, when and how much?

A.—(a) Yes.

(b) & (c) The hon. Member is referred to G.O. No. 368, Development, dated the 8th March 1935, copies of which are placed in the Legislative Council Library.

(d) No.

Representations from the weavers of Salem for protection and aid to hand-loom industry.

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

(a) whether representations have been received from the weavers of Salem district requesting protection and help for their hand-loom industry;

(b) if so, when and from whom and what action has been taken thereon; and

(c) if any orders have been passed in the matter, whether a copy thereof will be placed on the table?

A.—(a), (b) & (c) No representations, other than the one from the hand-loom weavers of Vanavasi and Nangavalli villages, Salem district, forwarded by the hon. Member, were received by the Government. In reply to the representation received, the hon. Member was informed that the scheme for the development of hand-loom weaving in this Presidency, sanctioned recently with a subvention

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from the Government of India, would ameliorate the condition of the weavers, provided that they organized themselves into societies and got their societies affiliated to the Madras Provincial Weavers Co-operative Society.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know whether such a communication has been given publicity, so that weavers may take up the suggestion of the Government to form co-operative societies for themselves? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I think the new Board of Directors will undertake all that work."

Diplomas to successful pupils of the Trade School, Mangalore.

* 139 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Education and Excise be pleased to state what action has been taken on the report made by the Director of Industries regarding the Trade School at Mangalore, referred to in the replies to the supplementary questions to question No. 335 of 26th October 1934?

A.—The school has been temporarily continued for a period of three years from the 1st April 1935.

Land Revenue Administration.

Relief to the ryots in South Kanara by way of land revenue remission.

* 139-A Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state with reference to the working of the general remission of assessment in South Kanara, what the actual relief given to the ryot in South Kanara by way of general remission per acre of wet bagayt and punja lands is during the previous and current faslis?

A.—The hon. Member presumably refers to the concessions granted in faslis 1343 and 1344. A statement * is appended.

Alleged irregular assignment of lands in the Kadri Hill, Mangalore.

* 139-B Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that land reserved for the depressed classes and the Military on the Kadri Hill in Mangalore Town and its suburbs has been assigned to private individuals;

(b) if so, to whom, for what purpose, under what darkhast proceeding;

(c) by whom, the said assignments were made;

(d) whether it is a fact that some of the lands were so assigned after cancelling previous assignments made to the depressed classes, to whom the lands were reserved;

* Printed as Appendix VII on page 366 infra.

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(e) if so, on what grounds they were cancelled;

(f) whether the Government will be pleased to place on the table of the House a copy of all the papers connected with the cancellation of the said assignments to depressed classes to whom the lands were reserved and the reassignment of the same to others of non-depressed classes; and

(g) what action the Government have taken or propose to take in the matter?

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

(f) & (g) The question will be considered on receipt of the report which has been called for.

UNSTARRED QUESTION

Local Self-Government

Ban on village officers standing for election to local boards.

140 Q.—Mr. M. DEVADASAN: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have passed an order prohibiting the village officers from standing for election to the local boards;

(b) if so, whether the Government will be pleased to lay a copy of the Government Order on the table of the House;

(c) whether the said Government Order was being observed by the village officers and the Government;

(d) if not, why not;

(e) whether village officers stood for election for any of the local bodies in Tinnevely district subsequent to the passing of the Government Order; and

(f) if so, how many and for what reasons?

A.—(a) & (b) G.O. No. 49,* Revenue, dated 6th January 1934, is placed on the table.

(c) & (d) The Government have no reason to think that the order is not being carried out.

(e) The Government have no information.

(f) The question does not arise.

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

II.—ADJOURNMENT MOTION RE GOVERNMENT ORDER DECLARING PADAYACHIS AS A CRIMINAL TRIBE.

Rao Sahib N. SIVA RAJ:—" Sir, I beg leave to move—

'that the business of the Council do stand adjourned for the purpose of discussing a definite matter of urgent public importance, to wit. Government Order No. 2707 L., dated 10th December 1934, declaring certain members of the class of Padayachis residing in the South Arcot district to be a criminal tribe.' "

* Printed as Appendix VI on pages 365-366 infra.

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* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"With reference to this motion, Sir, I should just like to point out this: this Government Order which it is proposed to discuss in this adjournment motion, was passed as far back as the 10th of December 1934, i.e., about eight months ago, and therefore it would not be a matter of recent occurrence to justify a motion for adjournment. There have been ample opportunities for hon. Members of this House to raise this question by way of resolutions and bring it up for consideration by this House. I should however like to state, Sir, that I refer to this point only on the technical ground, though I should welcome an opportunity to be able to make a statement on the matter particularly because I feel there is a considerable amount of misapprehension in the minds of the public regarding the scope of the order. If you will permit me, Sir, even now I shall make the statement.

"As far as I can judge, Sir, from the few representations that have been made to me and the reports that have appeared in the Press regarding resolutions passed at various public meetings in the South Arcot district and a copy of a resolution passed by the District Board of South Arcot, the impression seems to be that the Padayachi community as such residing in the South Arcot district has been declared to be a criminal tribe. I might immediately state that it is not so. The Government are perfectly aware that the Padayachi community as a community is a peaceful, law-abiding, agriculturist community and that that community could also boast of a large body of very respectable, leading, useful citizens of the province. But every community and particularly a numerous community, has got its blacksheep; and unfortunately the Padayachi community of South Arcot district is not an exception to that rule. This order which has been passed was intended to affect only those who have been judicially declared to have committed non-bailable offences, as a reading of the Government Order itself would make it clear. With your permission, Sir, I shall read that notification.

'Whereas the Governor in Council has reason to believe that a part of the class of Padayachis residing in the South Arcot district consisting of those who have been convicted of non-bailable offences, or who have been ordered under section 118 of the Code of Criminal Procedure, 1898, to give security for maintaining good behaviour, is addicted to the systematic commission of such offences.

'Now therefore the Governor in Council is hereby pleased in exercise of the powers conferred by section 3 of the Criminal Tribes Act, 1924, and in continuation of Judicial Department Notification No. 756, dated the 4th November 1914, published . . . etc.'

"Now this latter order referred to one section of Padayachis in South Arcot, a section known as Vellayankuppam Padayachis distributed in about 74 villages of that district. This order of December 1934 only extends that previous order to Padayachis living in other parts of the district who, as the order says, 'have been convicted of non-bailable offences or who have been ordered to furnish security for maintaining good behaviour.' It is only that section, a definite, concrete section consisting of something less than 2,000 members, that

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has been declared a criminal class. It has absolutely no reference to any more than 1,900 or so Padayachis, and even there, I might state that all these 1,900 need not necessarily be brought within the clutches of the Criminal Tribes Act. For, a reference to the Act would show that while it is for the Government to declare who do constitute a criminal tribe, there is no obligation on the Collector to bring on the register every one of them who has been declared a member of that criminal tribe. If for special reasons, the Collector is satisfied that a particular person, though belonging to the class described, need not be brought on the register, it is open to him to leave his name out. Therefore, I submit that representations even on behalf of some of the members who have been declared members of the criminal class can be made to the Collector, and if, to his satisfaction, a case can be made out that that particular person though once convicted of a non-bailable offence has since reformed himself and that therefore there is no necessity to bring him within the clutches of the Act, his name will not be entered in the register. It is just to remove this misapprehension, Sir, that this Government Order cast a slur or thought of bringing within the clutches of the Criminal Tribes Act the whole community of Padayachis in the South Arcot district that I wished to avail myself of this opportunity.

"Now, having explained the scope of that Government Order, I might also state that subsequent to the passing of the order, some time in April last, a certain number of representatives of the Padayachi community of South Arcot, headed by my friend, Mr. Ramachandra Padayachi, a Member of this Council, met me and gave me a memorandum putting forth their case and suggesting the cancellation of this notification. So, Sir, a further enquiry into the matter was taken up and reports have been called for from the authorities, both the Collector and the Police department. I may state that the Government have not yet come to any final decision in the matter. On the representation made then, we are still considering whether any method could be adopted by which, while the Government secure their object of bringing under effective control people who, they are satisfied, are criminally inclined and are likely at any time to act in concert in furtherance of commission of offences, they cannot also modify their order so as to satisfy the sentiments of the Padayachi community which would prefer to have its name not mentioned in the Government Order at all.

"We shall, of course, try and see, Sir, in the light of the recommendations made whether we could not modify the wording of the order in such a manner as not to wound the susceptibilities of the community, while at the same time—I hope no Member of this House would blame the Government for trying to do that—trying to keep under control people who have been found by courts to have committed offences, offences not merely in South Arcot, but in as many as nine districts ranging from Guntur in the north to Tinnevely in the south

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wherein we have found that some Padayachis from South Arcot have been implicated. It is just this statement, Sir, which I thought I might usefully make for the information of the House."

Mr. M. A. MANIKKAVELU NAYAKAR:—" May I know, Sir, what the Collector has stated in his report? "

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I am not free to divulge the nature of the report, but I can only say that a report has been received and it is receiving the consideration of the Government."

Mr. ABDUL HAMEED KHAN:—" Mr. President, Sir, is the statement open for discussion? "

Mr. C. R. REDDI:—" In view of the statement of the Hon. the Home Member, Sir, may I take it that the Hon. Member is going to remove the Padayachis from the category of criminal tribes? "

* The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" As I said already, Sir, it is not the Padayachi community as such that has been described as a criminal tribe at all. If the term 'Padayachi' was used in this order, it is only because that occurred to the Government then that that was the only term which would be applicable to every one of those to whom it was intended to apply the Act. If we could possibly remove that term and substitute some other term, we would only be very glad to do so."

The Hon. the PRESIDENT:—" I do not think any more questions are allowable on an adjournment motion."

Rao Sahib N. SIVA RAJ:—" Sir, I am grateful to the Hon. the Home Member for his very lengthy and accommodating statement, which indeed it is, so far as I can see and for his trying to see if he could not modify the order. On his assurance, I do not press the motion."

III.—A BILL FURTHER TO AMEND THE MADRAS PREVENTION OF ADULTERATION ACT, 1918, AND TO AMEND THE MADRAS PREVENTION OF ADULTERATION (AMENDMENT) ACT, FOR CERTAIN PURPOSES (BILL No. 26 OF 1934)—cont.

Discussion on the above Bill was then resumed.

Clause 13.

* Rao Bahadur R. SUBBAYYA NAYUDU:—" Mr. President, Sir, I beg to move—

(a) In new sub-section (2) of section 16—

(i) In line 1, for the word "submitted" substitute the word "sent,"

(ii) in line 7, for the word "submit" substitute the word "send," and

(iii) in line 11, for the words "the sample" substitute the words "such part;"

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(b) in new sub-section (4) of section 16, in line 3, for the word "proceedings" substitute the word "proceeding";

(c) in new sub-section (5) of section 16, in lines 6 and 7, for the word "proceedings" substitute the word "proceeding";

(d) in the proviso to section 16—

(a) in line 8, for the words "the said article" substitute the words "such article"; and

(b) in line 9, for the words "such analysis" substitute the words "his analysis";

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

The amendment was put and carried.

* Mr. K. A. NACHIYAPPA GOUNDER:—" Mr. President, I beg to move the amendment that stands in my name, namely:—

In the proviso to sub-section (5) of section 16—

in line 3, substitute the words "shall cause" for the words "may in its discretion";

in line 4, omit the word "cause."

" Sir, my object in moving the amendment is this. The Act gives power to the local authority for prosecuting persons and the local authority has got the option of sending the sample to the Government analyst if he is not satisfied with the decision given by the public analyst. My idea is that the same privilege should be given to the accused also in an unfettered manner for taking the samples to the Government analyst if he desires to do so. As the clause now stands, the accused should be at the mercy of the court in the matter of sending the samples to the Government analyst. What I want is that if the accused is not satisfied with the decision of the public analyst, he should be given the right to take it to the Government analyst without any restriction, as is being done by the prosecutor. In order to give the same privileges to the accused also, I think this amendment is necessary. So, I move the amendment."

Mr. T. S. RAMASWAMI AYYAR:—" I second the amendment, Sir."

* Rao Bahadur R. SUBBAYYA NAYUDU:—" Mr. President, I oppose the amendment suggested by my hon. Friend, Mr. Nachiyappa Gounder. His reasoning seems to be that because the prosecutor has a right to send the sample for analysis, so should the accused also have a similar and unfettered right, as he says. In the first place, Sir, I submit that the very object of the prosecutor or the officer seizing the article sending it for analysis is in the interests of the accused. It is with a view to see that prosecutions of a hasty or irresponsible nature are not launched that the thing has been insisted. If the matter is once taken to the court, the law says that the court has every discretion in the matter. It is a well-known principle that such acts as the one referred to in this section, are generally left to the discretion of the

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court and nowhere has any law been enacted so far which insists upon the court acting in a particular manner in dealing with matters of this nature.

"I am rather surprised to see my hon. Friend insisting upon bringing forward this motion again as an amendment although the matter was explained to him more than once in the Select Committee. It is rather an unusual thing to insist upon the courts of law to act in a particular manner when the courts generally use their discretion properly. If the discretion is not used properly, as it is, that itself is ample ground for the accused to move a superior tribunal on appeal or in revision and there is nothing to fetter the right of the accused in such matters. I therefore oppose the amendment."

Mr. K. A. NACHIYAPPA GOUNDER:—"I beg to withdraw the motion."

The amendment was, by leave, withdrawn.

Clause 13, as amended, was put and carried.

Clause 14.

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Mr. President, Sir, I move—

'(a) in sub-section (2) of new section 16-A, in line 2, before the word "necessary" insert the word "rendered";

(b) in the explanation to the said sub-section (2), in lines 2 and 3 for the words "the public servant" substitute the words "any public servant";

(c) in new section 16-B—

(i) in line 3, for the word "consumer" substitute the words "consumers of any article of food";

(ii) in lines 4 and 5, for the words "any article of food" substitute the words "such article of food";

(iii) in line 9, for the words "except that" substitute the words "with the following modifications, namely";

and
(iv) in lines 10 and 11 of clause (a), before the words "cause proceedings to be taken" insert the words "take proceedings or";

Mr. T. SUNDARA RAO NAYUDU:—"I second the motion, Sir."

The amendment was put and carried

Clause 14, as amended, was put and carried.

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Clause 14-A.

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Mr. President, Sir, I move—

'for the expression, "viz." substitute the word "namely"; in the proviso to section 19, in line 2, after the word "commenced" insert the words "at any time".'

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

The amendment was put and carried.

Clause 14-A, as amended, was put and carried.

Clause 15.

Clause 15 was put and carried.

Clause 16.

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Mr. President, Sir, I move—

'in sub-clause (ii), new clause (k) for the word "shall," substitute the words "may take proceedings or".'

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

The amendment was put and carried.

Clause 16, as amended, was put and carried.

Clause 17.

* Rao Bahadur R. SUBBAYYA NAYUDU:—"Mr. President, Sir, I beg to move— 12-15 p.m.

'in clause (b) of sub-section (2) of new section 21, in lines 6 and 7, before the word "necessary" insert the word "rendered".'

Mr. T. SUNDARA RAO NAYUDU:—"I second the motion."

The amendment was put and carried.

Clause 17 as amended was put and carried.

Clauses 18 and 19 were then put and carried.

The preamble was put and carried.

The Hon. Sir the RAJA OF BOBBILI:—"Mr. President, I beg to move—

'that the Bill be passed into law.'

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

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, Sir, now that the Bill is going to become law, and I hope that it is the intention of the Government to extend the scope of the provisions in a very large

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measure, I welcome the measure as a useful and healthy legislation which will tend to give the general public the assurance that the foodstuffs are really pure and unadulterated articles.

"At the same time, I have got my own doubts that in the enforcement of this Act, there may be room for complaint and unnecessary persecution of persons which should be avoided at all costs. I request therefore that the rules may be so issued as not to give room for persecution or any malpractice.

"I have pleasure in this connexion in congratulating the special Member, my hon. Friend, Rao Bahadur R. Subbayya Nayudu, on the trouble he has taken in recasting the Act and putting it in proper form by his numerous verbal amendments, without which the Act as it was submitted by the Select Committee would have been defective. I have much pleasure to give my support to the motion."

* The Hon. Sir the RAJA OF BOBBILI:—"I am grateful for the remarks of my hon. Friend from Salem, Mr. Nachiyappa Gounder. I may state that the main intention of this amending Bill is to remove the defects that have come to light in the actual working of the Act. More or less, we have brought this into line with similar enactments in other provinces which have stood the test of time. I am sure the powers given by the Bill to the Government and the executive authorities will certainly be used in the public interests and great care will be taken in drafting the rules and watching the working of the measure. I may assure my hon. Friend that there is absolutely no fear of these powers being abused."

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

IV.—A BILL TO AMEND THE MADRAS CITY MUNICIPAL ACT, 1919,
FOR CERTAIN PURPOSES (BILL NO. 11 OF 1934).

Mr. C. BASU DEV:—"Before the next item in the agenda, namely, the City Municipal Amendment Bill is taken up, I move that the other items in the agenda be postponed and the Bill to amend the Madras Debtors' Protection Act, 1934, be taken up for consideration. I do so, Sir, because this is a short Bill and may be easily disposed of, while, if the other items in the agenda are taken in order, they will certainly leave no chance for this measure to be discussed in this meeting of the Council."

Mr. P. V. KRISHNAYYA CHOUDARI:—"We have the City Municipal Bill and the consideration of the Report of the Services Commission as the next items in the agenda. They are measures which will consume much time, and the Debtors' Protection Bill cannot, even on the ground of its importance, be sandwiched in between the course of their consideration, when once they are taken up. This being a small Bill, I feel

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it can be taken up now and disposed of. Otherwise, I am afraid this will be carried over to the October meeting of the Council. Therefore, I second the motion of my hon. Friend, Mr. Basu Dev."

The Hon. Sir K. V. REDDI NAYUDU:—"Mr. President, I am afraid, I shall have to oppose the motion. When I wanted to introduce the Bill yesterday, you, Sir, were pleased to bring it to my notice that the rules required six days' notice from the time of its publication to its introduction. As such, technically speaking, the Bill cannot be taken into consideration now. This, by itself, would not have mattered. But I find that two important amendments are proposed and on that question, especially the rate of interest, I shall have to take the view of the Governor in Council or perhaps of the Cabinet and there is no time for it if the Bill is to be taken up now. It does not rest with me alone. So I beg to oppose the motion."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"Mr. President, if the City Municipal Bill is to be taken up, it will not be finished before the close of this sitting, so that there will be no chance for taking up this Bill in this meeting. So I would suggest that this Bill be taken up for consideration as the first item on Saturday."

The Hon. Sir K. V. REDDI NAYUDU:—"I have absolutely no objection."

* Mr. C. BASU DEV:—"In view of the reason given by the Hon. the Law Member that he is trying to be accommodative in the matter of the amendment regarding to the rate of interest (The Hon. Sir K. V. Reddi Nayudu:—"I did not use that expression. I said I only wanted to get the view of the Government.") or at least in that anticipation and hoping that the Bill will be taken up on Saturday as the first item, I beg to withdraw the motion."

The motion was, by leave, withdrawn.

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I beg to present the Report of the Select Committee on the Bill^a to amend the Madras City Municipal Act, 1919, for certain purposes (Bill No. 11 of 1934) and move that the Bill as amended by the Select Committee be taken into consideration.

"Without taking up much time, I wish to mention certain prominent changes that have been made by the Select Committee. As regards the constitution of the Council, it has provided for the reservation of three seats in three divisions for Adi-Dravidas and two seats for labour. As far as labour is concerned, it is proposed to divide the City into two constituencies. Coming to the question of franchise, the Select Committee has followed the view that the primary qualification for a voter should be the payment of tax under section 98 (a), (b) and (c), i.e., house-tax, profession or companies-tax, tax under the Madras Motor

^a Published in the Fort St. George Gazette, dated 9th July 1935.

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Vehicles Taxation Act, ground-rent due to Government on land. As regards appeal to the Small Cause Court, it is considered that such a course will be fraught with great expenses to the public and to the Corporation and the Committee have, therefore, decided to constitute a Taxation Appeals Committee, composed of two councillors elected by the Corporation and a chairman to be appointed by the Government. From the decision of that Committee, an appeal will lie, as now, to the Small Cause Court. As regards the metering of house connexions, it has been decided to limit the statutory provision only to cases of houses which have three or more taps. Three years' time has been given to the Corporation within which this new provision is to be carried out. There are other minor amendments which have been mentioned in the Report of the Select Committee which is before the Members of the Council. Therefore, I do not propose to take up the time of the House in repeating them."

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

The motion was carried and the Bill was taken up for consideration.

Clauses 1 and 2.

Clauses 1 and 2 were put and carried.

Clause 3.

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, I beg to move that—

'in sub-clause (i) in the definition of "Adi-Dravida" after the words "the Hindu religion" the words "and being subject to the disability of untouchability" shall be inserted.'

In moving this amendment, I have only one point to make and that is that all Hindu untouchables should be brought under 'Adi-Dravidas' so as to make the definition of 'Adi-Dravidas' clearer so that Government may not include some of the backward communities in the list of scheduled classes. Therefore, in order to make the definition of 'Adi-Dravidas' much more perfect and clearer, I move this amendment."

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

Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, I have carefully listened to the speech of the hon. lady Member, and I am not convinced that by adding those words 'and being subject to the disability of untouchability,' the definition of the word 'Adi-Dravida' will be made clearer. I find that the definition has been taken from the District Municipalities Act which has been in existence for a long time, and I think that practically covers the definition required for the word 'Adi-Dravida.'"

Mr. R. MADANAGOPAL NAYUDU:—"My difficulty is this, Sir. If we are going to say 'any person professing the Hindu religion and being subject to the disability of untouchability,' we will be excluding thereby some of the scheduled classes who are not actually untouchable. For

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instance, what is to become of our friends like Mr. Siva Raj and Mr. Muniswami Pillai? And they will not be people who will come under that definition and they will cease to be Adi-Dravidas according to the definition which is now sought to be introduced. Instead of making it more definite, we will be only introducing confusion. It is better, therefore, to leave it as it is at present. The present definition is the proper definition of the word."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Sir, unless there is a very clear definition of the word 'Adi-Dravida' including Adi-Andhra and Adi-Karnataka, every backward community will want to come within the scope of scheduled classes and share the privileges to which Adi-Dravidas are eligible. In order that no more backward communities might be included in the list of scheduled classes, I have moved this amendment."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, although I do not see any objection in principle to this amendment, the difficulty is that this definition is not only in this Bill but it is to be found in other enactments in force, and we have become used to this definition. I do not know what the effect of introducing this amendment will be in future. With reference to the remarks of my hon. Friend, Mrs. Rukmini Lakshmipathi, that her idea in moving this amendment is to prevent other backward communities from being included under this definition, I may state that the various communities coming under the definition of 'Adi-Dravidas' are definitely stated in the Bill, and it will not be possible without amendment of this Act to include or exclude any other community. Moreover, the test of untouchability is very difficult to prove as time goes on, and there will be disputes and difficulties in the matter. I would, therefore, submit to this House that it will be far safer to retain the present definition which we have been used to. The other suggestion which is not, however, before the House in the form of an amendment was to use the term 'scheduled classes' instead of the word 'Adi-Dravidas.' As regards even that, it will not be possible to express an opinion at this stage as to what exactly will be the number of communities that will be included under the term under the new Government of India Act. For these reasons, Sir, I feel that we need not make any changes in this definition."

Mrs. A. RUKMANI LAKSHMIPATHI:—"Although I am not opposed to the idea as propounded by the Hon. Chief Minister, I should like to point out that it would make the definition clearer if we confine the term 'Adi-Dravidas' to the untouchable classes. I would, therefore, press my amendment."

The amendment was put and lost.

Mrs. A. RUKMANI LAKSHMIPATHI:—"Sir, I move—

'In clause (6) of section 3 of the Act, delete the word "bicycle."'

[Mrs. A. Lakshmi Lakshminipathi] [7th August 1935]

In support of my amendment I wish to say that the cry all along has been that the bicycle should be exempted from any licence fee. The bicycle is the poor man's conveyance, and it will be a great hardship if the municipality should ask the owner of a cycle to pay a licence fee. Further, Sir, the bicycle is used by people belonging either to the poor or middle classes; students have got to use it; school girls and school boys have got to use it; labourers have got to use it especially in the City; further many of the officials in the subordinate service have got to use it. Therefore, I feel that if a licence fee is demanded of the owner of a cycle it will really work great hardship. Further, the committee that was appointed by the Government to amend the City Municipal Act of 1919 has recommended the deletion of the word 'bicycle.' Therefore I move this amendment."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, I have great pleasure in seconding this amendment. This is a question which has received the attention of the public as well as the Corporation. As a matter of fact, the subject was placed before the Corporation of Madras some time back, when the matter was discussed fully and the Corporation resolved to address the Government that in the new amending Bill bicycles should be exempt from taxation. Of course, the bicycle tax brings in some money, I think, somewhere about half a lakh of rupees. But taking the hardship that will be caused to the very poor users of bicycles into consideration, I think, the Corporation can forego the tax. The bicycle is a conveyance used by the poorest who without it would be compelled to walk. All the peons and the labouring classes have taken to the bicycle as a means of conveyance. Further, the bicycle is not a vehicle which causes any injury to the road surface. That also will be a test which you will have to apply before you levy a tax. In view of the fact that the Corporation itself has taken up this question and given its opinion that the tax should not be levied, I think, the Legislature should accept the suggestion of the Corporation and drop the bicycle from the list of vehicles that ought to be taxed."

* Mr. C. BASU DEV:—"Sir, there is much to be said in regard to the deletion of the word 'bicycle' in that particular section. I agree with the hon. Member who has moved for the deletion of that word. If for any reason, the Government are not able to accept that amendment, may I request the Government to issue instructions to the municipalities to reduce the tax so that the burden on the poor users of bicycles may be lightened and as to be on a par with the taxes in sister municipalities. In Saidapet, for instance, charges are only 10 annas per half year while in the Corporation it is Rs. 2."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"I support this proposal, although I know as a matter of fact it means that the Corporation would be hit financially. On the other hand, I think the poor people will be delighted. I may also inform the hon. Members of this House that it is the unanimous opinion of almost all the municipalities to abolish this tax. As a matter of fact, my municipality, the Bellary

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Municipality, reduced the cycle tax by about 50 per cent, but the Government turned down the proposal. I believe there is a very strong feeling that this tax should be at least reduced, and we ought, therefore, to find some other means of financing in place of this tax. Although I belong to the other side of the House, still I have great pleasure in supporting this amendment."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, while I state clearly that I have no objection in principle to the proposition before the House, I do feel that this is not the proper place or occasion to achieve this object. The Madras City Municipal Act does not make taxation for bicycles compulsory. It is one of the taxes which the Corporation may impose. I do not see why the Corporation Council should not themselves undertake the responsibility of repealing or not levying this tax and why we should as legislators delete it. As regards the desirability of giving relief to poor people, I am one with the hon. Mover of the amendment. But, at the same time, I may state that the users of bicycles are not always those belonging to the poorest strata of society. There are also other classes using bicycles who may not be deserving of the relief from taxation. Moreover, I am told that the Corporation has this year budgeted for an income of Rs. 40,000 or Rs. 50,000 or even more, as I believe from this tax. I think we should not light-heartedly remove this tax and cause difficulty to the Corporation in its budget. Some of the hon. Members have said that the Corporation Council are in favour of repealing this tax on bicycles. Let them by all means do it; they will naturally have to find other means of taxation to balance their budget. While having sympathy with the object of the amendment, I may state that it is one of the matters which the Corporation should deal with and we should not remove this taxation from the Act itself. I am, therefore, constrained to oppose this amendment."

* Mr. C. RAMALINGA REDDI:—"Mr. President, I am very thankful to the Hon. the Chief Minister for not opposing this amendment, as it were, on principle, and in toto. He sympathizes with the object embodied in the amendment but would rather leave it to the Corporation to translate the sympathy into action rather than to this Council of which he is such a predominant partner. I hope the Hon. the Raja Sahab would go further, withdraw his opposition and allow this amendment, with the objects of which everybody seems to sympathize, to go forward and take its victorious course at the voting. In any case, I hope he will not make this a party question but will allow the members to exercise a free vote. I do not know whether the Hon. the Raja Sahab would even at this stage kindly withdraw his opposition, seeing that he has no real objection to the spirit and aim of the amendment, and in that way help to relieve the distress of students and others to whom bicycle is a necessity and not exactly a luxury."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, Sir, I give my hearty support to the amendment before the House. The Hon. the Raja Sahab said that it is not our business to legislate on this, but that

[Mr. K. A. Nachiyappa Gounder] [7th August 1935]

it must be left to the Corporation of Madras. But there is this fear: If the Corporation is allowed to decide it and if they decide not to tax bicycles, when they approach the Government for a grant, the Government may say—'We gave you an opportunity to have your income raised by means of cycle tax and you have not availed yourself of it, and so we cannot help you.' So, in order to obviate the accusation which will then be made against the Corporation, I would request the Hon. the Chief Minister to accept the amendment, if he has got real sympathy towards this object.

"In the second place, the Hon. Minister said that the bicycle is not used by the poorest classes. That would have been the circumstance some years ago, but now it is quite different. Bicycle is now the conveyance of the poorest, and that too in a large measure in the mufassal. Servants and workmen getting wages of 4 annas and 6 annas are using it. So, if a lead is given in this Bill, the natural result will be that District Municipalities Act too will follow suit and in that way much relief would be afforded to a number of people in the province.

"Hence I believe the Hon. the Chief Minister would do well to accept the amendment and withdraw his opposition as requested by my hon. Friend from Chittoor."

Mr. ABDUL HAMEED KHAN:—"I should also very much wish that the Government reconsidered its decision with regard to this very important matter. It was only the other day we in the Corporation of Madras, considered this question in its various aspects. The question of revenue the Corporation is getting from this source has certainly to be considered. But the fact that a very large number of people who use this conveyance belong to the poorest class and cannot afford to pay this tax weighed with us, and we came to the conclusion by a very large majority that this tax should be abolished. It is no doubt true that a certain section of the cycle users are well-to-do and can afford to pay tax, but a very large majority are such as cannot afford to pay for transport from place to place. The city has been extending for the last few years, and people living at one end of the city find it very difficult to go to their offices at the other end, unless they have a free means of transport like the cycle. I am sure the Hon. the Chief Minister is aware that nowadays it is not very difficult to get a cycle for Rs. 30 or Rs. 40, and poor people who cannot afford to pay for cart-hire or tram-hire resort to cycles. In their case, the cycle has become a necessity. Furthermore, the Corporation has recently resorted to one method of collecting the tax and that is, taking hold of the cycle on the wayside and then collecting the tax and returning the cycle. That itself will show that people who use the cycle are not in a position to pay the tax at once and are obliged to allow it to be taken hold of and sometimes even sold by the Corporation authorities. I am sure there is hardly another city or country where the tax or licence fee is levied on an ordinary push bicycle. I can understand it

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in the case of a vehicle which causes damage to the road, but not in the case of an ordinary push bicycle with rubber tyres which hardly affects the condition of the road; besides it is not used in such large numbers as to affect the traffic rules. Under these circumstances, I am sure the Hon. the Chief Minister will reconsider his view and agree to accept the amendment."

* Mr. K. KOTI REDDI:—"Sir, I support this amendment. I really cannot see why the Chief Minister who expressed his sympathy for the amendment should not accept it. The argument he used was, why should not the Corporation itself which is an independent body, be allowed to tackle the question. Sir, if this House is convinced that there are certain articles which are not to be taxed, being articles not of luxury, but of necessity, it is not very wise to leave it to the decision of other bodies. For example, after the abolition of the tolls, practically every municipality is in favour of reintroduction of tolls, but I believe the Council would be against it and would it be wise to leave the decision to the municipalities. If this Council is really convinced as to the necessity of the abolition of the tax on an article like bicycle, which I really consider is not at the present stage of civilization an article of luxury but one of necessity, the Hon. the Chief Minister should accept the amendment or at least give freedom of voting to the members of his party. We, Sir, coming from the mufassal know what an amount of suffering is involved in the taxation of an article like bicycle. The time has come for at least a premier municipality like the Corporation of Madras to give a lead in this direction. Corporations and municipalities and Governments should in future see that they get their taxes not from articles of necessity but from articles of luxury. I hope the Hon. the Chief Minister will show his sympathy to the poor by accepting this amendment."

* Mr. C. BASU DEV:—"I do not find any other amendment to the next clause. If we delete the word 'cycle' from sub-section (6), it will automatically come under the definition of 'cart.' Cart is also liable to licence, and unless that is also amended, the present amendment will prove infructuous."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"I have no idea of taking part in this debate except to point out to the Mover and other Members who supported this amendment, that at a time when we are crying for universal suffrage we are not rightly doing our duty to these people who are using the bicycles by depriving them of the vote. The Corporation of Madras is getting a revenue of Rs. 50,000 from this tax, and it means that all those who pay this tax will get the franchise."

"I do feel that there may be a certain amount of difficulty on the part of the student population who use the cycle, but opportunity can be taken by the Corporation of Madras itself for allowing certain privileges to such people and minimising this hardship."

The amendment was put and declared lost.

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Mrs. Rukmani Lakshmipathi demanded a poll and the House divided thus:

Ayes.

- 1 Dr. P. Subbarayan.
- 2 Diwan Bahadur T. A. Ramalinga Chettiyar.
- 3 Mr. Abdul Hameed Khan.
- 4 " T. S. Ramaswami Ayyar.
- 5 Rao Bahadur P. C. Muthu Chettiyar.
- 6 Mr. Ahmed Meeran Sahib.
- 7 " A. Pl. N. V. Nadimuthu Pillai.
- 8 " P. Peddiraju.
- 9 The Pattagar of Palayakottai.

- 10 Mr. K. A. Nachiyappa Gounder.
- 11 " K. M. Duraiswami Reddiyar.
- 12 " H. M. Jagannatham.
- 13 " U. C. Subrahmanya Bhatt.
- 14 " C. Ramalinga Reddi.
- 15 Mrs. A. Rukmani Lakshmipathi.
- 16 Mr. P. Ratnavelu Tevar.
- 17 " C. Obi Reddi.
- 18 Rai Sahib C. Kolanda Reddi.
- 19 Rao Bahadur R. K. Venugopal Nayudu.
- 20 Mr. C. R. Parthasarathi Ayyangar.
- 21 " K. Koti Reddi.

Noes.

- 1 The Hon. Rai Bahadur Sir. K. V. Reddi Nayudu.
- 2 " Rao Bahadur A. T. Pan-nirselvam.
- 3 " Mr. C. A. Souter.
- 4 " Mr. G. T. H. Bracken.
- 5 " Diwan Bahadur S. Kuma-raswami Reddiyar.
- 6 " Mr. P. T. Rajan.
- 7 " Sir the Raja of Bobbili.
- 8 Diwan Bahadur C. Natesa Muda-liyar.
- 9 Mr. W. Scott Brown.
- 10 " H. R. Uzielli.
- 11 " C. E. Jones.
- 12 " G. T. Boag.
- 13 " R. Madanagopal Nayudu.
- 14 " T. B. Russell.
- 15 " T. Sundara Rao Nayudu.
- 16 Khan Sahib Syed Taj-ud-din Sahib Bahadur.
- 17 Mr. R. M. Palat.
- 18 Rao Bahadur R. Srinivasan.
- 19 Diwan Bahadur A. Appadurai Pillai.
- 20 Mr. M. Devadasan.
- 21 Rao Sahib N. Siva Raj.
- 22 Sir William Wright.
- 23 Mr. D. M. Reid.
- 24 The Raja of Parlakimedi.
- 25 Rao Bahadur B. P. Sesha Reddi.
- 26 Mr. P. C. Moses.

- 27 Khan Bahadur Javad Hussain Khan Sahib Bahadur.
- 28 Mr. G. Simhachalam Pantulu.
- 29 " W. P. A. Soundara Pandian.
- 30 Sriman M. G. Patnaik Mahasayo.
- 31 The Raja of Kallikote.
- 32 Sri A. V. Banoji Rao.
- 33 Mr. Daniel Thomas.
- 34 " G. Sriramulu.
- 35 " J. Kuppuswami Choudari.
- 36 " C. Indraiah.
- 37 " K. Pattabhiramayya.
- 38 Khan Bahadur T. M. Moideoo Sahib Bahadur.
- 39 The Zamindar of Kirlampudi.
- 40 Mr. K. Kesavaramamurti Nayudu.
- 41 " C. Krishnan.
- 42 " M. A. Muthiah Chettiyar.
- 43 " M. S. Sreshta.
- 44 " J. A. Davis.
- 45 Rao Sahib V. I. Muniswami Pillai.
- 46 Subadar-Major S. A. Nanjappa Bahadur.
- 47 Mr. A. Ranganatha Mudaliyar.
- 48 " G. R. Premayya.
- 49 Diwan Bahadur S. Ellappa Chet-tiyar.
- 50 Rao Sahib P. Subrahmanya Chetti.
- 51 Mr. I. C. Iswaran Pillai.
- 52 Rao Sahib C. Jayaram Nayudu.
- 53 " D. V. Narasimhaswami.

Neutral.

- 1 Mr. A. Ramakrishna Reddi.
- 2 " V. P. Narayanan Nambiyar.
- 3 " C. Basu Dev.
- 4 " P. M. Thangal.

- 5 Mr. P. V. Krishnayya Choudari.
- 6 Diwan Bahadur M. Gopalaswami Mudaliyar.

Ayes 21.

Noes 53.

Neutral 6.

The motion was lost.

* The Hon. Sir the RAJA OF BOBBILI:—" Mr. President, I move—
"that the consideration of sub-clause (v) of clause 3 be postponed
to some other date. There are some amendments to be made
in it."

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

The motion was put and carried and the consideration of sub-clause (v) was postponed.

Mr. P. V. KRISHNAYYA CHOUDARI:—" Sir, I move—

"In the definition of "Milk" in clause (13-B) of sub-clause (viii),
omit words newly added, viz., "sheep or goat."

"I am trying to exempt these animals because, except for diet pur-
poses, nobody generally uses sheep's or goat's milk for drinking
purposes. Therefore I feel, Sir, that no licence should be insisted upon
for keeping them."

The amendment was duly seconded.

* The Hon. Sir the RAJA OF BOBBILI:—" Sir, I do not see what
useful purpose will be served by deleting goat or sheep from this sub-
clause. As a matter of fact there is sufficient evidence to show that the
drinking of goat's milk is on the increase on medical grounds. I do
not see any difficulty arising by the inclusion of them in this sub-clause
and therefore I oppose the motion."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, I thought the
Government would not oppose this necessary amendment. Unfortunately
they have taken that attitude. As very few people have realised the
dietary value of goat's milk and use it, I still believe that the Govern-
ment should not demand licence fee from milkmen for keeping goats or
sheep. By demanding fees for keeping these animals, we would be
putting these unfortunate milkmen to a great deal of hardship. I would
therefore once again appeal to the Hon. Minister not to oppose this on
grounds of prestige."

The Hon. Sir the RAJA OF BOBBILI:—" Licence fee is only intended
to ensure that the sanitary and other conditions are observed. I believe
the courts have even held that licence fee should not be treated as a
source of income by the local bodies. As the fee is charged in the
interests of the public and as there will not be any appreciable burden
on the persons who keep these animals, I think this provision is neces-
sary. I therefore once again oppose the amendment."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Sir, if the Hon. Minister
assures me that only a nominal fee of an anna or two will be charged, I
would be willing to withdraw my amendment."

The Hon. the PRESIDENT:—" There is no such assurance forth-
coming. Does the hon. Member withdraw his amendment?"

Mr. P. V. KRISHNAYYA CHOUDARI:—" Yes, Sir, I withdraw."

The amendment was by leave withdrawn.

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Clause 4.

* Mrs. A. RUKMANI LAKSHMIPATHI:—" Mr. President, Sir, I move—

' In sub-section (1) (a) of clause (i) of section 5, add the following words at the end:—

" And one specially reserved for Anglo-Indians, the Adi-Dravida, Labour and Anglo-Indian seats to be filled by election through joint electorate."

" My idea in moving this amendment is this: Under the District Municipalities and Local Boards Amendment Act of 1930, in all the municipalities and district boards seats have been reserved for Muslims, Adi-Dravidas, Women, Christians and Europeans on the system of joint electorates and it was this very Council that accepted the principle that seats should be reserved for these minority communities on the system of joint electorate. I am at a loss to understand, Sir, why the Chief Minister and the Select Committee should have thought of introducing the system of separate electorates for Adi-Dravidas and Labour. I wish to remind the House of the fact that to introduce separate electorates for the Adi-Dravidas would be acting in contravention of the provisions of the Poona Pact, and further, the Congress has always been agitating for joint electorates in the interests of the country and also in the interests of national unity. I need not bring home to you, Sir, how separate electorates have worked a great deal of harm to the country by dividing community from community. We are already suffering from the evils of separate electorates as will be seen from the communal quarrels going on in the country. It will be admitted that joint electorates are the only system by which we can cement the various communities. When the district boards and municipalities are working the system of joint electorates, I do not see why this House should adopt the system of separate electorates for the City of Madras which should, in fact, set the example for the rest of the Presidency. The system of joint electorates is a cosmopolitan system, because it will make it necessary for an Adi-Dravida candidate to go to the very doors of a Hindu voter and a Hindu candidate to go to the very doors of an Adi-Dravida voter. It will create a kind of community feeling or a feeling of oneness in these communities. Further, Sir, the Lothian Committee praised the action of municipalities and district boards for having extended the franchise to all adults. The Committee appointed by the Government to amend the City Municipal Act has recommended the reservation of seats for the various communities as follows:—

' Muslims—4.

Adi-Dravidas and other backward communities—4.

Indian Christians—2.

Anglo-Indian—1.

European—1.

All the voters of the division shall be candidates for these seats.'

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" I have proceeded on the recommendation made by the Committee appointed by the Government and I do not see why the Select Committee appointed by this Council should have neglected the recommendation made by the Committee appointed by the Government. In this connexion I should like to make a small appeal to the Anglo-Indians, who under Clause 4, section 5 are to be represented by 'one Councillor elected by the Anglo-Indian Association, Madras.' We cannot for a moment accept the idea of Anglo-Indians having a separate seat. Anglo-Indians are children of the soil. They do not belong to any other race. They are not like Britishers who are birds of passage, who stay here for some time and walk away afterwards. The Anglo-Indians are part and parcel of the Indian nation. Their interests and ours are bound up with each other. It is with this idea that I have included the Anglo-Indians in the General Electorate. Being a small minority I have suggested that a seat should be reserved for them in the General Electorate."

The motion was duly seconded.

Dr. P. SUBBARAYAN:—" I have consulted the Hon. Gentleman the Chief Minister and he has agreed that Clause 4 should stand adjourned because it requires a little more consideration. So I propose that consideration of Clause 4 be adjourned."

Mr. ABDUL HAMEED KHAN:—" I second it."

The motion was put and carried and the consideration of Clause 4 was adjourned.

Clauses 5 and 6.

The Hon. Sir the RAJA OF BOBBILI:—" I move that consideration of Clauses 5 and 6 also may stand adjourned."

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

The motion was put and carried and the consideration of Clauses 5 and 6 was adjourned.

* Mr. C. BASU DEV:—" Sir, consequent upon the adjournment of the consideration of Clauses 4, 5 and 6 perhaps it will become necessary to adjourn the consideration of a series of clauses. I therefore move that the consideration of the whole Bill may be adjourned till Friday next.

" I submit that to-day and to-morrow will be sufficient both for the Government and other hon. Members to know exactly what amendments should be introduced in the Bill. But if we go on adjourning the consideration of some clauses, here and there, we are bound to adjourn as a necessary consequence the consideration of a series of clauses and there will be hopeless confusion in considering the other later clauses for which most of us have not given notice of amendments in the hope that they would not be reached."

* Mr. T. S. RAMASWAMI AYYAR:—" I desire to second the motion made by my hon. Friend, Mr. Basu Dev. Instead of going on feeling our way as to which clause may be taken up and disposed of at once and which may be adjourned, it is better that the House takes up all the

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clauses one by one. If you go on adjourning the consideration of certain earlier clauses, and take up later clauses it will be very difficult to find out what bearing the latter have on the former. I also find that most of the Members have not been able to give notice of their amendments. It may be that they have not been alert, but whatever it is if you want to adjourn the consideration of some clauses, I think it is better that the consideration of the whole Bill stands adjourned till Friday, more especially as the earlier clauses of the Bill deal with such controversial matters as franchise, joint and separate electorates, constitution of the Council and so on. In the meanwhile hon. Members who have not been able to give notice of amendments can do so. I think on the whole it is better that the consideration of the whole Bill stands adjourned instead of having to ask for adjournments whenever you are confronted with difficulties. It is common experience in courts when earlier cases are adjourned lawyers who appear for the later cases often find it very difficult to go on with their work. In these circumstances I do suggest that the House do take up the whole Bill on Friday."

* The Hon. Sir the RAJA OF BOBBILI:—"I am afraid I have to oppose this motion. Unless we keep up to the programme it will be very difficult to get through the Government business. As far as Government are concerned, they have made up their minds and if I have moved the adjournment of the consideration of one or two clauses, I did so at the request of certain hon. Members, and I understood them to say that the clause dealing with the constitution of the Council would have to be carefully considered. I do not think there will be any difficulty in proceeding with the Bill. To-morrow being a non-official day will hardly have time to show any progress."

The Hon. the PRESIDENT:—"The House seems to be in an adjourning mood. So the House will now adjourn and meet again at 2-30 p.m."

After Lunch (2-30 p.m.).

The Hon. the PRESIDENT:—"Before the House rose for lunch this morning, Mr. Basu Dev had moved a motion that the consideration of the Bill be adjourned to Friday next. That motion was seconded. The Hon. the Raja of Bobbili has opposed it. Now that motion is for discussion."

Mr. V. T. ARASU:—"Sir, I rise to make a few observations on the motion of my hon. Friend, Mr. Basu Dev, for the adjournment of the consideration of the Bill till Friday. I want to oppose the motion. I do not know what purpose will be served by the postponement of the consideration of the Bill till Friday. If on the other hand, the Government are willing to agree to the suggestion put forward on this side of the House, namely, that the consideration of the Bill be postponed to the next meeting of the Council, I think some purpose will be served."

Mr. C. BASU DEV:—"There was no suggestion made on the other side of the House that the consideration of the Bill may be postponed to the next meeting."

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The Hon. the PRESIDENT:—"The hon. Member, Mr. Arasu, was not in the House when the motion for postponement was moved. He is not aware of the reasons advanced by the hon. Mover, Mr. Basu Dev, and by Mr. T. S. Ramaswami Ayyar, who seconded the motion for postponement."

Mr. V. T. ARASU:—"I was saying, Sir, that I oppose the motion of Mr. Basu Dev, for this reason, namely, that no purpose will be served by it. If at all the consideration of the Bill is to be postponed it may be postponed to the next meeting in October. If that is done, hon. Members will have ample time to study the report of the select committee and put forward constructive amendments to the Bill. I therefore appeal to the Hon. the Chief Minister to postpone the consideration of the Bill till October next."

* Mr. C. BASU DEV:—"I am glad to hear the reasons advanced by the Hon. the Chief Minister against the motion for adjournment. What I wanted to convey to the Hon. the Chief Minister and to the House was that if we went on postponing clause after clause simply because we had had to postpone the consideration of clause 4, it would lead to considerable confusion. This is a big bill with a large number of clauses and I thought we should do everything to avoid any confusion. If the Hon. the Chief Minister assures us that there is no fear of any confusion, I have no objection to withdraw my motion."

The motion was by leave withdrawn.

The Hon. the PRESIDENT:—"Clause 7 will be considered now."

Clause 7.

* Mrs. RUKMANI EAKSHMIPATHI:—"Mr. President, Sir, I beg to move that in line 4 of clause 7 the word 'passages' be omitted. My only reason for moving this amendment is this. If an European officer is appointed as the Commissioner of the Corporation of Madras, the Corporation would have to pay his passage when he goes on furlough or when he leaves us for good. We might as well have some other officer so that the Corporation may not be put to the necessity of paying his passage. I do not see any necessity for the Government to appoint any officer of the Civil or Military service entitled to passage allowance as the Commissioner of the Corporation. It is for this reason that I want to have the word 'passage' omitted."

Mr. P. PEDDI RAJU:—"I second it."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, the section merely says that when an officer of Government is appointed as Commissioner of the Corporation of Madras, his salary, leave allowances and other passage concessions to which he is entitled under Statutory Rules should be met by the Corporation. It is always open to the Government to appoint an officer to whom such allowances and concessions are due

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or to appoint any other officer. I am afraid I do not really understand the object of this amendment. I do not also see why Government should not be enabled to appoint any person who, in their opinion, is most suitable for the office and why the field of selection should be restricted. I have therefore to oppose the amendment."

The Hon. the PRESIDENT:—"Is the hon. Mover of the amendment replying?"

Mrs. A. RUKMANI LAKSHMIPATHI:—"No, Sir."

The amendment was put to vote and lost.

Clause 7 was put and carried.

Clauses 8 to 16 were put and carried.

Clause 17.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I beg to move that in the new section 31, the words 'or any rules made by the Local Government' be omitted. Sir, the Corporation has got certain powers to frame rules and by-laws. The Government have got power to approve or cancel the rules made by the Corporation besides having the power to make rules themselves for the Corporation. I do not see why the Government should have powers to make rules themselves when they have got the power of approving or cancelling the rules made by the Corporation. For this reason, I move that the words 'or any rules made by the Local Government' be omitted."

The amendment was duly seconded.

* The Hon. Sir the RAJA OF BOBBILI:—"The hon. the Mover of the amendment himself has stated that the Corporation has got a right to make rules and regulations and that the Government also have got the right to make rules and regulations. Therefore it follows that in order to avoid any conflict between the two sets of rules it is necessary that the regulations made by the Government should prevail in the event of any conflict between the rules made by the Corporation and the rules and regulations made by the Local Government. It is necessary for this purpose to retain those words. I therefore oppose the amendment."

2-45 p.m. * Mr. T. S. RAMASWAMI AYYAR:—"Sir, we are trying to give autonomy to local bodies; it must be the privilege of a local body to make its own rules. It is one thing to say that the rules have to be approved by the Government, and quite another thing to say that the Government also should have the power of framing rules. There is difference between the Government point of view and that intended by this amendment. As I said, it is the privilege of a local body to make its own rules and if you are going to restrict this power by superimposing the will of the Government, you are taking away a valuable privilege. It is only the local body that will know its own needs and difficulties. It is always open to the Government not to approve of a certain rule if they think that it is not in the public interests. Except for that, the Government should not interfere and certainly not

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in the day-to-day administration of a local body. The Government will every now and then desire to amend a rule or frame a new rule and the Corporation will have to obey them. It will be really stultifying the Corporation's position as a public body. When we are trying to educate people in self-government are you going to have them always in leading strings? I do not think the Government's attitude in this matter is correct. I have great pleasure in supporting the amendment."

Mr. ABDUL HAMEED KHAN:—"Sir, I wish to add that we are now trying to introduce a more democratic system of Government in this country and much more democratic self-government in the local bodies of this province. Even in the Act which was passed so far back as the year 1919, the City Municipality has been given the power to make regulations for itself with the approval of the Government. If now, in the year 1935, instead of making it much more liberal and democratic, we amend the old Act so as to make it much more stringent and much more undemocratic and illiberal, we would certainly not be moving with the times. I would therefore suggest that the Hon. Minister should accept this amendment. After all, what is proposed by this amendment is to enable the City Municipality to make rules for itself—certainly with the approval of the Government. It does not want the interference of the Government in its right to make rules for itself. If the Government take the power of making rules in addition to the rules that are framed by the City Municipality, there is bound to be conflict. In order to avoid the possibility of a conflict, it is, I think, necessary that the local body should be given full powers to make rules for itself so far as the procedure in meetings and other things is concerned. The City Municipality has been in existence for a very long time; it had at first an official president; ever since the Act of 1919 came into existence, we have been electing a president ourselves; there have been very many standing committees which have been carrying the administration of the City Municipality with great credit to themselves. When all this experience is there, when there are people who have been carrying on the administration with such success, if we take away a certain power which they have been enjoying for a long time, if we give the power to the Government to make rules in addition to the rules to be made by the City Municipality, I am afraid, Sir, we would certainly be putting the hand of the clock back."

Rao Bahadur Sir A. P. PATRO:—"Mr. President, Sir, I think there is much misunderstanding with regard to the scope of this clause. The rule provides that it is open to the standing committee or the Corporation Council to make supplementary regulations which will not be inconsistent with the Act or the rules made by the Government. Therefore the power to be exercised by the standing committee is limited already by the section itself. Therefore there is no new impediment or further restriction placed in the way of making regulations. By way of abundant caution it is stated that any rule made

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by the standing committee shall not be inconsistent with any provisions of this Act or any rule made by the Government. The supplementary rules made by the standing committee should be consistent with the provisions of the Act and the rules made by the Government. Therefore no new restriction has been placed on the powers of the standing committee; nor any power that now exists has been taken away by this clause."

The Hon. Sir the RAJA OF BOBBILI:—"Sir, with due deference to the remarks of two expert members of the Madras Corporation, I must state that this clause is neither retrograde nor undemocratic. My hon. Friend, Sir Patro, has explained the position correctly. With your permission, Sir, I wish to bring to the notice of the House that even under the old Act, the Government had power to make rules. Section 347 says that the Governor in Council may make rules or alter all or any of the provisions of this Act, not inconsistent therewith. Therefore this clause does not take away any powers of the Madras Corporation. Moreover it must be conceded that the rules made by the Local Government must override the rules made by the local body. Otherwise there will be conflict. I am sure it will not be stated that we should set up a body completely independent of the Local Government. Therefore I have to oppose the amendment for the deletion of these words."

Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, the conduct of meetings is entirely a matter within the purview of the Council of the Corporation. I fail to see why the approval of the Government is necessary. I should certainly support the amendment before the House."

Mr. T. S. RAMASWAMI AYYAR:—"Sir, I would like to make my position clear. If a small amendment is made, it will carry out the intentions of both the mover and the seconder of this amendment. My suggestion is, for the words 'or any rules made by the Local Government' substitute the words 'subject to the approval of the Local Government'."

The Hon. the PRESIDENT:—"The words which the hon. Member wants to substitute are already there."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, there is already provision in the section that the Council or the Standing Committee shall observe the procedure laid down in Schedule II. Since there is already provision to this effect, I think the words referred to in my amendment may be omitted. Later on, I want to move another amendment to the effect that the Government should not have the rule-making power. I move this amendment in order to have uniformity. I feel that it is necessary that the premier municipality in the whole Presidency should set the example. Some sort of freedom should be given to the premier municipality so that it may set a good example to other municipalities. The approval of the Government has to be

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obtained for any rules made by the Madras Corporation. The Government have already got the power they want. They can ask the Corporation to modify a rule in a certain manner; the power of the Government is not taken away. I therefore move that the words referred to by me, may be omitted."

The amendment was put and lost.

Clauses 17, 18, 19, 20, 20-A, 21, 22, 23 and 24 were put and carried.

Clause 25.

* The Hon. Sir the RAJA OF BOBBILI:—"I formally move that the consideration of clause 25 be adjourned."

Mr. T. B. RUSSELL:—"I second it."

Mr. T. S. RAMASWAMI AYYAR:—"Sir, we the Members of this House find it extremely difficult to move necessary amendments to various clauses. For some reason or other, the consideration of certain clauses is postponed. We find the Hon. the Chief Minister moving for adjournment of one clause here and one clause there. There are many amendments which are pushed along without any discussion at all. We are not given the opportunity to discuss the various sections. Some of us feel that certain amendments are very necessary. This is a very important measure and we feel that certain amendments are necessary especially as on many occasions there were sharp divisions in the Select Committee. I am therefore constrained to oppose this motion for postponement of certain clauses, as it prejudices the discussion of other clauses. Where no amendments have been formally given notice of by Members of the House, we wish to propose some amendments."

The Hon. the PRESIDENT:—"May I point out that the House has agreed to postpone section 4 which deals with the constitution of the Corporation. Therefore, it seems to be necessary to postpone the consideration of clause 25 also, because it also deals with the same matter. I, therefore, see no reason why the motion before the House should be opposed at this stage."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, it is not as if I suggest 3 p.m.
that a particular amendment is or is not necessary. I am only pointing out the handicap in which Members of this House are placed now. There are certain clauses of the Bill with regard to which notice of amendments has been given and such clauses are being adjourned now, while various other clauses with regard to which notice of amendments has not been given are being taken up. What will happen is that with regard to clauses which are suddenly taken up for consideration, because of the fact that on the agenda paper there are no amendments, it is not open to us to discuss those clauses. But if these clauses are taken up in order, even now we will be entitled to send notice of our amendments to such clauses. It is this handicap of the Members, Sir, that makes me throw out this suggestion. I do not for a moment want

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to stop the discussion or the progress of this Bill, but I do feel that with regard to certain important clauses in the Bill, our right of discussion goes by default."

* Mr. C. BASU DEV:—"I would like to point out, Sir, to the Hon. the Chief Minister that I have not given notice of any amendments to important clauses thinking that the clauses of the Bill would be taken one after another. Now, if we adjourn a few clauses and pass on to later clauses, it is only fair that we should be given some time to enable us to give notice of the necessary amendments. I may say that for a long time we were given to understand that the Bill would not be taken into consideration and gone into clause by clause. The Secretary to the Council himself was of that opinion; it was only yesterday that my hon. Friend, Mr. Muthiah Chettiyar, was saying that there would be only a general discussion and consideration of the Bill clause by clause would not be taken up. Lastly, the Raja Sahib himself told me so. That is why we did not give notice of our amendments to the later clauses, but gave them only for the first few. If we now pass over these clauses, and take up the later clauses, naturally there will be no amendments at all from the Members. That will, I submit, cause great inconvenience to the Members."

Mr. R. MADANAGOPAL NAYUDU:—"Taking into consideration what has so far happened, I feel that the particular clauses about which my friend Mr. Basu Dev is anxious, are not likely to come up now for consideration."

Mr. T. S. RAMASWAMI AYYAR:—"What about other clauses in which others are interested?"

Mr. C. BASU DEV:—"But there are many other clauses which are also likely to be taken up now, if these clauses are postponed."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, as you have yourself pointed out, the position is that this morning the House agreed to the postponement of the clause dealing with the constitution of the Corporation Council. It therefore follows that all connected clauses have to be postponed. Apart from that, if we are to adjourn our business to suit the convenience of individual Members, I am afraid the Government will not be in a position to get through their programme. As far as Government are concerned, they have given, in accordance with the rules of the Legislative Council, notice of their intention to present the report of the Select Committee and to move that the Bill be taken into consideration. Therefore, Sir, I am very sorry I am unable to agree to the postponement of the consideration of the whole Bill."

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. President, Sir, it may be that technically the position taken by the Hon. the Chief Minister is the correct one; it may also be that he is right in saying that amendments should have been given notice of far in advance and that the Members should have been more alert and all that. But if the House is to be of any use in such an important measure as this, then certainly a short adjournment must be agreed to."

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Mr. T. S. RAMASWAMI AYYAR:—"Sir, with reference to the observation made by the Hon. the Chief Minister, I desire to explain the difficulty which Members are feeling. I do not, as I said, object to Government getting through the Bill or making progress with it, but what I do object to is getting the clauses on which a discussion was expected and with regard to which notice of amendments had been given, adjourned, and having the other clauses to which no amendments have been given so far, taken up all at once and put through. I think that is rather hard on those people who really want to discuss those clauses which are now being adjourned. If Members had been given an opportunity, they would have given notice of amendments. As my hon. Friend, Mr. Basu Dev, mentioned, many of the Members expected that the Bill would be discussed only in a general way, and that is why they did not give notice of amendments. Of course Government are entitled to say that when once the Bill is taken into consideration, Members must be alert and give notice of amendments. If they want to stand on that technical rule, can we not also stand on the technical rule that important clauses on which notice of amendments has been given should be gone through even now and not adjourned? You cannot take advantage with regard to one matter and place others at a disadvantage with regard to another matter. Either you must go through the whole Bill clause by clause so that everybody may have an opportunity to discuss each clause, or if you want the indulgence to have the discussion of certain clauses postponed you must give the same indulgence to those who ask for a postponement of other clauses."

* Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, I am glad that Government agreed to postpone the consideration of clauses 4 and 5, and it certainly follows that other connected clauses should also be postponed. But since it has been expected by many Members—rightly or wrongly—that there would be only a general discussion of the Bill this session and the consideration of the clauses one by one would be only in October, they have not given notice of amendments. Otherwise, Sir, I am sure we would have had a big volume of amendments before this House. If, as I understand, the Government are now anxious to push on with the Bill, I do not want to stand in their way. At the same time, I think the wish of many Members here who desire to take a great interest in the discussions, that they should have at least a short interval to enable them to give amendments, may be acceded to. We are only having a couple of hours more now; after all tomorrow is a non-official day, and we can take up the Bill again the day after tomorrow. I would therefore appeal to the Government to agree to a short adjournment until Friday morning, to enable Members to give notice of amendments to the other clauses of the Bill. Certainly the Government are right in asking the clauses connected with clauses 4 and 5 to be adjourned."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, the real position is this: there will be great inconvenience caused even to the Government if this business is adjourned now and if in the next two or three days

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other business is not gone through according to the programme. If this is adjourned now, it will mean that we will not be able to make much progress with the Bill.

"In reply to my friend, Mr. Ramaswami Ayyar, I may state that certain clauses were postponed this morning, not to suit the convenience of the Government but to suit the convenience of certain Members of the House; and I have already stated this morning that as far as Government are concerned, they do not need any time for either drafting their amendments or for making up their minds. Therefore, Sir, the remark that Government have been shown an indulgence which other Members were not given, is not quite correct. I have therefore to oppose this motion for adjournment which has already been discussed once this morning."

The Hon. the PRESIDENT:—"The only motion before the House is that the consideration of clause 25 be adjourned."

The motion was carried and clause 25 was adjourned.

Clauses 26 and 27.

Clauses 26 and 27 were put and carried.

Clause 28.

The Hon. Sir the RAJA OF BOBBILI:—"Clause 28 also has got to be postponed, Sir. I move that the consideration of clause 28 be adjourned."

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

The motion was carried and the consideration of clause 28 was adjourned.

Clause 29.

Mrs. A. RUKMANI LAKSHMIPATHI:—"Sir, before I move my amendment, I should like to make a suggestion that this clause be adjourned till some time in October, as there is a difference of opinion."

The Hon. the PRESIDENT:—"The hon. Member must have been noting all the while that that question has been discussed more than once and decided on. There is no use of putting that motion again before the House."

* Mr. C. BASU DEV:—"Mr. President, on a point of information. As we are proceeding with clauses in regard to which most of us have not given our amendments in writing, I wish to know whether we can, as each clause is taken up for consideration, give notice of amendments and move their amendments straightaway?"

The Hon. the PRESIDENT:—"If hon. Members have not given notice of any amendments it is their own fault; and if notices of amendments are pushed in at this stage, there will not be sufficient time to roneo them and circulate them to Members. If there are any verbal amendments to be made to some of the clauses that have already

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been passed, in consequence of the decision to postpone sections 4, 5, 25 and 28, then it will be open for the House to discuss those verbal amendments."

* Mr. C. BASU DEV:—"Sir, I did not ask for any special privilege but in view of what is taking place, namely, postponement of several clauses, I requested permission to move amendments straightaway without previous notice, which, in the present circumstances, is impossible."

Mrs. A. RUKMANI LAKSHMIPATHI:—"Sir, I move that—

'In sub-section (2) of section 52 in clause 29 at the end of clause (e), the words "or a Public Prosecutor or Government Pleader" be added.'

My idea in moving this amendment is that Public Prosecutors and Government Pleaders ought not to be allowed to stand for election, because in the District Municipalities (Amendment) Act of 1930 the Select Committee recommended that neither Public Prosecutors nor Government Pleaders should be allowed to contest the elections, although that recommendation was thrown out. Government Pleaders and Public Prosecutors are partially Government servants, and they receive salary from the Government. They are therefore in a way interested persons, and as such, I want that they should not be allowed to contest the elections."

Mr. C. OBI REDDI seconded the amendment.

The Hon. Sir the RAJA OF BOBBILI:—"I am prepared to accept this amendment, Sir."

The amendment was put and carried.

Clause 29, as amended, was put and carried.

Clause 30.

Clause 30 was put and carried.

Clause 31.

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, Sir, I move for the omission of the clause altogether. My reason for omitting the clause relating to the oath of allegiance is this. I believe that it is absolutely unnecessary and superfluous to bring in the oath of allegiance in the City Municipal Act, as such a provision is not to be found in the Act of 1919. In such a small institution like the City Corporation it is not proper to introduce a new feature, because I feel that it is an insult to every citizen or to the councillors to be asked to take the oath of allegiance, because it means that their loyalty is suspected. I believe, Sir, when we are loyal enough, such a provision as the oath of allegiance need not be resorted to. Sir, Mr. De Valera, as you are well aware, did away with the oath of allegiance in the Irish Constitution and in the Irish Free State the oath of allegiance finds no place. The Senate was abolished and the only representative House in the Irish Free State is the Parliament. Again,

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Sir, in the District Municipalities Act and the Local Boards Act, 1920, this oath of allegiance does not find a place. The Justice Ministry, by a special amendment, the date of which I do not exactly remember—perhaps it was in 1920 or 1921—introduced such a provision in the District Municipalities Act and the Local Boards Act. There seems to be ultra loyalty on the part of the Justice Party; and in the City Corporation also the Justice Party is trying to introduce such a provision. Well, Sir if a person openly preaches sedition, as many Congressmen have delivered seditious speeches and have been arrested under section 124-A and incarcerated, there is the Indian Penal Code which comes to the rescue of the Government to penalize a particular individual who advocates sedition. Therefore, Sir, to think of introducing the provision for the oath of allegiance in the City Corporation—a provision which does not find a place in the old Act—is uncalled for and will be a standing insult to the citizens of Madras."

Mr. C. OBI REDDI:—"I second it, Sir."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I find there is not very much for me to reply, because the hon. Mover of the amendment has not really made out a case for the deletion of the proposal. I do not know the correct position in Ireland, but the fact whether it finds a place in the Irish Constitution or not, is no concern of ours. My hon. Friend, Mrs. Lakshmipathi, has also stated that the Justice Party is responsible for introducing this provision in the District Municipalities Act. I have not got the exact facts before me; it may be during the time of the previous Justice Ministry or in the time of the hon. Dr. Subbarayan's Ministry that it was introduced. If it was in the time of the Justice Ministry, I take pride in the fact that we, as loyal subjects of His Majesty, thought it fit to introduce it. I am only sorry that responsible members of this House should have taken any objection to such a provision in the Act, because, I, as representing the Justice Party, do not believe that we will be furthering the cause of the country by raising such objections and I do not see how it is relevant to say that because of the existence of the Criminal Procedure Code and the Indian Penal Code, it should be a reason against a provision of this kind. I therefore oppose this amendment."

* Mr. M. DEVADASAN:—"Mr. President, Sir, the hon. the Lady Member has moved an amendment for the deletion of clause 31. I was present at the time when the Lady Member took the oath of allegiance the other day and I believe I am right in saying that she felt proud and took the oath louder than any other Member who took the oath the other day. That being the case, I do not find any reason why she should oppose this clause for the taking of the oath of allegiance when a member is admitted as a member of the Corporation. She cited the example of De Valera and wants that example should be followed in our country; and she has not put forward any convincing argument for the deletion of this clause. We have not come to such a state as to think of giving up oath. In the District Municipalities Act, and in the Local Boards Act, so far as I remember,

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there is provision for the oath of allegiance. When I became a member of a municipality in my district, I remember having taken the oath but she says there is no provision in those Acts—of course I speak subject to correction. In the courts, before a man is put in the box for giving evidence, he is asked to make the oath whether what he is going to say was truth or not. In our country taking oath is an important factor and even suits are settled on oath because so much value is attached to the oath. If a person is loyal to His Majesty, it is not superfluous if he takes the oath. I wish that the clause should be there and there is no necessity for its omission. I therefore oppose the amendment of the hon. the Lady Member. I have not opposed her in the past and I am sorry to oppose this motion now. I hope she will withdraw her motion for the deletion of the clause."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, in answer to what my hon. Friend over there has said, I wish to tell him that when I took the oath of allegiance the other morning, I did take it in a much louder and stentorian voice than the others have done and therefore he thinks it is all the more reason why I should advocate the inclusion of the clause in the City Municipal Act. I really cannot understand the argument of my hon. Friend. If I take the oath of allegiance in a loud voice, does it mean that I am in favour of this provision? Again, I said that in the District Municipalities Act and in the Local Boards Act of 1920, there was no such provision but that the Justice Ministry which was then in power, by a special Act brought in the oath of allegiance in a hurried manner and they introduced the provision for the oath to be taken in the District Municipalities Act and the Local Boards Act. I am really glad to find that my hon. Friend over there is a very loyal subject of the King Emperor. I believe there are many more like him. However, I am glad to have that assurance from him."

The motion was put and declared lost. A poll was demanded and the House divided thus:—

Ayes.

- | | |
|---------------------------------|--------------------------------|
| 1 Mrs. A. Rukmani Lakshmipathi. | 3 Mr. U. C. Subrahmanya Bhatt. |
| 2 Mr. C. Obi Reddi. | 4 " K. Koti Reddi. |

Noes.

- | | |
|--|--------------------------------------|
| 1 The Hon. Sir K. V. Reddi Nayudu. | 11 Mr. C. E. Jones. |
| 2 " Rao Bahadur A. T. Pan-nirselvam. | 12 " G. T. Boag. |
| 3 " Mr. C. A. Souter. | 13 " R. Madanagopal Nayudu. |
| 4 " Mr. G. T. H. Bracken. | 14 " T. B. Russell. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 15 " T. Sundara Rao Nayudu. |
| 6 " Mr. P. T. Rajan. | 16 Khan Sahib Syed Taj-ud-din Sahib. |
| 7 " Sir the Raja of Bobbili. | 17 Mr. R. M. Palat. |
| 8 Diwan Bahadur C. Natesa Mudaliyar. | 18 " V. M. Ramaswami Mudaliyar. |
| 9 Mr. W. Scott Brown. | 19 Rao Bahadur R. Srinivasan. |
| 10 " H. R. Uzielli. | 20 Mr. M. Devadasan. |
| | 21 " D. M. Reid. |
| | 22 The Raja of Parlakimedi. |
| | 23 Mr. M. Vedachala Mudaliyar. |

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Noes—cont.

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|--------------------------------------|--------------------------------------|
| 24 Mr. P. C. Moses. | 46 Mr. M. B. Rangaswami Reddi. |
| 25 " V. G. Vasudeva Pillai. | 47 Dr. P. Subbarayan |
| 26 " F. J. Stanes. | 48 Mr. M. A. Muthiah Chettiyar. |
| 27 Khan Bahadur Javad Hussain | 49 " M. S. Sreshta. |
| Khan Sahib Bahadur. | 50 " J. A. Davis. |
| 28 Mr. G. Simhachalam. | 51 Rao Sahib V. I. Muniswami Pillai. |
| 29 " P. K. Ramachandra Padayachi. | 52 Mr. S. M. K. Beyabani Sahib. |
| 30 Rao Sahib V. Dharmalingam Pillai. | 53 Subadar-Major S. A. Nanjappa |
| 31 Rao Bahadur D. Krishnamurti. | Bahadur. |
| 32 " Sir A. P. Patro. | 54 Rao Bahadur T. M. Narayanaswami |
| 33 Sriman M. G. Patnaik Mahasayo. | Pillai. |
| 34 Mr. A. V. Bhanoji Rao. | 55 Mr. V. P. Narayana Nambiyar. |
| 35 The Zamindar of Bodinayakanur. | 56 " C. Basu Dev. |
| 36 Mr. Daniel Thomas. | 57 " G. R. Premayya. |
| 37 " J. Kuppuswami Choudari. | 58 " P. M. Thangal. |
| 38 " C. Indrayya. | 59 Rai Sahib C. K. Reddi. |
| 39 " K. Pattabhiramayya. | 60 Mr. P. V. Krishnayya Choudari. |
| 40 Khan Bahadur T. M. Moidu Sahib | 61 Diwan Bahadur S. Ellappa Chet- |
| Bahadur. | tiyar. |
| 41 The Zamindar of Kirlampudi. | 62 Rao Sahib P. Subrahmaniya Chetti. |
| 42 Rao Sahib C. Jayaram Nayudu. | 63 Mr. I. C. Iswaran Pillai. |
| 43 Mr. S. A. A. Annamalai Chettiyar. | 64 " Mahboob Ali Baig Sahib. |
| 44 Rao Sahib D. V. Narasimhaswami. | 65 Rao Sahib N. Siva Raj. |
| 45 Mr. A. Harischandrudu. | |

Neutral.

- | | |
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| 1 Mr. Yakoob Hasan. | 3 Mr. K. P. Raman Menon. |
| 2 " K. R. Venkatarama Ayyar. | |

Ayes 4. Noes 65. Neutral 3.

The motion was lost.

Clause 31 was put and carried.

Clauses 32 to 37 were put and carried.

Clause 38.

- * Mrs. A. RUKMANI LAKSHMIPATHI:—" Mr. President, I move—
"In sub-clause (ii) (c) omit the words from "including deposits"
to the words "may be forfeited."
In sub-clause (ii) (c) omit both the *provisos*."

This is a simple amendment, the object of which is to see that no deposit shall be asked from any candidate contesting elections."

Mr. C. BASU DEV:—" Sir, I beg to second the motion of my hon. Friend the lady Member for the City of Madras. A few years ago, there were elections to the Corporation of Madras. They were properly conducted and there were no frivolous candidates except perhaps a solitary instance when the candidate got no vote at all. Demanding deposits from candidates even for Corporation memberships will cause a great hardship to the middle class candidates. This is an anti-democratic measure and so I strongly support the motion."

* Mr. R. MADANAGOPAL NAYUDU:—" Mr. President, Sir, I thought that the amendment moved by my hon. Friend representing the City

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of Madras was for the deletion of the portion regarding the forfeiture of deposits but I find Mr. Basu Dev is against deposits altogether. As a result of the experience the Corporation had in some of the elections, they recommended to the Government that there should be a deposit of Rs. 100 and the Select Committee while considering the matter, took the position of the people who could not afford to pay that into account, and have recommended specifically that, in respect of seats reserved for Adi-Dravidas and labour, this deposit ought not to be insisted upon. I think that it is certainly not anti-democratic. At any rate, it is not going to make things worse than they are to-day. It is improving the lot of those two communities by exempting them from paying deposits (interruption by Mr. Basu Dev). I am not going to answer my friend. It is not for me to do it. I hope he will see the reasonableness of the proposal and accept it. I take it that the amendment seeks only to remove forfeiture and I think I must oppose the motion."

Mr. C. BASU DEV:—" If I have misunderstood the amendment under discussion, I may be permitted to move an amendment to the effect that all reference to deposits should be deleted."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, I feel there ought to be some check on frivolous contesting of elections. If not, all people will stand and thereby create much inconvenience for the genuine candidate. I myself wanted to oppose the motion and I am glad my friend representing the City, Mr. Madanagopal Nayudu, has done it. I therefore oppose the motion."

Rao Bahadur R. SRINIVASAN:—" Mr. President, Sir, I think, if the motion before the House is passed, it will operate as a serious hardship to members of the depressed classes. It is possible that the caste men put up their party men just to defy the genuine depressed class candidate and put him to inconvenience. If there were no provision for either deposits or the forfeiture thereof, every Tom, Dick and Harry can be persuaded to obstruct a depressed class man. I think there ought to be deposit; but it may be small. I consider that the provision is necessary and therefore oppose the amendment."

Mr. ABDUL HAMEED KHAN:—" Mr. President, I would not have intervened in this debate but for the remarks of my hon. Friend Mr. Srinivasan. He said that he wanted the deposits in order to prevent caste men from setting up another candidate—I fear he has overlooked the fact that the depressed class men are exempted from paying deposits—but even assuming otherwise, the man setting up a candidate as against another would naturally come forward with any amount of deposit that may be required. I fear that by putting forward an argument like that, he is penalizing members of his own community. I do not know why he wants members of his community to be put to the difficulty of furnishing deposits. It is a community which is just coming up and is economically very backward and I do not think there

[Mr. Abdul Hameed Khan] [7th August 1935]

will be any large number of members from that community who would be prepared to pay a deposit for standing as a candidate. I hope my hon. friend will reconsider his opinion and see that by this means he is merely inflicting on his community an additional burden which they cannot afford to bear."

3-45 P.M. * The Hon. Sir the RAJA OF BOBBILI:—"Sir, there is not much left for me to say. So far as Adi-Dravidas or labour candidates are concerned, they have been exempted by the amendment carried out by the Select Committee. I think it is necessary, in order to prevent attempts being made to create trouble to genuine candidates, that some deposit should be prescribed in the Act itself. I therefore oppose the amendment."

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

Mrs. A. RUKMANI LAKSHMIPATHI:—"No."

The amendment was by leave withdrawn.

* Mr. C. BASU DEV:—"With your permission, Sir, I move—
'that in the first proviso, for the words "one hundred rupees" the words "twenty-five rupees" be substituted.'

By moving this amendment, I think I will be meeting to some extent the objections of my hon. Friend Mr. Madanagopal Nayudu who thinks that some deposit is necessary. To ask a candidate to deposit as much as Rs. 100 is certainly a great hardship. It will be preventing middle class persons from contesting a seat in the Corporation Council. Especially when you have enlarged the number of territorial divisions in the city, it will be doing a great injustice to ask for a large deposit from intending candidates. I therefore earnestly appeal to the Hon. Chief Minister to accept this very modest amendment."

The Hon. the PRESIDENT:—"The amendment falls through for want of a seconder."

Mrs. A. RUKMANI LAKSHMIPATHI:—"It is not, Sir, that I wanted to withdraw my amendment. I thought you were asking whether I had anything to say in reply and I said no. But I do press my amendment."

The Hon. the PRESIDENT:—"I thought the hon. Member had already indicated her intention to withdraw the amendment, and I therefore declared it withdrawn."

Mrs. A. RUKMANI LAKSHMIPATHI:—"I could not hear you, Sir, from that distance. Because I thought you were asking whether I was replying, I said no."

The Hon. the PRESIDENT:—"The House has already given its leave to withdraw the amendment. I cannot reopen it."

• Clauses 38 and 39 were then put and carried.

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Clause 40.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I move—
'To omit new section 71.'

"When once a man is convicted for an offence, he undergoes the punishment awarded to him by the court, and I cannot understand why the City Municipal Act also should give him some more punishment by disqualifying him from standing as a candidate for election or for holding office. That is my idea in moving that this clause should be omitted. Otherwise, it will be giving a man who has already undergone punishment awarded by a court, double punishment for the offence he committed. For the period he undergoes imprisonment, he himself is prevented from standing for election. When the next chance comes for him to stand, why should he be prevented from standing for five years for membership of the Corporation? So, I think we will be justified in omitting that portion and in liberalizing the City Municipal Act, when compared with the District Municipalities Act, the Madras Corporation being a premier institution."

Mr. G. R. PREMAYYA:—"I second it."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, as I understand the section, one can stand for election but he is disqualified from holding office under this Act. We have omitted some other penal clauses in the old Act and in their place, it is considered desirable to insert this provision in order to bring it into line with the District Municipalities Act. It is really necessary, and I oppose the amendment."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I withdraw the amendment."

The amendment was by leave withdrawn.

Clause 40 was put and carried.

Clauses 41 to 43 were then put and carried.

Clause 44.

Mr. P. V. KRISHNAYYA CHOUDARI:—"I move—

'For the opening paragraph of sub-section (1) substitute the following:—

"(1) The Council shall select a panel of three candidates in each of the posts for the appointments of Health Officer, an Educational Officer, Water Works Engineer, Engineer, Electrical Engineer and Revenue Officer and such other offices as it may consider necessary, who shall be heads of departments working under the Commissioner, and from among these the Mayor shall appoint one of the three from the panel and whose choice shall be final."

"Instead of leaving every applicant to go and see about 60 or 70 councillors and in order to prevent such sort of malpractices and canvassing, I wanted to move originally that the Services Commission should be asked to make the appointment. Because the Services

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Commission is a Government body, I thought it would be objected to, and so I suggest that the Council shall select a panel of three candidates from among whom the Mayor may choose one, so that there may not be much worry for the members. Also, suppose the councillors have to give their vote in open Council; then the officer appointed by one party may try to take some vengeance against the members of the other party who voted against his appointment. To avoid all that, I suggest that a panel of three candidates shall be selected by the Council so that the Mayor may have the power of choosing the candidate. The Corporation Mayor has not got much power except to preside over the Council. I think this will give some prestige to the office as he will have to use his discretion in making the appointment. In the case of the District Municipalities Act, the Hon. Chief Minister himself accepted an amendment to the effect that the whole thing should be done by a committee. My amendment is in conformity with that policy and I hope the Hon. Minister will accept it without opposing it."

Mr. G. R. PREMAYYA:—"I second it."

* The Hon. Sir the RAJA OF BOBBILI:—"I am afraid, Sir, by no stretch of imagination this proposal can be considered to be in conformity with what was accepted by this House yesterday. The provision that was made in the District Municipalities Act was to constitute a committee of three members for making the appointments. But in this case whether it is for the selection of a single candidate or for the selection of a panel of three candidates for the post, the actual selection and the voting has to be done by the Council itself, and I do not see how my hon. Friend is avoiding canvassing or other unpleasant consequences. As a matter of fact, I may state that in the case of selection for these appointments, voting, I believe, is done by ballot, and I do not think the candidates can ordinarily know who supported them or who voted against them. If it is a suggestion for a particular committee for making appointments, I can understand it. As it is, I am unable to concede that this amendment is an improvement of the position in the Bill. I therefore regret I cannot accept the amendment."

Mr. P. V. KRISHNAYYA CHOUDARI:—"If the Hon. Minister is going to accept an amendment for the appointment of a committee, I would myself prefer that arrangement, as it will be much better. If you will permit me, Sir, I will move that a committee be constituted in conformity with the amendment made in the District Municipalities Act yesterday."

The Hon. the PRESIDENT:—"The hon. Member must first withdraw the present amendment."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I am prepared to withdraw the amendment on condition you will allow me to move another amendment in its place. At the same time, I wanted to suggest to the Hon. Minister to accept an amendment for the constitution of a committee

7th August 1935] [Mr. P. V. Krishnayya Choudari]

for the appointment of these officers instead of leaving it to a Council consisting of 60 or 70 members, whereby the efficiency of the officers that may be appointed as heads of departments will suffer to a very great extent."

The Hon. the PRESIDENT:—"I shall have no objection if this amendment is withdrawn."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I am withdrawing that amendment. I shall suggest a new amendment in its place."

The amendment was by leave withdrawn.

Mr. ABDUL HAMEED KHAN:—"May I suggest that this clause do stand over?"

The Hon. the PRESIDENT:—"Further consideration of clause 44 will be taken up on the next day."

"The House will now adjourn and meet again at 11 a.m. to-morrow."

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

[7th August 1935]

APPENDIX I.

[Vide answer to question No. 103 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 7th August 1935, page 298 supra.]

Draft rules for the constitution and working of irrigation advisory boards for the three Cauvery Channels, viz., (1) the Raja channel, (2) Komrapulayam channel, and (3) Mohanur channel in Namakkal taluk of the Salem district.

The Boards shall be styled 'Irrigation Advisory Board' followed by the name of the channels concerned.

2. Each of the Boards shall consist of six members nominated by the Collector from among the leading and influential landholders of the non-official class owning lands under the channels. The Deputy Tahsildar, Paramathi, who is in immediate charge of the channels will be one of the members (ex officio).

3. Each member shall hold office for two years.

4. Any temporary vacancy shall be filled up by the Revenue Divisional Officer, Namakkal, in consultation with the Deputy Tahsildar, Paramathi.

5. (a) The Board shall meet at least once in every quarter, but more often if necessary; and any member who fails to attend three consecutive meetings shall vacate his seat. Rules regarding time, place of meeting and conduct of business, etc., may be framed by the Boards themselves.

(b) Proceedings of each meeting shall be communicated to the Deputy Tahsildar, Paramathi, within three days after they have been passed.

6. Each of the Boards will elect its own President who will also conduct business and carry on correspondence. Three members shall form the quorum.

7. The functions of the Boards will be to make recommendations on questions of matters connected with the preserving and maintenance of padugais, rearing of trees, brushwood, fit for the use of korambus, carrying out of repairs to the breaches in the korambus, and in the channels and clearing of silt in the channels in general and they will have nothing to do with the remedying of individual grievances of ryots. The Board's dealings will be with the Deputy Tahsildar, Paramathi, who will as far as practicable carry out the recommendations of the Board.

8. The working of the Boards shall not entail any expense to Government.

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APPENDIX II.
[Vide answer to question No. 113 asked by Mrs. A. Rukmani Lakshminipathi at the meeting of the Legislative Council held on the 7th August 1935, page 308 supra.]

District.	Caste Hindus excluding scheduled castes.		Scheduled castes.		Mubammadans.		Indian Christians.		Anglo-Indians and Europeans.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Gadgam and Vindhyapattam (that remain)	225,778	41,280	11,291	2,196	1,453	261	929	356	227	157
Godavari, East	153,265	48,424	12,255	2,377	2,767	866	2,146	806	110	64
Godavari, West	116,654	37,668	10,951	2,600	2,659	680	6,733	2,100	105	59
Kistna	184,533	62,290	11,869	2,724	6,705	2,426	7,536	2,486	8	1
Guntur	195,152	52,241	9,717	1,241	13,384	2,186	17,221	2,943	9	7
Nellore	107,008	31,741	11,476	1,945	7,429	1,088	2,493	593	27	27
Cuddapah	99,466	21,776	5,714	668	10,476	1,277	3,156	357	41	44
Anantapur	81,241	20,639	14,053	1,493	8,398	1,142	561	155	8	3
Bellary	102,538	26,778	12,870	3,274	12,095	2,145	782	198	33	21
Kurnool	77,394	15,656	7,853	1,286	13,212	2,483	5,145	666	107	79
Madras	56,192	23,485	2,863	1,302	6,975	2,053	3,938	2,408	10	5
Chingleput	141,581	51,483	26,340	5,027	3,824	800	3,365	1,055	8	7
Chittoor	145,327	42,519	18,180	2,535	7,576	949	705	229	7	4
Arcoot, North	202,009	60,953	24,341	4,064	13,762	3,316	2,931	1,113	12	13
Arcoot, South	236,158	75,326	45,479	7,091	8,298	1,932	6,377	1,637	1,730	1,618
Tanjore	173,002	46,161	11,717	2,038	14,848	3,223	5,224	2,151	860	435
Trichinopoly	192,924	56,531	23,919	3,880	8,533	1,497	10,042	3,218	331	212
Madura	169,760	44,368	13,766	2,009	10,294	2,825	6,778	2,135	85	11
Rannad	153,908	51,194	18,555	4,274	11,240	3,867	7,524	2,586	16	14
Tinnevelly	195,324	46,795	29,136	5,500	17,688	4,208	29,262	10,266	100	41
Coimbatore	148,545	42,971	7,714	1,321	5,433	1,246	3,538	1,004	23	22
Nilgiris, The	11,280	1,233	692	153	801	171	1,255	433	106	105
Salem	211,156	55,954	17,329	2,181	6,598	1,357	1,790	585	29	24
Kanara, South	65,687	20,715	3,799	1,567	14,609	3,815	8,656	3,797	48	38
Malabar	222,456	56,189	9,291	977	105,929	21,117	8,670	3,499	161	145
									162	109
									71	72
									18	1
									17	23
									87	65
									55	23
									191	146
									129	122
									398	354
									383	356
									65	60
									204	163
									31	5
									24	12
									565	435
									143	47

[7th August 1935]

APPENDIX III.

[Vide answer to question No. 125 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 7th August 1935, page 315 supra.]

Memorandum R.O.C. No. 17868/35 E-3, dated 24th June 1935.

Electoral rolls—Local Boards—Preparation of.

The Government desire that the names of hamlets in which electors reside should be shown as far as possible in the rolls of revenue villages and villages not divided into wards. The District Election Officers are requested to have the lists of voters prepared by hamlets in the case of villages not yet begun by the special staff and *where it is still possible* to adopt this arrangement. They should clearly understand that it is to be done only in respect of villages in which lists have to be begun after the receipt of this circular, and no time should be spent in re-arranging lists already prepared.

A. McG. C. TAMPOE,

Inspector of Local Boards and Municipal Councils.

To all District Election Officers.

APPENDIX IV.

[Vide answer to question No. 134 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 7th August 1935, page 320 supra.]

Year.	Scholar.	Subjects.	Period.	Qualifications.
1930 ..	Mr. D. D. Sawson ..	Study of Oceanography with special reference to Pisciculture.	3 years ..	B.A. (Honours); M.S.C. Research Scholar. Presidency College Madras. Carried out his research work in the laboratory in the Presidency College, Madras, Agricultural College and Research Institute, Fisheries Research Institute, Krusadal Islands, in the Aquarium, Madras, and in Kolar Gold Fields.
1933 ..	G. S. Siddappa ..	Canning ..	2 years and 9 months.	B.A. (Honours) in Chemistry of the Madras University. First class with first rank in the Presidency. Was a Research Scholar in the department of Bio-Chemistry of the Indian Institute of Science receiving a scholarship from the Madras Government.
..	M. Moynuddin ..	Sugar manufacture ..	3 years ..	B.Sc. of the Aligarh University in 1931 with Chemistry, Botany and Zoology. Was a Research Assistant in the Madras Agricultural Subordinate Service.
..	N. Venkatayya ..	Bye products of sugar industry.	2 years and 9 months.	B.A. of the Madras University with Chemistry in first class. Was a temporary demonstrator in Chemistry, Government College, Anantapur.

[7th August 1935]

APPENDIX V.

[Vide answer to question No. 135 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 7th August 1935, page 321 supra.]

Names of the Members of the Board of Directors of the Provincial Weavers' Co-operative Society, Madras.

- 1 M.R.Ry. A. Ranganatha Mudaliyar Avargal, M.L.C., Hospet, Bellary district.
- 2 „ Diwan Bahadur T. A. Ramalingam Chettiyar Avargal, M.L.C., Coimbatore.
- 3 J. M. Doak, Esq., Madura Mills, Madura.
- 4 M.R.Ry. M. D. Subbaraya Ayyar Avargal, Advocate, Mylapore, Madras.
- 5 „ P. S. G. Ganga Nayudu Garu, Managing Agent, Ranga Vilas Mills, Peelamedu, Coimbatore.
- 6 „ Diwan Bahadur A. Appadurai Pillai Avargal, M.L.C.
- 7 „ S. Thammanna Chettiyar Avargal, Salem Weavers' Co-operative Society, Salem.
- 8 „ V. Iswaran Chettiyar Avargal, Devanga Weavers' Co-operative Society, Coimbatore.
- 9 „ Suryanarayana Rao Garu, Tanur Weavers' Co-operative Society, Tanur, South Malabar.
- 10 „ A. Ganesa Mudaliyar Avargal, Anjaneyaswami Co-operative Society, Chingleput.
- 11 „ A. S. Lakshmana Ayyar, Madura Sourashtra Co-operative Banking, Limited, Madura.
- 12 „ A. Chellappa Mudaliyar Avargal, Takkolam Weavers' Co-operative Society, Limited, Takkolam, North Arcot district.
- 13 The Registrar of Co-operative Societies.
- 14 The Director of Industries.
- 15 The Principal, Government Textile Institute, Madras.

APPENDIX VI.

[Vide answer to question No. 140 asked by Mr. M. Devadasan at the meeting of the Legislative Council held on the 7th August 1935, page 325 supra.]

G.O. No. 49, Revenue, dated 6th January 1934.

The Government have examined the question whether village officers should be allowed to stand for elections to the legislatures, local boards and municipal councils or take part in politics. They consider that in this respect karnams should be treated as whole-time servants of the

[7th August 1935]

Government. They direct 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. As regards village headmen the Government direct 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 or 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 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.

2. Karnams and headmen who have already been elected to the legislatures or local bodies are exempted from the operation of these orders for the current term of their membership in such bodies.

3. The Board of Revenue is requested to take steps to enforce these orders by means of executive instructions.

(By order of the Governor in Council)

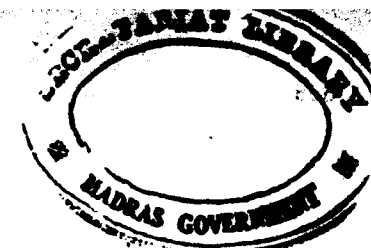
J. A. THORNE,
Secretary to Government.

To the Board of Revenue (Land Revenue and Settlement).
" Local Self-Government Department.
" Public Department.
" Law (Legislative) Department.

APPENDIX VII.

[Vide answer to question No. 139-A asked by Mr. U. C. Subrahmanya Bhatt at the meeting of the Legislative Council held on the 7th August 1935, page 324 supra.]

Fasli 1343.				Fasli 1344.			
		Wet.	Garden.			Dry.	
		RS. A. P.	RS. A. P.			RS. A. P.	
Assessment	..	1 0 0	1 0 0	..	..	1 0 0	
Amount suspended ..	..	0 1 6	0 1 6	..	..	0 1 0	
Amount collected ..	..	0 14 6	0 14 6	..	..	0 15 0	
Resettlement assessment ..	..	1 2 0	1 2 0	..	..	1 0 0	
Amount remitted (by the grant of special increment remission).	..	0 1 6	0 1 6	..	..	..	
Amount suspended ..	..	0 0 6	0 0 9	..	..	0 1 0	
Amount collected ..	..	1 0 0	0 15 9	..	..	0 15 0	



THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 8th August 1935.

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

PRESENT:

Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K. V.
Pannirselvam, The Hon. Rao Bahadur A. T.
Souter, C.S.I., I.C.S., The Hon. Mr. C. A.
Bracken, C.S.I., C.I.E., I.C.S., The Hon. Mr. G. T. H.
Raja of Bobbili, K.C.I.E., The Hon. Sir the.
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.
Beyabani Sahib Bahadur, S. M. K.
Bhanoji Rao, Mr. A. V.
Boag, C.I.E., I.C.S., Mr. G. T.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Indrayya, Mr. C.
Iswaran Pillai, Mr. I. C.
Jagannatham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Jones, I.C.S., Mr. C. E.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ullah 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.
Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi.
Kumararaja of Venkatagiri, The.
Kuppuswami Choudari, Mr. J.
Madanagopal Nayudu, Mr. R.
Mahboob Ali Baig Sahib Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa Bahadur, Subadar-Major S. A.
Narasimhaswami, Rao Sahib D. V.
Narayanan Nambiyar, Mr. V. P.
Narayanawami Pillai, Rao Bahadur T. M.
Natesa Mudaliyar, Diwan Bahadur C.
Obi Reddi, Mr. C.
Palat, Mr. R. M.
Parthasarathi Ayyangar, Mr. C. R.
Patnaik Mahasayo, Sriman M. G.
Pattabhiramayya, Mr. K.
Patro, K.C.I.E., Rao Bahadur Sir A. P.
Pattagar of Palayakottai, The.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Raja of Kallikote, The.
Raja of Parlakimedi, The.
Ramakrishna Reddi, Mr. A.
Ramalinga Reddi, Mr. C.
Ramalingam Chettiyar, Diwan Bahadur T. A.
Ramamurti, Rao Sahib Pandit Ganala.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Rameswara Rao, Mr. G.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, Mr. M. D. T.
Rangaswami Reddi, Mr. M. B.
Ratnavelu Tevar, Mr. P.
Reid, Mr. Douglas Muir.
Rukmani Lakshminipathi, Mrs. A.
Russell, I.C.S., Mr. T. B.
Scott Brown, I.C.S., Mr. W.
Sesha Reddi, Rao Bahadur B. P.
Shetty, Mr. A. B.
Simbachalam Pantulu, Mr. G.
Siva Raj. Rao Sahib N.
Smith, Mr. J. M.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Stanes, Mr. F. J.

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PRESENT—cont.

Subbarayan, Dr. P.	Vedachala Mudaliyar, Mr. M.
Subrahmanya Chetti, Rao Sahib P.	Venkatarama Ayyar, Mr. K. R.
Subrahmanya Bhatt, Mr. U. C.	Venugopal Nayudu, Rao Bahadur
Sundara Rao Nayudu, Mr. T.	R. K.
Syed Tajuddin Sahib Bahadur, Khan	Wright, Sir William.
Sahib.	Yakub Hasan Sahib Bahadur.
Thangal, Mr. P. M.	Zamindar of Bodinayakkanur, The.
Uzielli, C.I.E., I.C.S., Mr. H. R.	Zamindar of Kirlampudi, The.
Vasudeva Pillai, Mr. V. G.	Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Admission of candidates into the Teachers' College, Saidapet, during the triennium 1933–35.

* 141 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) how many persons of each community applied for admission to the L.T. course of the Teachers' College, Saidapet, during each of the years 1933, 1934 and 1935;

(b) how many persons of each community were selected during each of these three years; and

(c) what principles are followed in making the selection?

A.—(a) & (b) A statement* is appended.

(c) In selecting candidates for admission to L.T. training, the Principal is advised by a Selection Committee. Selections are made on the basis of various considerations such as previous teaching experience, the community to which the candidate belongs, the nature of the appointment which the candidate will hold after training, the nature of the guarantee as regards appointment after training made by the school management, the district to which the candidate belongs and the number of applications from the same school.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask, Sir, whether in view of the representations for more scope being given to students willing to undergo the L.T. course, the Hon. Minister has taken any steps to enlarge the classes? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Quite recently, the number has been increased, within about two or three years. I do not think the hon. Member expects Government to undertake to further increase the number now.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask what difficulties stand in the way of giving admission to all desirous of undergoing the training? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Additional expenditure, more accommodation, additional staff, etc.”

* Printed as Appendix I on page 453 infra.

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Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether there are any Kanarese-speaking members in the Selection Committee? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I can't say.”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know, in view of the fact that there are many districts in which there are Kanarese-speaking people, why no such member has been selected? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I cannot accept the statement of the hon. Member.”

Mr. A. B. SHETTY:—“ May I know whether the Government have any idea of the number of L.Ts. who have not been able to secure employment? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I have no information.”

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know, Sir, whether it is not the view of Government that by giving scope for more persons to get this training they will be able to encourage the expansion of education without much costs? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It may be so, Sir.”

Mr. M. S. SRESHTA:—“ Arising out of the answer of the Hon. Minister that the objection to a larger number of admissions in the L.T. class is due to the fact that it would entail additional expenditure, will the Hon. Minister consider the desirability of charging fees to cover the expenditure, because many students might be willing to join the college even paying? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Stipends were paid to these students till recently; they were just abolished, and it would be too early to introduce any tuition fees.”

Mr. G. RAMESWARA RAO:—“ May I know whether all the lady students who applied got admission? ”

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

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether the Hon. Minister will consider the desirability of nominating a member from one of the Kanarese-speaking districts to this committee in order to safeguard the interests of those people? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I am not sure whether there is not such a member on the committee. I shall examine the question of the need for such representation.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Arising out of the answer given that financial difficulties stand in the way, may I ask whether Government is prepared to admit all those students who are prepared to pay for their training? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I said additional accommodation would be required, and also additional staff.”

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Mr. V. M. RAMASWAMI MUDALIYAR:—"In view of the present state of education in the country and the desirability of having a large number of trained teachers available, may I ask whether it would not be possible for Government, in order to get over the accommodation difficulty, to have two shifts, one in the morning and another in the evening for separate sets of students?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not think it is possible."

Deputation of ex-army men to the Deputy Secretary, Law Department, in the matter of G.O. No. 2535, Education, dated 11th December 1934.

* 142 Q.—Rao Sahib V. I. MUNISWAMI PILLAI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) with reference to his reply during the course of this year's budget debate in regard to G.O. No. 2535, dated 11th December 1934, whether any representations were received by the Government and, if so, what action the Government took further to examine the continuing of the facilities offered to the children of the ex-army men;

(b) whether the Government will be pleased to call for statistics of pupils of ex-army men studying in the various schools;

(c) whether the Government are aware that a deputation of ex-army men waited on the Deputy Secretary to Law (Education) on the 13th and 16th July 1935, and pointed out the difficulties caused by the introduction of G.O. No. 2535, dated 11th December 1934; and

(d) whether the Government have considered the desirability of cancelling the above Government Order and allowing the concessions to continue?

A.—(a) Beyond the receipt of certain resolutions passed at a public meeting held at Ootacamund in February, Government have received no representations protesting against this Government Order.

(b) The Government do not consider it necessary to do so.

(c) It is understood that three ex-service men did see the Deputy Secretary on the two dates specified at Ootacamund but that their representations were chiefly with reference to their own personal cases and were not directed against the general principles of the Government Order.

(d) No.

Industries

Nomination of members to the Board of Directors of the Madras Handloom Weavers' Provincial Co-operative Society, Limited.

* 143 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 the Local Government are to nominate members of the Board of Directors of the Madras Handloom

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Weavers' Provincial Co-operative Society, Limited, for the first year; if so, whether the Government have nominated the members of the Board of Directors and who the gentlemen so nominated are;

(b) of the persons so nominated, whether any has got any vested interest in the society in virtue of holding the requisite number of shares in accordance with the by-law 14 of the said society;

(c) whether it is a fact that the Director of Industries offered to suggest the name of Mr. J. B. Machada, St. Joseph's Cottage, Kadri, Mangalore, for nomination to one of the places in the directorate of the said society, if the said gentleman would consent; if so, whether the said gentleman did consent;

(d) whether it is a fact that the Government wanted only men having vested interest as above said to be directors and whether accordingly Mr. J. B. Machada applied for the requisite number of twenty shares;

(e) whether the local Government have nominated the said Mr. J. B. Machada; if not, why not;

(f) what the previous qualification or experience is of the gentleman nominated by the Government in handloom weaving industries; and

(g) what considerations led to the nominations of the gentlemen nominated, and whether those gentlemen were recommended by the Director of Industries; if so, which of them were so recommended?

A.—(a), (b) & (f) The hon. Member is referred to the answer given to question No. 135 asked by Mr. A. B. Shetty.

(c) Yes.

(d) The answer to the first part is in the negative and that to the second part is in the affirmative.

(e) Mr. Machada's name was suggested too late to be considered and only as a substitute in case the original nominees were not appointed.

(g) The gentlemen nominated were recommended by the Director of Industries and they possess business or administrative experience.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether there is any representative from South Kanara on the Board?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"As I said yesterday there is at present one from the West-Coast, but I cannot say whether he is from South Kanara."

Recommendation of the Director of Industries to nominate a certain gentleman from South Kanara to the Board of Directors of the Madras Provincial Handloom Weavers' Co-operative Society, Limited.

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

(a) what the number is of handlooms working in South Kanara and what the number is of persons employed there;

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(b) whether any nomination has been made from South Kanara to the Directorate of the Madras Provincial Handloom Weavers' Co-operative Society, Limited, by the local Government; if not, why not;

(c) whether the Director of Industries recommended after consultation with the textile expert any gentleman from South Kanara for nomination to the directorate of the said society and whether the said gentleman has been nominated; if not, why not; and

(d) what the qualification is of the said gentleman on which the Director of Industries recommended him?

A.—(a) Number of handlooms, 2,495. Number of persons employed, 2,495 approximately.

(b) No; only 12 non-officials had to be nominated and it was not therefore possible to appoint a member for each district.

(c) The hon. Member is referred to the answer given to clause (e) of his question No. 143.

(d) The Director stated that he owned a handloom weaving factory at Mangalore and that he had influence with the handloom weavers.

Result of the experiments for the production of jaggery from palmyra juice.

* 145 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that experiments have been made to produce jaggery from palmyra juice;

(b) if so, whether any report has been received on those experiments;

(c) whether the Government will be pleased to lay it on the table of the House;

(d) whether the Government are prepared to start such experiments in Guntur district also;

(e) whether any tree-tax is levied on such palmyra trees as are used for jaggery purposes; and

(f) whether the Government are prepared to exempt such trees from tree-tax?

A.—(a) No. The manufacture of jaggery from palmyra juice is an industry which has long been established in Tinnevely and in Northern Circars; but demonstrations of the manufacture of sugar from palmyra juice by the open pan system using centrifugals are now in progress in the Tinnevely district.

(b) No.

(c) Does not arise.

(d) The results of the demonstrations now in progress are awaited.

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(e) Tree-tax, under the provisions of Board's Standing Order No. 18, is levied on palmyra trees on Government lands in the Presidency, except in the Tinnevely district where a special system of taxation of palmyra trees is in force. No distinction is made for this purpose between trees used for the manufacture of jaggery and other trees. Toddy drawn in lime-coated pots for the manufacture of jaggery is exempt from the provisions of the Abkari Act, except in certain areas of East Godavari, West Godavari and Guntur districts. In the excepted areas licences for drawing sweet toddy for the purpose of manufacturing jaggery are issued free, subject to certain conditions.

(f) It is presumed that the hon. Member is referring to the tree-tax levied under the provisions of the Board's Standing Order. No proposal for exemption from tree-tax of trees used for the manufacture of jaggery has been considered by the Government.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government are prepared to extend the experiment to the Telugu districts also, especially to Guntur where there are a large number of palmyra trees available for the manufacture of jaggery? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ For the purpose of the present experiment one district will be enough. If the experiment proves successful, then we will consider the question of extending the experiment to other districts.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ What are the reasons for taxing palmyra trees in Guntur when it is not so in other districts? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ They are not taxed there.”

Registration

Facilities for Official Receivers in the mufassal to register documents by a letter of request to the Registering Officer.

* 146 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) with reference to the answer given to question No. 776 what orders have been passed to give facilities for Official Receivers in the mufassal to register documents by a letter of request to the Registering Officer; and

(b) if no orders have been passed, the reason therefor?

A.—(a) Orders have issued stating that it is not necessary for an Official Receiver to appear in person or by agent at any registration office in any proceeding connected with the registration of any instrument executed in his official capacity or to sign as provided in section 58 of the Indian Registration Act, 1908.

(b) Does not arise.

[8th August 1935]

Mr. G. RAMESWARA RAO:—" May I request a copy of the orders to be placed on the table of the House? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I may mention that the Hon. Minister in charge of the subject is ill, and I may answer that the matter will be considered."

Local Self-Government

Pay of elementary school teachers formerly employed in Government schools but subsequently transferred to local bodies.

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

(a) whether final orders have been passed in the matter of allowing the extra amount which some of the elementary teachers employed in former Government girls' schools, Labour and Fishery schools, but subsequently transferred to local bodies, were drawing in excess over the maximum fixed in the new scale of pay introduced in July 1934, at the time of the introduction of the new scales;

(b) if so, whether a copy thereof will be placed on the table;

(c) whether all the presidents of district boards have given effect to them; and

(d) if not, how many have not given effect to them; who they are and what the reasons are for the delay in each case?

A.—(a) Yes. Vide paragraph 4 of G.O. No. 749, L. & M., dated the 25th February 1935.

(b) A copy of the Government Order was placed on the table in reply to question No. 897 on the 15th March 1935.

(c) The Government have no information.

(d) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether the Government expect that paragraph 4 of the G.O. No. 749 should be given effect to immediately? "

The Hon. Sir the RAJA OF BOBBILI:—" Yes."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I point out to the Hon. Minister, Sir, that it has not been given effect to yet and some of the presidents of district boards are confusing themselves and contemplating to make some unnecessary reference to Government in the face of such specific order in such cases? "

The Hon. Sir the RAJA OF BOBBILI:—" I am not aware of the fact; I shall be glad if the hon. Member brings to my notice any specific instance so that I may take action."

Order of the Municipal Commissioner, Guntur, prohibiting the construction of thatched houses.

* 148 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 Guntur Municipal Commissioner has passed an order prohibiting thatched houses within municipal limits and, if so, why such an order has been issued;

[8th August 1935]

(b) whether the Government will be pleased to place the order of the Commissioner on the table of the House;

(c) whether any protests have been made to the Commissioner and to the Collector of the district regarding the same; and

(d) if the Government have no information, whether they will be pleased to call for the same and place it on the table of the House?

A.—(a) The Commissioner, Guntur Municipality, had notified by tom-tom in the town that thatched huts would be removed from the midst of dwelling houses. This was done to allay public anxiety owing to the numerous fire accidents in these huts which were threatening adjacent buildings and human life. These huts were put up mostly by squatters amidst dwelling houses indiscriminately.

(b) No written orders were passed by the Commissioner.

(c) One protest was made to the Commissioner and none to the Collector.

(d) The answer to clauses (a) to (c) is based on the information obtained by the Government. They do not consider that any useful purpose will be served by placing the correspondence on the table of the House.

Mr. P. V. KRISHNAYYA CHOUDARI:—" In view of the order of the Municipal Commissioner, may I know what will be the fate of the poor people who cannot afford to construct tiled houses? "

The Hon. Sir the RAJA OF BOBBILI:—" The position is these huts have been built in the midst of dwelling houses; in the interests of perfect safety from fires, this order was issued. I understand the Collector has received certain petitions for temporary suitable building sites."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the Government are prepared to give compensation to those poor people to enable them to construct tiled houses when their thatched houses are ordered to be removed? "

The Hon. Sir the RAJA OF BOBBILI:—" I don't think. The position is that some temporary structures or huts have been put up in the midst of dwelling houses, and I believe the order is that they should be demolished and in future they should not put up such structures."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Municipality of Guntur has expressed any opinion on this order passed by the Commissioner? "

The Hon. Sir the RAJA OF BOBBILI:—" I am not aware whether the municipal council has considered it."

[24th August 1935]

Mr. C. BASU DEV:—"Is it that those people are trespassers and are not legitimate owners of houses?"

The Hon. Sir the RAJA OF BOBBILI:—"As I understand it here, they are trespassers."

Mr. G. R. PREMAYYA:—"Does it mean that huts are not allowed in the midst of towns?"

The Hon. Sir the RAJA OF BOBBILI:—"I understand the order is that in future there should be no more huts constructed in the midst of dwelling houses, and also I understand that this order has not been enforced against the existing ones."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the Government are prepared to place the order on the table of the House?"

The Hon. Sir the RAJA OF BOBBILI:—"It is already stated it is unnecessary. But if the hon. Member wants I am prepared to show it to him."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it a fact that there are several owners, not trespassers, who are not permitted to construct thatched houses on their own house sites?"

The Hon. Sir the RAJA OF BOBBILI:—"I have not got the information, but I believe the executive authorities competent to regulate the construction of these dwelling houses have issued an order to that effect as a safeguard against fire."

Telephones

Proposals, if any, to link Salem to the Trunk Telephone.

* 149 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(a) how many places have so far been connected by the trunk telephone in this Province;

(b) what those places are and when each of them was linked;

(c) whether the telephone system is already in existence in the area of each of those places;

(d) whether there are any proposals to link the town of Salem to the trunk connexion; and

(e) if so, at what stage it is and when it is likely to be achieved and what the reasons are for putting it off so far?

A.—(a) & (b) The Madras Telephone Directory issued in April 1935 shows that Trunk Services are available at the following places in this Province:—

(1) Ootacamund.

(2) Coonoor.

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(3) Coimbatore.

(4) Tanjore.

(5) Trichinopoly.

(6) Madura.

(7) Calicut.

(8) Cochin.

There is no information when these places were linked to the trunk system. Masulipatam was also connected to the trunk system from 13th May 1935.

(c) Yes.

(d) & (e) In November 1934, the Postmaster-General reported that it was under contemplation to open a telephone exchange worked by the Posts and Telegraphs Department at Salem and connect it in the near future with the general trunk system. The Government have no information regarding the present stage of the proposed connexion of Salem with the trunk system.

Mr. K. A. NACHIYAPPA GOUNDER:—"In answer to (a) and (b) it is said the Government have no information. May I ask the hon. Member to call for the information and furnish it?"

The Hon. Mr. G. T. H. BRACKEN:—"The hon. Member is aware that this matter is a central subject. Posts and telegraphs is a central subject, and questions relating to it should more appropriately be put in the Assembly."

Forest Panchayats

Elections to the Suryamalai Forest Panchayat, Salem district.

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

(a) what the usual term of office of elected members of a forest panchayat is;

(b) how many times the election of members and president has been conducted in respect of Suryamalai Forest Panchayat in Tiruchengodu taluk of Salem district during the past three years;

(c) if there were too many elections within the period, what the reasons therefor are;

(d) what the annual income and expenditure is in respect of the said panchayat forest;

(e) whether any representations have been received to disreserve the said area; and

(f) if so, what they are and what have been done with them?

A.—(a) Three years.

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

(e) & (f) No. The attention of the hon. Member is invited to the answer given to question No. 518 on 24th January 1935.

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Mr. K. A. NACHIYAPPA GOUNDER:—" With regard to clauses (b), (c) & (d) of the question, Government say they have no information. May I request the Hon. Member to call for the information, which will reveal some sorry facts? "

The Hon. Mr. C. A. SOUTER:—" I think it will be very much better if the hon. Member would tell me now what he is really aiming at. If he would tell me what his complaint is I will examine it."

Mr. K. A. NACHIYAPPA GOUNDER:—" Then I shall write to him, Sir, at my leisure."

General

Outbreaks of fire in Guntur and Kistna during May and June 1935.

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

(a) whether the Government are aware that several fires took place in Guntur, Kistna and other districts in this Presidency during the months of May and June 1935;

(b) whether the Government have received any reports about the extent of damage caused thereby and if so, whether they will be pleased to lay them on the table of the House; and

(c) what relief the Government have given or propose to give to the sufferers?

A.—(a) Yes.

(b) & (c) The reports^a received by the Government are laid on the table. They specify the steps taken to provide relief.

Mr. P. V. KRISHNAYYA CHOUDARI:—" Have the Government granted anything from the provincial funds, other than the discretionary grants, towards this relief? "

The Hon. Mr. C. A. SOUTER:—" I think the reports will show that Government have granted timber, etc., for building materials and so on. I am not aware beyond that anything further has been done."

Irrigation

Benefit, if any, to the Cuddapah district from the Tungabhadra project.

* 152 Q.—Mr. T. NARASA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Tungabhadra project is going to benefit any part of the Cuddapah district; and

^a Printed as Appendix II on pages 453-457 infra.

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(b) whether the Government will be pleased to make a definite statement to allay the unrest of the ryots concerning the above project?

A.—(a) The Tungabhadra project as last revised provides for irrigation of areas in the Bellary, Kurnool and Anantapur districts only, but till the soil survey of the project area, which is now in progress, is completed and the location of the area finally decided on, it cannot be said definitely whether the project will or will not benefit the Cuddapah district.

(d) The Government are doing everything possible to push through the project. The Government of India have been addressed for the appointment of an Inter-State Commission or a Court of Arbitration to settle the question of the sharing of the waters of the Tungabhadra river and its tributaries and the question is now under their consideration.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" How long has this soil survey of the area been going on? "

The Hon. Mr. C. A. SOUTER:—" I understood, Sir, when I was in Coimbatore, that the soil survey has been completed, and all that remains to be done is that the samples, which have been sent, have to be analysed, and that is being carried forward as quickly as possible."

Mr. G. RAMESWARA RAO:—" May I know when the Government expect the final report on the soil survey? "

The Hon. Mr. C. A. SOUTER:—" I asked, but they were unable to give a definite date. There were a large number of samples and they were hurrying through their work."

Mr. K. KOTI REDDI:—" Apart from the question of soil survey, may I know whether the Government does not feel that it is also more desirable and equitable to apportion the available water to the various Ceded districts? "

The Hon. Mr. C. A. SOUTER:—" That depends on the amount of water which this Government would be allotted. It may not be sufficient for all the three districts and if we put on Cuddapah to the detriment of the other three districts, there is a possibility of wasting a great deal of water which may otherwise be more usefully put on land in Bellary and Anantapur."

Progress of the proposal to open a river channel to irrigate Repalle lands of Tallaprodatur firka, Cuddapah district.

* 153 Q.—Mr. T. NARASA REDDI: Will the Hon. the Member for Revenue be pleased to state in what stage the proposal of opening a river channel to irrigate Repalle lands of Tallaprodatur firka, Jammalamadugu taluk, Cuddapah district, is?

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A.—Detailed investigation of the scheme has been completed. Plans and estimates are under preparation.

11-15 a.m. Mr. A. RAMAKRISHNA REDDI:—" May I know whether this will be included in the next year's budget as a famine protection work? "

The Hon. Mr. C. A. SOUTER:—" I have no idea."

Mr. A. RAMAKRISHNA REDDI:—" May I know whether the Government intend to have a scheme of famine protection work as promised by the Finance Member in the budget speech? "

The Hon. Mr. C. A. SOUTER:—" That scheme is going on."

Progress of the Lower Bhavani Project.

* 154 Q.—Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) the stage at which the Lower Bhavani Project stands;

(b) its estimated cost; and

(c) the acreage to be served by the scheme and the taluks in which the lands are situated?

A.—The attention of the hon. Member is invited to the answers given to question No. 875, dated 13th March 1935. The project is still under investigation.

Progress of the Lower Bhavani Project.

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

(a) at what stage the investigation for launching of the Lower Bhavani Project is;

(b) whether the soil survey is over and the report thereon has been received;

(c) if so, whether a copy of the report will be placed on the table;

(d) whether crop experiments have been completed and report has been received;

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

(f) if not, at what stage the experiment is and when it will be completed;

(g) whether boring tests are going on at the dam site;

(h) whether they have been completed and with what result; and

(i) when the scheme is likely to be launched?

A.—(a) The attention of the hon. Member is invited to the answer to question No. 154.

(b) Yes.

(c) The report is technical and the Government do not consider that any useful purpose will be served by its publication. The survey has revealed that the soils met with

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in the project area are very homogeneous in their physical structure. Sufficient data, on which conclusions could be based as to the water relations of the soils of the tract, have been collected.

(d) No.

(e) Does not arise.

(f), (g) & (h) An extract* of the Chief Engineer's latest progress report is placed on the table.

(i) The results of the experiments [referred to in clause (d)] ordered in September 1934 to be conducted for two years will have to be awaited before coming to a decision on the question.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, whether the Government are yet to come to a decision on the question of the construction of the dam, or is it the case that the question of construction has been decided upon once and for all and the preliminaries are gone through now before the work is actually started? "

The Hon. Mr. C. A. SOUTER:—" I think the position is this: the idea of having the lower Bhavani project has been accepted. A great deal will depend of course on the boring tests that have not yet been finished. I may be relieving the hon. Member's mind if I tell him that when I went to Coimbatore last week, the Collector told me that he had received an advance copy of the report on the crop experiment on the second crop. I have not seen it myself, but I may say that apparently those experiments show great promise."

Land Revenue Administration

Orders on the resettlement reports for the districts of Kurnool, Guntur and Nellore.

* 156 Q.—Mrs. RUKMANI LAKSHMIPATHI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the scheme reports from the Settlement Officer appointed for the Kurnool, Guntur and Nellore districts;

(b) what percentage of enhancement in land revenue has been recommended by these Special Officers; and

(c) when the Government propose to pass final orders regarding the resettlement question?

A.—(a) The scheme report for the resettlement of the Guntur district has been laid on the table of the House. The reports for the Nellore and Kurnool districts have not been received.

(b) The Special Settlement Officer's proposals for the enhancement of assessment in the case of the Guntur district are contained in paragraphs 59—60 of the scheme report.

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Application for the assignment of lands in Sholapadi A. Block Reserve in Omalur taluk.

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

(a) whether it is a fact that the people of Thippampatti, hamlet of Guntur village, have requested for assignment of lands in Sholapadi A. Block Reserve in Omalur taluk; and

(b) if so, what action has been taken on their request?

A.—(a) Yes.

(b) The Collector considered that an area in Sholapadi B. Block was preferable from the health point of view and equally convenient for the applicants and proposed that an extent of 1,155.56 acres in the B. Block might be disreserved. The proposal was approved by the Government.

Mr. M. DEVADASAN:—“ May I ask the Hon. the Revenue Member to be pleased to tell me how many acres out of these 1,155.56 proposed to be assigned are reserved to be assigned to the depressed classes? ”

The Hon. Mr. C. A. SOUTER:—“ Sir, I think the hon. Member should address that question to the Collector. It is the Collector who assigns these lands and I think he would save himself trouble if he addressed the Collector on the matter.”

Public Service

Applicability of G.O. No. 686, Public (Services), dated 19th June 1931, to candidates recruited for the Madras Ministerial Service prior to the issue of the Government Order.

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

(a) whether it is a fact that G.O. No. 686, Public (Services), dated 19th June 1931, lays down that persons who entered Madras Ministerial Service after that date (19th June 1931) must pass the typewriting examination;

(b) whether a copy of this Government Order will be placed on the table;

(c) whether the candidates who have been selected by the Madras Services Commission for ministerial service prior to the issue of this Government Order in 1931 are required to pass the typewriting examination as per this Government Order on pain of their annual increments being withheld;

(d) whether such a qualification was insisted on in the notification issued then in 1931 calling for applications for such posts;

(e) whether a copy of the notification will be placed on the table; and

(f) on what principles the said Government Order is made applicable to those who have been selected for appointment prior to the issue of the Government Order?

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A.—(a) Yes; if they were appointed to offices to which typewriters are supplied.

(b) Yes; a copy is placed on the table.*

(c) No.

(d) No.

(e) A copy is placed on the table.

(f) This does not arise—see answer to clause (c) above.

Mr. K. A. NACHIYAPPA GOUNDER:—“ With reference to clause (a) of this question, the answer is ‘ Yes; if they were appointed to offices to which typewriters are supplied.’ May I know, Sir, whether the Government expect all offices to have typewriters since they insist that typewriting qualification is necessary to all the clerks? ”

The Hon. Mr. C. A. SOUTER:—“ If there are no typewriters supplied to an office, then I presume that the persons who seek employment there will not have to pass the typewriting examination unless they come under the subsequent order which says that all persons should possess typewriting qualification after 1st January 1933.”

S. M. K. BEYABANI SAHIB Bahadur:—“ May I know how many graduates applied to these offices? ”

The Hon. Mr. C. A. SOUTER:—“ Notice.”

Arms and Ammunition

Cancellation of gun licences in the Presidency during the last triennium.

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

(a) the number of gun licences cancelled in each of the districts of the Presidency in each of the three preceding years;

(b) the number of guns or pistols of licence-holders whose licences have been so cancelled and which have been deposited in the police stations in each of the districts in each of the three preceding years; and

(c) (i) the amount realized by sale of the guns and pistols whose licences have been cancelled in each of the districts in each of the three preceding years and (ii) how it was spent?

A.—(a), (b) & (c) (i) A statement^b is appended.

(c) (ii) The amounts were credited to the Government.

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know what the reasons are for such a large cancellation of gun licences in all these districts? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ The reasons are that the various district magistrates who are the authorities for renewing or not renewing these licences consider that the persons holding these licences are not fit to hold the licence any longer.”

* Printed as Appendix V on pages 460–483 infra.

^b Printed as Appendix VI on page 484 infra.

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Mr. U. C. SUBRAHMANYA BHATT:—"May I know why the money realized by the sale of these fire-arms was not returned to the owners?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Under the rules the fire-arms are kept in deposit for a certain number of years; after that they are forfeited to the State and when they are sold the money is credited to the Government."

Mr. U. C. SUBRAHMANYA BHATT:—"May I ask why the rules should not be changed enabling the money being given back to the persons who have paid for the fire-arms?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The position is this: when once the weapons are declared forfeited to the Government after a certain time, during which period I believe it is open to these people to arrange for sale to any other licensee, they become the property of the Government and naturally when they are sold, the sale-proceeds are credited to the Government."

Mr. M. DEVADASAN:—"May I know whether the District Magistrates assign any reason for the cancellation of gun licences in the order communicated to the licence-holders?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I am not able to give a categorical answer to that, Sir."

Mrs. A. RUKMANI LAKSHMIPATHI:—"What is the test of fitness for withholding or granting a gun licence?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"There are several things taken into consideration, such as the character of the person who holds the licence, the circumstances in which he lives, the necessity for it, the possibilities of his losing the weapon, etc. If a concrete case is put to me, I will be able to give the information. As I said there are so many varying considerations that it is not possible to exactly detail them."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"I find from the appendix that the figures for Anantapur, Ganjam, Bellary, East Godavari and Malabar have been called for. Have they arrived?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I do not think they have yet arrived."

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend, why people who have once been given licence are now being deprived of it and, whether their fitness for holding the licence has suddenly deteriorated?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"That is just the reason, Sir. During the year circumstances have apparently turned up which make the authorities realize that it would not be safe to let them continue to have the licence."

Mr. G. RAMESWARA RAO:—"May I know if some hon. Members have been refused their pistol licence and if so, whether in the opinion of the authorities they have become unfit to hold it?"

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The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I am not aware of any particular case of that kind. If any such case is brought to my notice, I shall look into it."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether it is competent for the Government to set right certain vagaries of the Collectors who have cancelled the licences for guns?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I am not sure whether under the Arms Act a right is given to an aggrieved party to appeal to the Government; but I believe under the general powers of control, the Government have certain powers under which it is always open to them to review any case."

Cancellation of revolver licences in the Kurnool district.

* 164 Q.—Mr. A. RAMAKRISHNA REDDI: Will the Hon. the Home Member be pleased to state—

(a) whether the Government are aware of the cancellation of a large number of licences for possession of revolvers in the Kurnool district;

(b) whether the cancellation is in accordance with any instructions issued by the Government;

(c) if so, whether the Government will be pleased to place the Government Order concerned on the table of this House;

(d) what the total number is of licences for revolvers cancelled within the past one year and the number of licences still in force;

(e) of the licences in force, what the number is of licences granted to Government servants; and

(f) whether the Government had at any time any ground to suspect the existence of terrorist activity in the Kurnool district?

A.—(a) Yes; it is presumed that the hon. Member includes refusal to renew licences in the term 'cancellation.'

(b) Yes.

(c) The cancellation of licences is regulated by section 18 of the Indian Arms Act, 1878.

Refusal of renewal of licences is regulated by the instructions issued by the Government which being of a confidential nature it is not advisable to place on the table of the House.

(d) Since 1st July 1934, 25 licences were cancelled and 33 licences refused renewal. The number of licences in force on 1st July 1935 was 96.

(e) 20.

(f) No.

Mr. A. RAMAKRISHNA REDDI:—"May I ask whether it is not a fact that in most of the districts where licences are given, the licensees are respectable people?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I cannot say anything about it."

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Mr. A. RAMAKRISHNA REDDI:—" May I know whether it is not a fact that generally licences are granted for revolvers only to persons who possess property and are respectable? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Those are also considerations which do weigh with the licensing authorities."

Mr. A. RAMAKRISHNA REDDI:—" May I know whether it is not a fact that in most of these cases licences are not granted for the purpose of self-protection? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I am not in a position to say what reasons induced the District Magistrate to refuse licences in previous years to individual cases."

S. M. K. BEYABANI SAHIB Bahadur:—" May I know from the Hon. Member whether it is a fact that the District Magistrate solely depends upon the report made by the local subordinate officers for issuing licences or not? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I suppose the District Magistrate has to depend to a considerable extent on the report of his subordinate officers."

Mr. A. RAMAKRISHNA REDDI:—" May I ask the Hon. the Home Member whether it is not a fact that owing to bitterness of feeling between debtors and creditors the issuing of gun licences to creditors to protect them from the possibility of any crime being committed against them by the debtors is more necessary now than before? " (Laughter.)

Control of Books

Alleged offending article in the "Ananda Vikatan," dated the 7th July 1935, wounding the religious feelings of Christians.

* 165 Q.—Mr. M. S. SRESHTA: Will the Hon. the Home Member be pleased to state—

(a) whether he has received any representations regarding the publication of an article in the *Ananda Vikatan* on the 7th July 1935 containing words about the Lord Jesus Christ which would wound the religious feelings of Christians; and

(b) if so, from whom have representations been received and what action has been taken thereon or is proposed to be taken?

A.—(a) Yes.

(b) Representations have been received from—

- (1) the Editor, *Catholic Leader*, Madras,
- (2) M. Thomas Pillai, Papanasam, and
- (3) the Secretary, C.I.A. Branch, Kumbakonam.

The Government have called for a full translation of the article from the Tamil Translator.

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Mr. M. S. SRESHTA:—" In view of the fact that the feelings of Christians have been wounded to a very great extent and resentment has been expressed in the several meetings which have been held, may I ask the Hon. the Home Member to expedite the translation and the further action to be taken in the matter? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I have called for a report and I am sure the Translator to Government will send up his translation as early as he can. When his report is received I shall see whether any action is called for."

Diwan Bahadur A. APPADURAI PILLAI:—" May I ask the Hon. the Home Member whether before finally disposing of this matter, he will give an opportunity to the Editor, *Catholic Leader* and the Secretary, Indian Catholic Association, to appear before him and represent their cases? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I am afraid I cannot give a promise that I would call any particular individual or a body of persons to come and represent what they have to say. But if any hon. Member wishes to see me and explain things, I shall be very pleased to hear him. But I cannot agree to accept the hon. Member's suggestion in the sense of my asking them appear before me."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know what are the specific words which the *Ananda Vikatan* wrote? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I saw them in Tamil. Lord Jesus Christ is described as a mad man."

Diwan Bahadur A. APPADURAI PILLAI:—" For the simple reason that it may not be possible for the public to know when the matter is going to be disposed of, I put the above question to the hon. Member. In answer to clause (b) it is stated that a translation has been called for. May I know whether after the receipt of the translation a notice would be given to the parties concerned before the matter is finally disposed of? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I can assure the hon. Member that after the translation that has been called for is received, I will consider the matter carefully. I can understand the Tamil as well and therefore it is open to any member of the public from now till Monday to meet me either here or at my residence and express to me his view point."

Diwan Bahadur A. APPADURAI PILLAI:—" May I know from the hon. Member whether, apart from the representations referred to in answer to clause (b) of this question, any further representations were received from the public? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" Subsequently several other representations were received."

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Criminal Tribes*Inclusion of the Padayachis of South Arcot in the list of criminal tribes.*

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

(a) whether it is a fact that Padayachis of the South Arcot district have been declared by the Government as criminal tribes; if so, for what reasons;

(b) whether it is a fact that these classes of people belong to the Vanniyakula Kshatriya community;

(c) on whose recommendation these people were placed on the list of criminal tribes; and

(d) whether any deputation has waited upon the Hon. the Home Member; if so, with what results?

A.—(a) A part of the class of Padayachis residing in the South Arcot district, consisting of those who have been convicted of non-bailable offences, or who have been ordered under section 118 of the Code of Criminal Procedure, 1898, to give security for maintaining good behaviour, has been declared to be a Criminal Tribe.

(b) Padayachi is a synonym or title of Palli or Vanniyan, but Padayachis sometimes style themselves as Agnikula Kshatriyas or Vanniyakula Kshatriyas.

(c) On the recommendation of the District Superintendent of Police, District Magistrate and the Inspector-General of Police.

(d) A deputation waited upon the Hon. the Home Member and the matter is under the consideration of Government.

Subadar-Major S. A. NANJAPPA Bahadur:—“ May I know what is the total number of Padayachis or Vanniyakula Kshatriyas in South Arcot district? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ I am not able to give an answer. I take it that one-third of them consists of Padayachis.”

Subadar-Major S. A. NANJAPPA Bahadur:—“ What will be the percentage of Vanniyakula Kshatriyas who have been placed on the list of criminal tribes now? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ It is less than 2,000.”

Subadar-Major S. A. NANJAPPA Bahadur:—“ May I ask whether any other tribes have been placed on the list in South Arcot district? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ Notice, Sir.”

Mr. M. A. MUTHIAH CHETTIYAR:—“ May I ask the Hon. the Home Member whether, instead of classifying the whole class of one thousand and odd people under ‘ Criminal Tribes ’, it is not possible to make out a list of those who should come under that classification? ”

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The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ I may state that I said 1,900. This number is based on a list which is with us, and they are described to be criminal tribes. But as I said, this does not necessarily mean that the whole lot in the list will be brought in the classification of criminal tribes. The number is bound to be less.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know what was the immediate cause which induced the Government to issue such an order? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ The reason is this: that a large number of Padayachis about 1,900 spread over various villages in all the taluks were to a considerable extent associated with each other and whenever there was a big dacoity, the dacoits were drawn from the various villages acting in concert one with another. The Government were satisfied that there was a sort of gang which had its members spread all over the district and we tried to trace out and bring as many gangs on the list as possible.”

Mr. C. RAMALINGA REDDI:—“ May I know whether these people commit dacoities for pleasure or for sport or on account of economic depression and may I with your permission ask my hon. Friend whether he considers the ground which he has given just now is sufficient for classifying the whole people under this ignominious appellation and bring them under ‘ criminal tribes ’? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ I may repeat what I said. I do not know how many times I have to make the same statement. Government have not declared the Padayachi community as such as ‘ criminal tribe.’ It is only those people who have been found guilty of dacoity, burglary or theft and offences of that sort that have been classified as criminal tribes.”

Mr. C. RAMALINGA REDDI:—“ Does my Hon. Friend the Home Member mean that he has made out a list individually by their actual names and classified them as criminal tribes and if so, has he created a new tribe? ” (Laughter.)

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ The reason for classifying certain individuals of that community as ‘ criminal tribes ’ is that they have committed non-bailable offences against property.”

Application of the Criminal Tribes Act to the Koravars of Coimbatore.

* 167 Q.—Rao Sahib V. I. MUNISWAMI PILLAI: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that the District Magistrate of Coimbatore, in March 1935 issued notices to several Koravars under section 7 (2) of the Criminal Tribes Act, to register themselves under the Act;

(b) whether the Government are aware that such notices were served on students of recognized schools;

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(c) whether the Government will state the reasons for enforcing registration on such members of Coimbatore Koravars who do not come in the list of Criminal Tribes;

(d) whether the Government are aware that Mr. Slater, former Collector of Coimbatore, has written to Vadarkula Sangam on 27th October 1931 that the members of the community as a whole do not become suspects and criminals if a few are brought under the Act as a corrective measure;

(e) whether the Government are also aware that the District Magistrate of Coimbatore, under date 24th January 1934 has written to the above Sangam that the Government are doing and will do what they can in the matter of exemption or removal of the members of the criminal tribes under the Criminal Tribes Act;

(f) what serious things have happened between the date of the last letter and now to warrant the notice for registration; and

(g) whether the Government are in receipt of the resolution passed at the Coimbatore Vadarkula Sangam meeting on 28th April 1935 and what action the Government took or propose to take thereon?

A.—(a), (b), (c), (d), (e) & (f) The Government have no information.

(g) Yes. The matter is under consideration.

Rao Sahib V. I. MUNISWAMI PILLAI:—“ May I ask the Hon. Member whether it is not a fact that Government listed certain classes of people as criminal tribes? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ We declare a certain class of people as criminal tribes, but the duty of drawing up the list rests completely with the Collector of the district.”

Rao Sahib V. I. MUNISWAMI PILLAI:—“ May I know the reason why a sudden order was passed treating the Coimbatore Koravars as criminal tribes? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ There is no such community as Coimbatore Koravas and they have not been declared a criminal tribe.”

Rao Sahib V. I. MUNISWAMI PILLAI:—“ With reference to the answer given in clause (g), may I know when the Government are likely to come to a decision? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ I have called for a report from the Collector and on receipt of the same I shall consider it.”

Police

Proposal for the appointment of an Indian as Deputy Inspector-General of Police.

* 163 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state with reference to the appointment of Indians to the post of Deputy Inspector-General of Police given at the last budget discussion on the Police cut—

(a) when the next vacancy to the post of the Deputy Inspector-General of Police is to arise in this Presidency; and

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(b) who the seniormost Superintendent of Police qualified to succeed to the said post is?

A.—(a) Probably in September 1935.

(b) The post is a selection post. Selection will be made in due course.

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know who is the selecting authority for the appointment of Deputy Inspector-General of Police? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ Government.”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether the Hon. Member will bear in mind the assurance that he gave at the last Budget discussion that when a suitable Indian is available he will be given the chance? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ The suitable senior official even if he be an Indian will be given the place.”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether under the pretext of the post being a selection appointment, the claims of any Indian who may be fit for the post will be debarred? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ That contains an insinuation which I am not prepared to answer.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Are the Government considering the claims of those who are fit for this post, and if so, what are the prospects of those Indians who are fit for the post? ”

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—“ As I said the matter will be carefully considered.”

Administration of Justice

Measures to minimise the period of detention of under-trial prisoners.

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

(a) what steps the Government have so far taken or propose to take to minimise the period of detention of under-trial prisoners before the Sessions Courts and before the magistrates; and

(b) what the average period of detention of such prisoners is in each year for the past five years?

A.—(a) The hon. Member is referred to Rule 742-A of the Jail Manual, Part II, and to the review of Government on the Jail Administration reports.

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(b) The average period of detention of under-trial prisoners for the past five years is:—

Year.	Period of detention.	
	In Sessions Courts.	In Magistrates' Courts.
1930	28-62	17-12
1931	28-42	18-07
1932	32-67	15-34
1933	26-71	16-91
1934	36-98	17-93

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know Sir, whether the Inspector-General of Prisons complained for not minimizing the period of detention of under-trial prisoners in his Administration Report of Jails for the year 1933-34? "

The Hon. Sir K. V. REDDI NAYUDU:—" I do not remember."

Mr. A. B. SHETTY:—" May I know whether Government have taken note of the fact that the average period of detention has increased and what action the Government have taken in the matter to minimize it? "

The Hon. Sir K. V. REDDI NAYUDU:—" I do not know whether Government can take any action and if so, they will certainly be pleased to do so. The hon. Member may as well remember that in some cases the delay is as much due to the clients and advocates as it is due to the delays made by courts."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask Sir, whether Government will be pleased to investigate into the matter and see that the period of detention is minimized as much as possible and not enhanced as will be seen from the figures of 1933 and 1934? "

The Hon. Sir K. V. REDDI NAYUDU:—" Every attempt is being made to see that the period of detention is reduced, but it does not depend entirely upon the Government or the courts."

Electricity

Undertaking by municipalities of the distribution of electric power in their respective areas by themselves.

* 170 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Law Member be pleased to state—

(a) in which municipalities applications have been received from private bodies for licences for supplying electricity to such municipalities; and

(b) whether the Government have definitely asked every municipality whether such municipality is prepared to take such a concern itself?

A.—(a) A list* of private bodies who have applied for licences to supply electric energy in municipalities is annexed.

* Printed as Appendix VII on page 485 infra;

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(b) No; but it is open to a municipality, on seeing the advertisement of a private company's application in the Press and in the *Fort St. George Gazette* to apply for the licence itself.

Mr. P. V. KRISHNAYYA CHOUDARI:—" What are the reasons for the Government not asking the municipalities whether they would take licences for supplying electricity before they grant licences to private people? "

The Hon. Sir K. V. REDDI NAYUDU:—" I think the printed answer shows that these advertisements are published in the newspapers and also in the *Fort St. George Gazette* and it is open to any municipality to come forward and obtain licences."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask what are the reasons for Government not asking the municipality whether they are prepared to undertake such a work? "

The Hon. Sir K. V. REDDI NAYUDU:—" I have answered the question that it is always open to any municipality to come forward and take licences."

Mr. T. S. RAMASWAMI AYYAR:—" May I ask whether the Government will be pleased to offer facilities to the municipalities to take up such electric licences instead of calling for applications generally? I think the policy of the Government should be to encourage municipalities taking up such licences and to advise them that if they do so it would be in the public interest? "

The Hon. Sir K. V. REDDI NAYUDU:—" It has already been stated that the policy of the Government is to give the licences to municipalities. It has not been enquiring whether a particular municipality is prepared to take up the licence or not. The Government have not expressed their intention as to whether it would be better if the municipalities were to take up the licences or not. They are giving the licences to others because there is no other way."

Mr. K. KOTI REDDI:—" May I know why the Government do not consider it advisable to instruct the municipality to develop an essential utility service like electricity itself and supply cheap electricity to the people? "

The Hon. Sir K. V. REDDI NAYUDU:—" I do not see any reason why the municipality should not ask the Government and why the Government should go and ask the municipality."

Mr. K. KOTI REDDI:—" May I know if the Government do not interfere with the autonomous right of the municipalities in various ways, where they ought not to interfere? "

The Hon. Sir K. V. REDDI NAYUDU:—" The premises on which the question is based is not admitted."

Mr. ABDUL-HAMEED KHAN:—" May I ask whether it is the policy of the Government to ask each municipality to supply electricity at cheap rates to their people and to give them licences if they apply for the same? "

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The Hon. Sir K. V. REDDI NAYUDU:—"As far as it is possible, it is so."

Mr. ABDUL HAMEED KHAN:—"May I know whether in the case of certain municipalities licences have been refused on account of various considerations? And if so, why?"

The Hon. Sir K. V. REDDI NAYUDU:—"The answer is given by the hon. Member himself. The licences are refused because of various considerations."

Mr. C. INDRAYYA:—"May I ask whether licence for supplying electricity has been granted to Palacole municipality?"

The Hon. Sir K. V. REDDI NAYUDU:—"I have tried my best to induce them to take out electrical licence but they said they found it very difficult because they could not get either grant or loan from the Government?"

Representations from the Panchayat Board, Attur, for a scheme for the supply of electricity to the village.

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

(a) whether representations have been received from the Attur panchayat in Salem district for formulating a scheme for the supply of electric power to their town;

(b) if so, how they have been disposed of;

(c) whether there are any proposals for extending electricity to that town and thereby take the line to important places in the district of South Arcot; and

(d) if so, what they are and when they are likely to be realized?

A.—(a) Yes.

(b) The President, Panchayat Board, Attur, was informed in July last that a load survey of Attur or the adjoining area had not been carried out as the prospects were not considered by the Chief Engineer for Electricity good enough for it to be included in the first set of lines projected in connexion with the Mettur Hydro-Electric scheme and that the area in question would be surveyed, if necessary, after completion of the sanctioned programme.

(c) & (d) Do not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"With reference to the answer given in clause (b), may I know, Sir, whether a line from Salem to Cuddalore via Attur is not included in the first set of lines projected in connexion with the Mettur Hydro-Electric scheme?"

The Hon. Sir K. V. REDDI NAYUDU:—"It is so. It is not considered to be economical but it will be tried again when the line is completed."

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Ports

Proposal for opening a harbour at Malpe in South Kanara.

* 172 Q.—Mr. M. S. SRESHTA: Will the Hon. the Law Member be pleased to state—

(a) whether the investigation referred to by him in his answer to the first supplementary question in connexion with question No. 457 made on the 23rd January 1935 was the investigation made by Colonel DuCane and Captain Hailey referred to in the report of Sir John Wolfe and others, dated 28th February 1920, published in 1921 by the Government Printing Press, Madras, which is in Madras Secretariat Library;

(b) whether the development of Bhatkal Port has taken place;

(c) if not, whether the question of its development has been reconsidered as recommended in the report referred to above;

(d) whether a more extensive survey has been made at Malpe and borings and probings made as recommended in this report;

(e) how many tons of goods were handled at Mangalore and Malpe, respectively, and in any other minor ports on the South Kanara coast, during the last year for which statistics are available; and

(f) how many tons of goods were handled at each of these Ports in 1919?

A.—(a) Yes. The investigation was made by Colonel DuCane.

(b) The port of Bhatkal is in the Bombay Presidency. The Madras Government have no information.

(c) The attention of the hon. Member is invited to answer given to question No. 457 on the 23rd January 1935.

(d) No.

(e) & (f) The Government have no information, but have called for it.

Mr. M. S. SRESHTA:—"With reference to the answer contained in clause (d), may I ask whether the Hon. Member will be pleased to state why all these fifteen years since the report was made no effect has been given to the recommendations contained in that report?"

The Hon. Sir K. V. REDDI NAYUDU:—"I am afraid the hon. Member has not correctly understood the report itself. The report clearly says that there are so many bridges to be built and so many railways to be constructed that any improvement in the port would be of no benefit when the cost of these things is taken into account."

Mr. M. S. SRESHTA:—"I know that there is a definite recommendation that a survey be made pending decision on other matters. Will the Hon. Member kindly look into the matter?"

The Hon. Sir K. V. REDDI NAYUDU:—"I will be glad to do so."

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Land Revenue Administration.*Policy of Government regarding resettlement and land revenue legislation.*

* 172-A Q.—Mr. C. RAMALINGA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the widespread demand for a revision of their present policy regarding resettlements and land revenue;

(b) what steps they are taking to give effect to this demand; and

(c) what financial consequences they anticipate from such steps—a reduction or increase in land revenue?

A.—(a) The Government are aware that representations, in regard to this matter have been made in the Legislative Council, and elsewhere.

(b) & (c) The Government have, on more than one occasion, explained in the House their policy, in regard to resettlement and land revenue legislation. The attention of the hon. Member is invited in this connexion to paragraph 5 of the orders on the proposals for the resettlement of the southern taluks of the Salem district in G.O. No. 258, Revenue, dated 1st February 1935, which was placed on the table of the House.

Mr. C. RAMALINGA REDDI:—“ May I ask the Hon. the Revenue Member whether he is aware that the Madras Government appointed a committee presided over by Sir Muhammad Habibulla which reported in favour of placing the land revenue policy on a statutory basis and recommended that the rates of assessment should be left to the decision of the Legislative Council. May I also ask whether Government will bring forward legislation without further delay embodying this principle? ”

The Hon. Mr. C. A. SOUTER:—“ I think my hon. Friend had better put this question to the new Government when it comes in.”

Mr. C. RAMALINGA REDDI:—“ Mr. President, I thought that just two days ago my Hon. Friends on the Treasury Benches were very anxious to help the newcomers, whose presence they not only anticipated but apprehended, with the benefits of their experience by providing a council and a big loan. May they not go further and help them with their experience as regards the land revenue policy? ”

The Hon. Mr. C. A. SOUTER:—“ I do not think my hon. Friend requires any aid from me as regards experience in these matters.”

Mr. C. RAMALINGA REDDI:—“ I quite appreciate the compliment. But my Hon. Friend, the present speaker, may not be here by that time. But that is only by the way. . . ”

The Hon. Mr. C. A. SOUTER:—“ I should very much regret that. Sir. (Laughter.) ”

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Mr. C. RAMALINGA REDDI:—“ May I ask my Hon. Friend whether the policies announced by the Government in paragraphs (b) and (c) of their answer were intended to meet the representations of which mention is made in paragraph (a) of their answer, and if so, whether the people who made the representations regarded the policies as sufficiently satisfactory? ”

The Hon. Mr. C. A. SOUTER:—“ No, Sir. The Government thought so.”

Mr. T. S. RAMASWAMI AYYAR:—“ Even if the Government are not prepared to bring in a land revenue Bill just now, may I ask whether they would not amend the Standing Orders of the Board of Revenue regarding remissions of revenue by providing that remissions may be granted not only when there is a failure of crop but also when there is a fall in prices? ”

The Hon. Mr. C. A. SOUTER:—“ That, Sir, does not require any amendment of the Standing Orders of the Board of Revenue. The hon. Member is aware that during the last three years the Government have done that on their own initiative.”

Mr. C. RAMALINGA REDDI:—“ My Hon. Friend having admitted that representations have been made both here and elsewhere and having further admitted that Government have stated their policy, will he kindly, for the benefit of generations to come and also in discharge of his own plain and obvious duty, prepare a note on the different ways of meeting the popular demand on this subject—some such note as my Hon. Friend Mr. Boag circulated on the problem of the delimitation of constituencies—and in that way give us the benefit of his intensive and extensive experience? ”

The Hon. Mr. C. A. SOUTER:—“ It is a terrible job he asks me to do.”

Mr. C. RAMALINGA REDDI:—“ I would ask only one more question. As our Friends, the present Government, are not in the least afraid of terrible jobs, I take it that the Hon. Member is going to circulate a note of that kind. In circulating that note on the possible ways of meeting the popular demand on this subject, would he also kindly work out the financial consequences so that we might know whether revenue from land would be on the increase or remain stationary or be on the downgrade in the years to come? ”

The Hon. Mr. C. A. SOUTER:—“ I think, Sir, if the hon. Member requires such a note, it will be more appropriate if the hon. Member would put down his views on the point. We would then consider them and see whether we can base a note on those points.”

Mr. C. RAMALINGA REDDI:—“ But we are new and inexperienced.”

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

II.—ADJOURNMENT MOTION RE THE CONSTITUTION OF A MUNICIPALITY FOR UDIPI.

Mr. U. C. SUBRAHMANYA BHATT:—“ Under Standing Order No. 19, I beg leave to move—

‘ that the business of the House be adjourned to discuss a definite matter of urgent public importance, to wit, the decision of the Government to constitute a municipality for Udipi ’.”

* The Hon. the PRESIDENT:—“ The motion is that the business of the House be adjourned to discuss a definite matter of urgent public importance, namely, the decision of the Government to constitute a municipality for Udipi. I see from the notification that there is no such decision arrived at by the Government and that they have only sent a preliminary notification which will be duly published in the *South Kanara District Gazette* perhaps next month. Then six weeks time will be given for hearing objections. I, therefore, see that there is no urgency in the matter and disallow the motion.”

NON-OFFICIAL BUSINESS.

III.—THE MADRAS PUBLIC LIBRARIES BILL (BILL No. 11 OF 1933).

Mr. BASHEER AHMED SAYEED, Mover, was not in his place when called by the Hon. the President.

IV.—A BILL TO AMEND THE MADRAS VILLAGE COURTS ACT, 1889, FOR A CERTAIN PURPOSE (BILL No. 22 OF 1934).

Mr. M. DEVADASAN:—“ Sir, I beg to present the report^a of the Select Committee on the Bill to amend the Madras Village Courts Act, 1889, for a certain purpose, Bill No. 22 of 1934, and move that the Bill as amended by the Select Committee, be taken into consideration. When the Bill was originally introduced and referred to the Select Committee, it sought to remove the disabilities suffered by Adi-Dravidas and Indian Christians only . . . ”

* The Hon. the PRESIDENT:—“ Order, order. I want silence in the House so that the hon. Member may be heard.”

Mr. M. DEVADASAN:—“ But while the Committee considered the Bill, they thought that other minority communities such as the Mussal-
mans and the backward classes also should be given similar protection and made suitable amendments to the clauses in the Bill. As the main object of the Bill is to help the helpless minorities, the new additions are in keeping with the main principle of the Bill. Perhaps it might be said that the Bill is unnecessary as members of these minority communities might as well stand for election and get elected to these courts.

^a Published in the *Fort St. George Gazette*, dated 12th March 1935.

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[Mr. M. Devadasan]

But the Bill applies only in cases where members of the minority communities have not been able to secure seats by election. It does not prevent any member from contesting in the election for the panchayat committee. The Hon. the Law Member has given notice of certain amendments which are merely verbal and I think there will be no difficulty in accepting them. I, therefore, ask the House to accept my motion for the consideration of the Bill as amended by the Select Committee.”

The motion was duly seconded.

The motion that the Bill as amended by the Select Committee be taken into consideration was put and carried.

Clause 1.

* The Hon. Sir K. V. REDDI NAYUDU:—“ Mr. President, Sir, I beg to move—

‘ that in clause 1, for the word and figures “ of 193 ”, the figures “ 1935 ” be substituted.’

The word ‘ of ’ is unnecessary.”

Mr. M. DEVADASAN:—“ I second it.”

The amendment was put and carried.

Clause 1 as amended was put and carried.

Clause 2.

* The Hon. Sir K. V. REDDI NAYUDU:—“ Mr. President, Sir, the clause as framed by the Select Committee runs as follows:—

‘ Provided that the Collector may, in his discretion, appoint one or two members of the panchayat court by nomination from any of the minority communities like Muslims and Indian Christians, or from depressed or backward classes of the village not already represented on that court.’

I move, Sir,—

‘ that for clause 2 of the Bill, the following clause be substituted, namely:—

“ 2. After sub-section (3) of section 9 of the Madras Village Courts Act, 1888, the following sub-section shall be inserted, namely:—

‘ (3-A) Notwithstanding anything contained in sub-sections (2) and (3), the Collector may in his discretion appoint not more than two members to the panchayat court by nomination from any one or more of the communities which are in a minority in the area for which the court is established (for example, Muslims, Indian Christians and depressed or backward classes) and which communities are not already represented on the court. Any member or members so appointed shall be in addition to the strength of the court as determined under sub-section (2).’ ”

[Sir K. V. Reddi Nayudu] [8th August 1935]

"Mr. President, Sir, this amendment is only a verbal amendment. Certain words in the clause as proposed by the Select Committee had to be altered in order that the whole clause may be in conformity with the old Act. For instance, the word 'village' is used in the old clause. We have substituted it by the words 'the area for which the court is established.' Similarly, instead of the words 'one or two members' we have used the words 'not more than two members.' In substance, there is no difference between the two clauses. Only verbal alterations have been made."

Mr. M. DEVADASAN:—"I second it."

The amendment was put and carried.

Clause 2, as amended, was put and carried.

Long Title.

* The Hon. Sir K. V. REDDI NAYUDU:—"Sir, I beg to move the following amendments standing in my name:—

(a) *Before the words 'to amend' insert the word 'further.'*

(b) *For the figures '1889' substitute the figures '1888.'*

* The Hon. Mr. C. A. SOUTER:—"I second it."

The amendments were put and carried.

Preamble.

The Hon. Sir K. V. REDDI NAYUDU:—"Sir, I move that—

'In the first paragraph, for the figures "1889" the figures "1888" be substituted.'

The Hon. Mr. C. A. SOUTER:—"I second it."

The amendment was put and carried.

The preamble as amended was put and carried.

Mr. M. DEVADASAN:—"I move, Sir, that the Bill be passed into law."

Rao Sahib V. I. MUNISWAMI PILLAI:—"I second it."

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

Presentation of the Select Committee report on the Bill to provide for the better administration and governance of certain Hindu Maths was not made.

V.—A BILL^a TO PROVIDE FOR THE BETTER CONTROLLING OF
BEGGARS IN THE CITY OF MADRAS (BILL NO. 4 OF 1935).

* Mr. C. BASU DEV:—"Mr. President, Sir, the main object of the Bill that stands in my name has been summarized in the last paragraph of the Statement of Objects and Reasons. The whole purpose of this Bill is to provide the machinery whereby beggars can be removed from the streets of the City and committed to the care—please note the word 'care'—of suitable institutions, the able-bodied to places where they will be made to work, the infirm to alms-houses, the diseased to hospitals

^a Published in the Fort St. George Gazette, dated 5th February 1935.

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[Mr. C. Basu Dev]

and the children to certified schools. The law can provide the machinery, but it will be for the public, the municipality and the Government to co-operate in making the machinery effective. These are the very simple objects of this really social measure. The other day when the hallot was held for non-official Bills, I was pleasantly surprised to find that the beggars drew the first place and I fondly hoped that that was an indication of the change of attitude of the hon. Members. But unfortunately I find that the Hon. the Home Member who is in charge of this matter has evidently made up his mind to oppose even reference of this Bill to the Select Committee, and from the conversation I had with the Hon. the Chief Minister I find that the financial obligation involved in this measure is still a serious problem with him. Though it is my duty to proceed with this Bill, prudence advised me not to move my motion that the Bill be referred to a Select Committee. I therefore reserve it for the next meeting to enable me to canvass better support."

VI.—THE MADRAS ALIENATION OF LAND BILL.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I beg to move for leave to introduce the Madras Alienation of Land Bill."

Mr. A. B. SHETTY:—"I second it."

The motion was put and carried.

Mr. P. V. KRISHNAYYA CHOUDARI:—"I introduce the Bill."

VII.—A BILL TO AMEND THE MADRAS ESTATES LAND ACT, 1908
(BILL NO. 2 OF 1935).

* Sriman M. G. PATNAIK Mahasaya:—"I move, Sir, that the Bill^a to amend the Madras Estates Land Act, 1908 (Bill No. 2 of 1935), be referred to a Select Committee consisting of the following persons:—

- (1) The Hon. Mr. C. A. Souter.
- (2) " Sir the Raja of Bobbili.
- (3) Raja of Parlakimidi.
- (4) " Kallikote.
- (5) Mr. P. V. Krishnayya Choudari.
- (6) Diwan Bahadur A. Appadurai Pillai.
- (7) Mr. K. P. Raman Menon.
- (8) " C. Ramalinga Reddi.
- (9) " V. P. Narayanan Nambiyar.
- (10) " F. J. Stanes.
- (11) Dr. P. Subbarayan.
- (12) Mr. P. Peddi Raju.
- (13) " K. R. Venkatarama Ayyar.
- (14) " M. G. Patnaik (Mover).
- (15) Kumararaja of Venkatagiri.

"The principle underlying this Bill is very simple and I need not dilate on it now. Everybody knows there has been considerable fall in prices of foodstuffs; the ryots found it difficult to pay the rents fixed even when prices were very high. It is necessary that some formula

^a Published in the Fort St. George Gazette, dated 5th February 1935.

[Sriman M. G. Patnaik Mahasayo] [8th August 1935]

should be found so that the present distress and difficulty of the ryots might be relieved. I may state that in the year 1933 for the first time there was an informal conference of the ryots, zamindars and inamdars when the formula was practically adopted. In 1933 itself notice of an amendment was given by Kumararaja of Venkatagiri and others on behalf of the Justice party. Raja of Khallikote also gave notice of a similar amendment. It was stated that no application for reduction of rent could be considered unless it was preceded by a deposit of 75 per cent of the demand. Both these amendments were ruled out of order by the Hon. the President, because it was supposed that they were out of the scope of the amending Bill that was then before the Council. It was, therefore, found necessary to give notice of a Bill of this sort and now it has come up. This Bill is supported by the Ministerialist Party from the year 1933. The principle of this Bill has been accepted quite recently at the Tiruttani Conference on the 2nd August 1935; the conference declared itself to be in favour of this measure. Therefore, generally speaking, there is agreement between the ryots and the landholders that a Bill of this sort is necessary. The principle of the Bill also is not quite new. It follows the provision in section 11 of the Rent Recovery Act of 1865. The Board of Revenue state that under the Act they have settled fairly equitable rent. It is beyond the comprehension of anybody how the rent which is not proportionate to the value of the crops, can be fair and equitable. The Board of Revenue state that, under the provisions of the Act, they cannot do anything but settle the rent according to the prices for the last ten years. They cannot take into consideration prices now prevailing. The rent fixed should be proportionate to the value of the crops raised. It is quite necessary that we should have legislation of this sort. So, I move that this Bill be referred to the Select Committee. It is possible that there may be administrative difficulties in working the provisions of this Bill; such difficulties can be set right at the Select Committee stage."

Mr. P. V. KRISHNAYYA CHAUDARI:—"Sir, in seconding the motion moved by my hon. Friend, Mr. Patnaik, I wish to appeal to the zamindars not to misunderstand the object of this Bill. This measure is in the interests of the zamindars also because the tenants are going to abide by the decision of the Revenue Divisional Officer. The provisions of the Bill will be given effect to only if there is fall in the prices of foodstuffs. I therefore request my zamindar friends not to oppose the Bill. This Bill is brought forward in the interests of both the ryots and the zamindars. I request the Government also not to oppose the Bill, as there is some tendency on the part of the Government to help the ryots. This is a measure intended to help the ryot. I request the Hon. the Revenue Member also to support this motion to refer this Bill to the Select Committee."

* The Hon. Mr. C. A. SOUTER:—"Mr. President, Sir, I regret I must oppose this motion. In the first place it seems to me that the Bill is so badly drafted that it is almost incapable of being set right at the Select Committee stage. But, apart from that, the provisions

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[Mr. C. A. Souter]

which the hon. Member seeks to introduce in the Madras Estates Land Act are so revolutionary that I do not think that I can approve of them. I am prepared to admit that, owing to the recent fall in prices, there has been hardship caused to ryots in zamindari tracts as well as to ryots in Government tracts. But it seems to me that this is not the proper way in which that situation ought to be met. I shall just point out what the implications of this Bill are. It practically means this: if, in one year, there is variation in prices of not less than 10 per cent, the grain on every ryot's holding will have to be measured, its price will have to be fixed and on that you will have to re-allocate the amount of rent he has got to pay.

"In other words, you will have practically an annual settlement of rent based on the market value of all produce in almost every zamindari. It seems to me, Sir, that this is unworkable. And just think for a moment of the chances of chicanery and other malpractices which might come as a result of this Bill. Anybody can say 'the price of such and such crop has gone down by about 10 per cent; therefore, I want a reduction in the rent value.' That is what will happen frequently. The consequence will be that the rent system in zamindaris will be in chaos. *Prima facie*, when you read this Bill, it looks as if there is a certain amount of reason behind it; but as I said, in practical working, it would be totally defective. 12-15 p.m.

"Now, Sir, I do recognize that there may be some causes for enquiry in a matter like this. Recently I asked the hon. Mover whether he could not agree to a conference consisting of representatives named by himself and representatives named by zamindars who are opposed to this Bill, and told him that I should be perfectly willing to thresh the matter across the table and see whether we could not come to an agreed solution on it. And for reasons best known to my hon. Friend, he refused that offer of mine. (Sriman M. G. Patnaik Mahasayo: 'I did not refuse.') He now says he did not refuse in so many terms, but we have this motion now. As I said, I was prepared to see whether we could not come to some agreed solution in this matter. I am still prepared to do so, but as the Bill stands, I am afraid I cannot agree to this motion that it should be referred to a Select Committee.

"I may also point out, Sir, and perhaps this is another point which hon. Members of this House may not realize, that primarily this Bill will apply to a few estates in the Ganjam district. In other zamindaris in this Presidency, the necessity for it is not felt. Apparently this Bill is based on an order which I passed while in the Board of Revenue and which was upheld by the full Board subsequently on appeal; and that order concerned a particular district, i.e., Ganjam. Whether in the case of the other zamindaris of this province, this measure, if passed, will be applicable, is a doubtful matter. On that ground alone, Sir, this Bill is unnecessary."

Mr. C. RAMALINGA REDDI:—"May I ask, Mr. President, my friend to suggest the general lines of the solution he has in his mind, as that would probably determine the votes of some of us on this motion?"

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* The Hon. Mr. C. A. SOUTER:—"I have no solution, Sir. What I want is that the two sides should get together, reason it out and say that they will agree if a certain line is acceptable to both parties. I shall discuss it with them and see how far, so far as I am concerned, in the interests of public policy, such a measure would be useful, and then I shall be perfectly prepared to support such a measure.

"I should like further to point out, Sir, that if we introduce some measure of this kind, we shall have exactly the same thing asked for in the neighbouring Government lands. I have already pointed out the difficulty of working this so far as zamindaris go; but may I suggest that the difficulties as regards Government lands would be infinitely greater? Again, it will be a very unnecessary complication of work. The proper way, as it seems to me—if I may make the suggestion to my hon. Friend—in which to approach this subject is the basis on which the present rates are fixed. Let us understand what is now settled law and then say 'there are these defects, we will alter the law' and so on. Otherwise I think it must lead to a great deal of unnecessary work, and I think in certain cases, almost chaos. As I said before, I think myself that the idea behind this Bill has certainly something to commend itself but that it is one which is capable of great improvement. I repeat that I am perfectly willing to render any assistance which is in my power, to effect that purpose, which I do not think can be done in a Select Committee. On these grounds, Sir, I must oppose this motion, and I trust the House will not carry it."

* Sriman M. G. PATNAIK MAHASAYO:—"One word by way of personal explanation, Sir. No doubt the Hon. Revenue Member suggested to me that there should be a conference. I was quite willing to have a conference; but what he insisted upon was that this Bill should not be referred to a Select Committee before the conference. I said it might be referred to a Select Committee; then we could sit together in a conference and come to some agreement. I am quite prepared to do it even now, and on that condition, let the Bill be referred to a Select Committee. That is what I said then, and if he agrees to that course, Sir, I shall be thankful."

* The Hon. Mr. C. A. SOUTER:—"On a point of personal explanation, Sir. What I suggested to the hon. Member was this: that if he postponed this motion for referring the Bill to a Select Committee until we have had a conference, or say until October, I was willing to see whether we could come to an agreement in the matter."

Mr. C. RAMALINGA REDDI:—"Sir, I do not understand the course which my friend, Mr. Patnaik, wants to pursue. He wants to have the best of both the worlds. If he is going to enter into a conference, I suggest that the debate on this question be adjourned to a later date; let him have his conference, and if no settlement is arrived at, then he and the House will make up their minds as to whether they will proceed with this Bill any further or not. If any compromise is really to be arrived at, then I am sure the Government will give facilities for rushing through a legislative measure in this Council at one sitting,

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because it would be in the nature of an agreed measure. If my hon. Friend wants to have a conference, let him have it first and get over it as quickly as possible. Meanwhile, let him keep this Bill pending."

Mr. MAHBOOB ALI BAIG:—"Mr. President, Sir, may I submit to this Hon. House that the necessity for a legislation of this kind has been admitted by my friend on the other side, the Hon. the Revenue Member? Whereas in the case of Government or ryotwari lands there is a machinery, however unsatisfactory it may be, by which relief could be granted to ryots in times of distress or when there is an abnormal fall in prices, there is no such machinery in the case of zamindari lands? What this legislation seeks to do is to create a machinery of that kind in zamindari areas, so that in times of need when there is abnormal fall in prices, the ryot may get some relief. That the Government, through the machinery which is available to the ryotwari ryots, have been reducing taxes is a reason why they should allow such a machinery to be created to help the zamindari ryots also. The Hon. the Revenue Member does not deny that in the extraordinary circumstances now prevailing, such relief must be granted to the zamindari ryot; but what he is afraid of is that legislation such as the one now put forward might lead to some difficulties. If that is so, it is up to the Government to suggest the best method by which zamindari ryots can achieve that end. It seems to me, Sir, that an injustice is being done to the zamindari ryots, while in the case of the ryotwari ryots, they can seek their remedies through the Board of Revenue and the Government. If, therefore, the Hon. the Revenue Member feels that this method of granting relief to zamindari ryots is not the most desirable one, it is up to him, with all his experience of administration, to suggest definite proposals, instead of opposing a Bill of this kind. Such definite proposals can be arrived at, I daresay, if the Bill is referred to a Select Committee. Are we to understand that the Government are opposed to granting any relief to the zamindari ryots, or are they thinking of any better method? It seems to me that by opposing this motion, the Government oppose a legislation for the relief of zamindari ryots. If, on the other hand, the Government think that this is not the proper remedy although relief is necessary, then it is open to them to make suggestions. Such suggestions can, I submit, be made in the Select Committee. To think of a conference now is very good if we are to avoid all dissensions; but in the conference, the interested parties will be present, I mean both the zamindars and the zamindari ryots or their representatives. I think the Select Committee is the proper place where the Government can make proposals equitable to both the parties. If, therefore, the Government really feel that a certain amount of relief should be given to zamindari ryots, it is up to them to agree to this motion for referring the Bill to a Select Committee."

* The RAJA OF KHALLIKOTE:—"Mr. President, Sir, I rise to oppose the Bill in its present form as I consider it to be highly inequitable. The effect of the amendment will be for the ryot to say that he would

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not completely discharge the obligations, which arise out of a contract which he has voluntarily entered into, or which are the result of a solemn decree of a Court of Law. In about 99 per cent of the cases where a ryot pays rent in money, he does so out of his own choice, as I am talking from experience, when I say, that the unfortunate and ignorant ryot rushed for the settlement of rents under the influence of evil advisers, with motives of personal aggrandisement, but not with any sincerity to do real good to the ryot population. After all, the application for cash rent is a matter of choice and, in the majority of cases, it is the ryot that has applied for it under the influence of such evil advice. Talking from experience in my own district, I can re-call to my mind how a few years ago the unfortunate ryot was asked to rush in for cash settlement of rents and as a return for this advice was not only expected to pay a high price towards subscriptions, contributions, propaganda money and so forth, but to give his vote to those who gave the advice. Therefore, the first vote-catching stunt was the evil advice which the so-called leaders gave to the ignorant ryot.

12-30 P.M. " Both the landholder and the ryot were quite happy when the old sharing system prevailed. In a good year they both benefited and in a bad year they both suffered. Both of them had an abiding interest in the land. Now, thanks to the agitation which has had the effect of creating ill-feeling between the ryots and the landholders, this happy relationship that existed between the ryot and the landholder, for generations, is gradually disappearing. Here I must emphatically repudiate the provision in the Bill that all classes of lands—whether they come under the waram system or cash rent system or any other system—should be subject to this arbitrary reduction of rent. In all lands where the waram system prevails, rent is paid in kind and, as a matter of convenience, this rent in kind is computed to cash at the prevailing rates at the time of the harvest, when prices are always low, and the ryots pay the rent so fixed in instalments over a period of about six to eight months, when the prices always rise. Sometimes, as a matter of convenience this rent in kind is fixed for a period of three or five years, taking into consideration the average yield of the land and average prices at the time of the harvest. Thus, the ryots always benefit over the system and there is no meaning in providing for a reduction of rent in such cases.

" I know of cases in my own district, particularly between 1913 and 1917 when a garce of paddy was commuted at Rs. 60 to Rs. 65. Immediately after the commutation the prices rose up rapidly to Rs. 100 to Rs. 150 a garce. How did the parties then stand? Did the ryot not make a big profit on the rent he had to pay to the landholder? I have also known of cases where rents in zamindari areas are fixed as low as Rs. 4 to Rs. 5 per acre when prices have risen higher subsequently. In all such cases, and I am sure if an analysis is made of the period when prices have risen and fallen, it will be found that so far the ryot has benefited over the landholder, and the landholder has never applied for an increase in his rent nor has he expected it.

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" Now just because for the last about four years, there has been a temporary fall in prices, there is all this hue and cry that it is a great hardship to the ryot population.

" Mr. President, I would suggest that the mover of this Bill and those who feel with him would do well to advise the ryots to put by something in happy years when they have always been benefited to meet such unforeseen and temporary contingencies of the future, instead of trying to introduce compulsory legislation for a cause which is not equitable.

" Sir, there is one other aspect of the question. My hon. Friend, the mover forgets that whatever rent the landholder gets, he has to pay a fixed peishcush to Government on fixed dates, which are not extended even for a day without the landholder running the risk of his personal property being attached and sold. In addition, he has to pay increased cesses under the Local Boards and Elementary Education Acts. He has to pay income-tax on any income, which the authorities consider to be non-agricultural. To meet all these obligations he has to maintain an increasing and efficient establishment at an increased cost, commensurate with the modern conditions. Then, whenever there is a subscription list for any purpose he is expected to top it, otherwise he is criticized even by those who sponsor such movements. He is also expected to maintain educational and philanthropic institutions. I ask one question. How do you expect the landholder to meet all these financial obligations in life if his own ryots who entered into a solemn contract with him, out of their own choice, and settled, through Government Agency, fair and equitable rents, try to back out now from this solemn pledge or contract through the legislation that is proposed in this amendment? Should not hon. Members who are so very solicitous about the ryots' welfare have a soft corner for the landholder and ask for a proportionate reduction in the landholder's peishcush if he is compelled to give a statutory remission to his ryots also?

" I admit the times have been bad and unexpected for the last about four years and the fall in prices has been temporary. To meet this sudden and unexpected situation, we, the landholders, who have always at heart the welfare of our ryots, as we realize that in their prosperity depends ours, have always come forward, year after year, voluntarily, even without being asked, to give great relief to the ryots. We have done this voluntarily so far, but now if you are going to put it into the statute book, the next step will be a request from the landholders, which no reasonable Government or legislator can reject, that whenever the landholder is compelled to reduce his rents under the statute, similarly there should be a proportionate reduction in his peishcush.

" In addition, this measure, if passed in its present form is going to create serious complications in the present land revenue policy of the Government. I therefore, oppose the amendment as I think it is more a vote-catching stunt than anything else. (Opposition voices: No, no).

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"Mr. President, before I close, I must explain clearly my own position in the matter. The hon. the mover, in his statement of objects and reasons, states that I am one of those who gave notices of amendment to this effect, when the Government Bill to amend the Estates Land Act was passed by this Hon. House. I admit certain amendments were given notice of by certain members of my party, but when I arrived in Madras and found these notices had been already given I only gave notice of an amendment to the effect that if the amendments already given notice of were passed, my amendment to this should also be considered. And my amendment was to the effect that no application for reduction of rent should be entertained unless and until the ryots paid at least 75 per cent of the rent already fixed. Therefore, mine was a safeguard against the amendments already given notice of by certain members and it does not mean that I was a party to the main provisions of this Bill."

Dr. P. SUBBARAYAN:—"Mr. President, Sir, in view of the statement made by the Hon. the Revenue Member, I move that the consideration of the subject be postponed to the next meeting of the Council. This is in order to enable the Hon. Gentleman to call a conference, which he speaks of, with an equal number of landholders and ryots and try and see whether a settlement cannot be effected between both the parties. If that is not effected, then as my hon. Friend suggested, it will be time for my Friend, Mr. Patnaik, to introduce the Bill and carry it through with the support of the Council. The Hon. the Revenue Member should have a chance of finding out ways and means of settling this problem. Only on this account, I move the adjournment motion."

Mr. M. A. MUTHIAH CHETTIYAR:—"Mr. President, Sir, if the hon. the Mover of the Bill had agreed to the suggestion of the Hon. the Revenue Member that a conference might be held to go into the question, probably this Council would have been in a better position to consider the Bill straightaway. Even now it is not too late to have a conference. I would therefore suggest the holding of the conference before November so that this Council will be in a position to consider the Bill fully. I would strongly second the motion made by the Leader of the Opposition."

* The Hon. the PRESIDENT:—"I think the Hon. the Leader of the Opposition has put it in the form of a motion."

Dr. P. SUBBARAYAN:—"Yes, Sir."

* The Hon. the PRESIDENT:—"The motion before the House is, that the consideration of the subject be postponed to the next meeting of the Council."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I oppose the motion moved by my hon. Friend, the Leader of the Opposition that the consideration of the question be postponed to some other day. It is really very unfortunate. I do not know why, when the Hon. the Revenue Member himself has moved it, the Leader of the Opposition has taken this opportunity of making this motion. . ."

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The Hon. Mr. C. A. SOUTER:—"By way of personal explanation, Sir. What I said was, I proposed a conference and it was rejected. It was then that I opposed the motion brought forward by my hon. Friend, Mr. Patnaik."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, on the suggestion of the Hon. the Revenue Member, the Leader of the Opposition has moved it. Whether it is going to be accepted or not, we are prepared to push through the Bill and take the risk and see what the sense of the House is going to be. After all, the zamindar is a zamindar, whether he is in the Opposition side or on the side of the Government; now the true position has come out. That is the thing we have understood to-day. Then again, Sir, my hon. Friend, the Leader of the Independent Party has also seconded the motion. It shows that everywhere the zamindars are against the tenants. I am at least glad that the Hon. the Chief Minister has expressed his opinion boldly at the Tiruttani Conference, but I do not know what he is going to do now; and it will be seen in a few minutes when this question comes to vote. If really all the other zamindars feel that there is any necessity for a conference, they can as well discuss the question in all its implications in the Select Committee."

"Then, Sir, the Hon. the Revenue Member pointed out that the Bill has not been properly drafted. No doubt both Mr. Patnaik and myself have not got at our disposal any drafting department to draft the Bill. But all the same there is the Select Committee which will be in a position to draft it carefully and when it goes to the Drafting Department, as it will surely do, after it has reached the Select Committee stage, the Bill can be properly scrutinized and drafted in a suitable fashion."

"Sir, when this Bill was introduced in this Legislative Council about a year back—not only that and even when the other Estates Land Bill was discussed, I believe in 1933—the Hon. the Revenue Member (then Sir Archibald Campbell), the Hon. the Raja of Bobbili and several other zamindars discussed this question also and they then came to the conclusion that this should be introduced as a separate measure. Unfortunately the provision could not find its way in that Bill; and they requested Mr. Patnaik to introduce it as a separate measure. This Bill is the outcome of the conference which took place in 1933. Unfortunately, the late Mr. Muniswami Nayudu who took part in that conference, if he had been alive and present now in the Council here, would be in a better position to explain the position of the tenants. I therefore request the zamindar members of this House to view the question more sympathetically from the point of view of the tenants. I once again appeal to the zamindars not to create any hitch between the ryots and the zamindars. After all this Bill asks only for a modest relief to the tenants in zamin areas and they would get relief only when there is a fall in the price of foodstuffs. Of course the tenants themselves have no right to make the reduction even if they are entitled to, but the officers of the Government—Revenue Divisional Officers and other Gov-

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ernment officers appointed for the purpose—who will be only a sort of intermediaries between the zamindars and the ryots will decide in a manner which will be in the best interests of the ryots as well as the zamindars; and I cannot therefore understand why this Bill will not be in the best interests of the zamindars.

“There is yet another thing. There are several zamindars. For example, my hon. Friend, the Raja of Khallikote who opposed the Bill. is paying about Rs. 80,000 by way of peishkush and is making collections to the extent of three or four lakhs or even more.”

The RAJA OF KHALLIKOTE:—“My peshkush is only Rs. 78,000.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“They are expected to pay peishkush at a certain rate, but the payment that they are now making is not at all in proportion to the legitimate amount which they have to pay to the Government, and therefore the Government are losing large sums of money by way of peishkush and the ryots also are overburdened on account of the heavy rental values which are collected by the zamindars.

“With these observations, I once again appeal to the Hon. the Revenue Member and my zamindar friends, including the Hon. the Leader of the Opposition and the seconder of the motion who is also another zamindar, to withdraw the motion for adjournment and not to press it to a division.”

* Mr. T. S. RAMASWAMI AYYAR:—“Mr. President, if I intervene in this debate at all, it is only to point out that whenever it is possible to adjust, the House should try its best to accommodate in matters like this. The Hon. the Revenue Member pointed out that he was going to call for a conference of both parties so that the matter might be amicably settled.

12-45 p.m. “Nothing will be lost by the measure being postponed to the next sitting of the Council. It is not that the members of the House who oppose and ask for the postponement of the reference to the Select Committee are not in sympathy with the objects of the Bill. The matter for consideration now is that there is no unanimity of opinion. It is not with reference to the principle of the Bill but to the details thereof. I only wish, that, in respect of some of the measures that had been been on the anvil of this legislature, there had been this small adjustment, this policy of give and take, and a little adjournment for the purpose of adjusting the various rights that were put forward. Some of us have been labouring under the disadvantages of not being given this small privilege. I wish therefore, Sir, that this spirit of adjustment continues so that it will be possible for us to legislate on lines which will be conducive to the general welfare of the people rather than to purely personal or party interests. I earnestly appeal that the Bill may be postponed to the next meeting of the Council. In the meanwhile, I hope my hon. Friend from Ganjam, who is very clever at getting parties together will be able to make the necessary adjustment and get the Bill

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into law without opposition. I support the motion for the postponement of the measure to the next meeting in October, moved by the hon. the Leader of the Opposition.”

Mr. ABDUL HAMEED KHAN:—“Mr. President, Sir, my hon. Friends who are against the conference method seem to think that such of those as are in favour of this conference method are opposed to the Bill. It will be wrong on the part of hon. Members to suppose that all of us who are against the conference method are opposed to the principles of the Bill. When there is an awakening in this country, be he rich or poor, every one realizes his rights and wishes to assert them as occasion arises and the time has not come in this country when the ryot could express his own opinion but through his representatives, he tries to establish his rights as far as possible. But we find that there are several interests to be taken into account. When you are considering the interest of one section, you have also to consider the rights of other sections. I do not think there is any other method which is more wholesome than the conference method. This method has been tried on former occasions and I am sure, but for that method, there would have been very many difficulties in the passage of the Bill as well of the acceptance of the same by the authorities concerned. Even in spite of the conference method that was in some cases resorted to on former occasions, we know that the consent of His Excellency the Viceroy has not been given yet to one such measure. In view of these things, it appears to me that there is nothing to lose by waiting for some time and allowing the conference to take place so that a Bill acceptable to both sides can be brought up. I am sure that Mr. Patnaik and such other friends who are interested in the ryots and know their difficulties will exert their utmost and see that the rights of the ryots are secured to the largest possible extent. I also hope that at the conference the zamindars themselves will not insist on their pound of flesh. The times have changed and if they are not prepared to give those rights to the ryots, the rights will be snatched from them sooner or later. I am sure they will realize that position themselves and would come to some understanding by which this Bill will, as a result of the conference, pass through the Council without any difficulty whatsoever.”

* Mr. K. KOTI REDDI:—“Mr. President, Sir, I am inclined to agree with my hon. Friend, Mr. Choudari and wish to oppose the motion of the hon. the Leader of the Opposition. Not that I am opposed to the conference method of settling the question but I do not see anything for the conference to adjust or settle which cannot be done without delay. Before we meet in October, we have enough time. We have here the representatives of the zamindars and tenants and even before the Bill comes before the Select Committee, if there is a will and determination on the part of the zamindars and representatives of the tenants to come to some agreement, I think it can be come to. It is quite a simple Bill and the principles are plain. It is purely a matter of a little generosity on the part of the zamindars—I may be taken to task for using that expression, but the time will certainly come when it will not be called generosity—but in the interests of the tenant,

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I may be excused if I call it generosity for the present. The Hon. the Member for Revenue says that there is distress. I say that a case is made out for some consideration being shown to the ryot in the matter of remission of rent. It seems to me that the principle embodied in the Bill is so fair and reasonable that no zamindar ought to be unwilling to accept it. Of course, whenever a particular section in the Council felt that there was some difficulty and that they were not prepared to give in, adjustment by the conference method has been sought. But here in this case, the points at issue are very simple and I do not see why the time of the House should be wasted in debating on the method of settling the question, when it is possible for a settlement to be arrived at even before the Committee meets.

"The Hon. the Revenue Member said that there were certain drafting defects. After all we are not experienced draftsmen: there are the Government Members and their staff who are paid for it and it is not a difficult task for them to set it right. There are other difficulties pointed out with regard to this ten per cent and the annual settlement. But I personally do not see any difficulty at all. If there is, it can be gone into by the Select Committee. But the Hon. the Revenue Member thinks of the big outcry which will be raised by ryotwari landholders if he yields to these principles in the case of the zamin ryots. I should be glad if there is such an outcry. In this connexion, we were urging on the Government during the last budget session the need for relating the assessments to the price of agricultural produce and the Hon. the Revenue Member himself was pleased to state that they were going to obtain information in this regard from the Punjab where the experiment was proposed to be tried.

"I am very sorry that the zamindars are raising all sorts of objections to give relief to the ryots which is absolutely necessary. The Raja of Khallikote speaks so much of the difficulties which the zamindars are undergoing and he was kind enough to suggest a very good remedy. His advice is to put by in fat years something to subsist upon during lean years. I wish all of us follow that principle. But, I will ask him this simple question. How could he expect people earning income of Rs. 4, 5 or hundred or so to save for the wintry day, when rich zamindars owning vast expanses of land and getting lakhs of income are not able to do it, and are getting into the clutches of sowcars and are selling their estates? I think this is an advice which is much easier given than followed and which can fittingly be given to the zamindars themselves; and I hope they will follow it.

"Coming to the question of peshkash, I am ready to take the challenge of the Raja of Khallikote. If you go into past history and see how the peshkash has been fixed, you will see in what advantageous position the zamindars are now placed. If the zamindars take only what is necessary for their comfortable living and for expenses in running the administration, and forego the surplus, if any, to the public purpose or for remitting the rent, I am quite ready, if difficulties arise and if

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they find that their incomes are not enough for running the administration and for their decent living, to give from the public purse any such amount as may be necessary. I am sure this contingency will not at all arise.

"As for the subscription lists referred to by him, I really sympathize with him. But there are a lot of zamindars who are very stingy and the only way of making them give money to the public is by legislation like this. I have had the unfortunate experience of encountering a zamindar in my endeavours to secure subscriptions for the relief of famine-stricken areas. I approached the gentleman—I will not name him here—through a person very well known to him and who could vouchsafe that the money will be properly spent. The gentleman almost expressed that public leaders come to the zamindars for subscriptions but their interests were so violently opposed by them that the time was come when the zamindars ought to keep the money for themselves. If every one of the zamindars was to follow that principle, the day is not far off when they will be blotted out of existence.

"I shall address myself to the sympathetic way in which the inam tenants were treated under the Inams Bill. Every one of the zamindars expressed abundant sympathy for the tenant then. I appeal to them to show the same feelings towards their own tenants. If they do not, it will be said that they are prepared to show sympathy if it does not touch their pockets or if it is at the expense of others. I hope that the zamindars led by the Hon. the Raja of Bobbili will not be wanting in sympathy towards their tenants. I hope he will lead them in a proper way so that the relationship between the tenants and the zamindars may remain cordial. I am not saying out all this as an election stunt. I am neither a tenant nor a zamindar and it was only recently that as a result of the Inam legislation, the passing of which was rendered possible in this Council by them, some of us are put on a level with the zamindars. If sacrifices are called for from me in favour of my tenants, I shall only be too glad to make them. With these words, I appeal to my friends on the opposite side not to oppose the motion."

* Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, after listening to the speeches that have been made on both sides of the House in regard to this matter, it occurs to me that there is a way out of the difficulty without dividing the House upon it. Mr. Patnaik is desirous that this Bill should go before a Select Committee and when it comes back with the report, it should be considered by the House. That necessarily involves some delay. Though no doubt it is true that the Bill is a simple Bill from the landholders' point of view, difficulties and inconveniences may be pointed out as arising even out of the simple provisions of the Bill. These matters of inconvenience or difficulty will be fit subjects for discussion and agreement between the rival interests concerned in an informal conference such as has been suggested by the Hon. the Revenue Member. Of course, opportunity might be taken if the Bill went before a Select Committee to discuss the same

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aspects also in the course of the sittings of the Select Committee. Either of these proposals involves a certain amount of delay which is inevitable. Perhaps, if the idea of the conference is agreed to by both sides now and opportunity is taken of the sittings of the conference to put the objects of this Bill into concrete shape so as to get rid of the likely inconveniences and difficulties, possibly Mr. Patnaik might find his point given effect to if we gave him the understanding now that an agreed measure such as might not be very difficult to produce will be put forward, when we meet again in October, which might be discussed without the necessity of going to a Select Committee. We might then consider it straightway and have the second and third readings all together. Such a simple Bill might be dealt with in that way, as our experience in this House shows. Therefore, if we could now all agree to the conference method without Mr. Patnaik pressing this motion for taking the Bill to a Select Committee and get the necessary amount of agreement which I have no doubt would prevail, then I think this Bill in its agreed form might be brought up for consideration before the House both for the second reading and third reading practically together. I think an effort like that might be worth making, and for the present we shall patch the seeming differences dropping the Select Committee motion and meet again to consider an agreed Bill in October."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, it has been said by some that this Bill need not go to the Select Committee for consideration. If I can luckily share that view, I would certainly press that the matter be taken up at once. I may say that I am perfectly in agreement with the principle of the Bill, and I will go very much further and to a certain extent dissolve the apprehension in the mind of the Hon. Revenue Member by saying that I want the principle to be applied even for the revenue demands of the Government. So far as the principle is concerned, I have absolutely no doubt whatever. It deserves the serious consideration of this House. But I fear there are difficulties which have been overlooked. The argument of the Raja of Khallikote does not probably contemplate the application of the principle to the ryot whose rent has not been fixed by the court under the Estates Land Act. There are cases in many parts of the province where the rent is not fixed under the Estates Land Act at all. It is fixed by custom in many cases and in some cases by agreement. For one thing, the Mover seems to be familiar with zamindaris where the peshkash is small and the income is large, and overlooks those zamindaris where the peshkash was originally fixed at 50 per cent, and now with the special cesses the share that has to be given away as revenue to the several agencies of Government comes to more than 50 per cent. For instance, in my own district, there are several zamindaris in which the original peshkash was fixed at 50 per cent, and with the cesses it comes to something like 55 per cent, and the zamindar has got only about 45 per cent left to him. In a case like this where the zamindar has to pay more than 50 per cent, what is to happen? I quite agree that the tenant is entitled to a reduction in his rent. But, Sir,

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the zamindar also will be entitled to a reduction in his demand from the Government. Otherwise, Sir, this unfortunate thing will occur, namely, that the zamindar will probably have nothing from which he can pay to the Government. I do not think that we contemplate a case like that. So you will have to go into all these matters and make provision for all these contingencies, so that in cases where the zamindar pays more than a certain percentage of his collection to the Government, the liability either of the whole or a portion of the reduction should be borne by the Government. This provision will have to be made before the tenant is altogether relieved.

"Also the Bill as drafted makes the provision that once there is a reduction it is to continue, and it is for the zamindar in later years to apply for an enhancement. I do not think that is a proper arrangement at all. When there is an application for reduction for temporary causes, it cannot be said that the reduction should be presumed to be permanent, and it is not fair to ask the zamindar to apply for enhancement in every case. As the Hon. Revenue Member said, the draft Bill requires very careful consideration. Under these circumstances, it seems to me that the different conditions of the several zamindaris in the province have to be taken into consideration in the draft Bill. For that, Sir, a conference like the one proposed by the Hon. Revenue Member seems to me to be a very fair arrangement. It is for that reason I am supporting the motion for adjournment of this Bill to the next meeting of the Council. At the same time, I ought to say, I am in hearty sympathy with the principle of the Bill, and I should like that it should be made law as early as possible. So, I agree to the method suggested by Mr. Venkatarama Ayyar by which we can avoid delay, namely, that if there is an agreement in the conference we can give effect to it by passing the Bill at the next sitting of the Council without referring it to a select committee. If there is a difference in the conference, probably there will be a motion to refer to a select committee. The Bill is not going to be very long, and even if there are one or two contested matters, they can be gone into by the whole Council and the Bill may be passed in the next meeting itself. I hope the Hon. the Revenue Member and other parties interested in the matter will agree to the arrangement that has been suggested so that we may have a satisfactory agreement come to to dispose of this Bill."

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. President, with your permission, I move 'that this Bill may be taken up for consideration by the Council at the next meeting without being referred to a Select Committee.' Sir, the object of my amendment is to bring the stages connected with the Bill on a line with the suggestion that has been made by my hon. Friend, Mr. K. R. Venkatarama Ayyar and heartily agreed to by the hon. Member Diwan Bahadur Ramalingam Chettiyar. That the measure is a move in the right direction cannot be denied, for the Hon. the Raja of Bobbili, in his speech at Tiruttani, has said that 'the principle underlying the Bill recently introduced by Mr. M. G. Patnaik, the President of this Conference, has the approval of the Party.' But in a matter like this the best results can be achieved only

[Mr. V. P. Narayanan Nambiyar] [8th August 1935]

if conflicting interests are by common consent reconciled in the best manner possible. It is with that object that a conference has been proposed. That idea appeals to many of us, but we should also see that the Bill in an agreed form comes back to the Council within the quickest possible time and is passed without any delay. My amendment seeks to embody these positions. If the Government really mean business in the matter, I am sure the amendment will be accepted."

* Mr. V. T. ARASU:—"Sir, I rise to second the motion moved by Mr. Narayanan Nambiyar. Incidentally I should like to make a few observations on the main motion that is now before the House, namely, the motion of my hon. Friend, Mr. Patnaik, that this Bill be referred to a select committee. Speaking on this motion, the Raja of Khallikote made a few observations, which, Sir, I submit, are not relevant to the present debate. The Raja Sahib of Khallikote, pointed out the great difficulties under which the zamindars are labouring, and said that the peshkash payable to the Government is fixed and that the Government are not prepared to reduce it even in a bad year. Sir, I should like to put one question to the hon. Member from Ganjam whether he is prepared to state on the floor of this House that the gross income derived by the zamindars from the zamindari areas is just the same or anywhere near the amount that they were getting at the time of the permanent settlement. I can point out instances where the total amount of peshkash paid by zamindars is less than one-tenth, in some cases less than one hundredth, of the income that they were deriving. At any rate, I can point out an instance where a zamindar in the Trichinopoly district is paying to the Government a sum of about Rs. 600 against his total income of about Rs. 2 lakhs. I ask whether the Raja of Khallikote would still say that the zamindar should be given a proportionate reduction in the peshkash in case the tenants claim a reduction in the rate of rent they are paying. Such instances can be multiplied, and I do not think any useful purpose will be served by doing so. Therefore, Sir, I would submit to this House that this measure is one which is long overdue, and this House would do well to have this measure passed into law as early as possible.

"As regards the amendment moved by the Hon. the Leader of the House, I think I must oppose it for the simple reason that no case has been made out for adjourning the consideration of this motion. The Hon. the Revenue Member said that the conference method would be better than referring the Bill to a select committee. I ask whether referring the Bill to a select committee consisting of the members of this House is not a conference which can discuss the pros and cons of the question and come to an agreement. Sir, one question I should like to put to the Hon. the Revenue Member is this. He knows, Sir, just as the other hon. Members of this House know, that this Bill was under contemplation for a very long time, and that the principles underlying this Bill were discussed both on the floor of this House, when the consolidated Estates Land Act Amendment Bill was being discussed here, and also elsewhere in the press and on the platforms.

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What is it that he has done till now, knowing full well that this measure was coming? Therefore the Hon. the Revenue Member cannot now come forward and say that this Bill has been brought forward all of a sudden and Government wants to convene a conference to discuss the pros and cons of the question. The Bill, as is well known, was introduced in this Council, if I remember right, in January 1935. After the introduction of this Bill, the Hon. the Revenue Member ought to know that a motion would be made on the floor of this House that the Bill be referred to a select committee. I ask the Hon. the Revenue Member whether he moved his little finger for convening a conference after the introduction of this Bill, whether at least he made any attempt whatever to convene an informal conference of gentlemen interested in this problem. What then is it that makes him at this stage come forward and say that the conference method would be better?"

The Hon. Mr. C. A. SOUTER:—"On a point of order, may I ask what motion the hon. Member is seconding?"

* The Hon. the PRESIDENT:—"I may point out to the Hon. Member that though he is seconding Mr. Nambiyar's motion, all the while we have been discussing all the motions before the House so as to avoid repetition in the arguments on other motions when they come up."

* The Hon. Sir K. V. REDDI NAYUDU:—"Is it open to an hon. Member to oppose the very thing which is involved in the amendment which he is supporting? For instance, the amendment before the House is that there should be a conference and that the select committee need not meet if that conference comes to an understanding and agreement. The criticism at present levelled is against the conference itself."

* The Hon. the PRESIDENT:—"It is a matter of consistency in argument. (Laughter.)"

* Mr. V. T. ARASU:—"If only the Leader of the House had waited, he would have understood what I was coming to. If the Hon. the Revenue Member is prepared to say that he did make an attempt to convene a conference of those interested in the problem, I am prepared to go into the lobby that he wishes me to go. In the absence of such a statement, I think it is but fair that the motion of my Friend, Mr. Patnaik should be taken up and pushed through. As a compromise, my Friend, Mr. Nambiyar has moved that the Government might give an undertaking that they would not obstruct the passage of the Bill by insisting on the rule that it should be referred to a select committee. In that case we are prepared for an adjournment of two months.

"In this connexion I should like to draw the attention of the hon. Members who supported the amendment of the Leader of the Opposition, namely, that the consideration of this Bill be deferred for a period of two or three months or until the next meeting, to the danger in accepting that motion. If Mr. Patnaik's Bill is taken up in October session and if it is referred to a select committee then, the select committee's report might not come before the House till some time in February next year. The Council is likely to be dissolved in June

1.15
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next and the chances of this Bill being passed into law during the life-time of this Council, therefore, are very very remote. For that reason, I submit, this House should reject the amendment of the hon. Leader of the Opposition. But if Government would give an assurance that they will not stand on technical formalities, and will allow this Bill to be passed into law without being referred to a select committee, subject to the amendments that may be effected by the conference to be convened by the Hon. the Revenue Member, I think the House may accept Mr. Narayanan Nambiyar's amendment."

* The Hon. the PRESIDENT:—"I have an observation to make on this particular motion. Standing Order No. 37 says—

'At any time after a Bill has been introduced and published in the Gazette, the member in charge of the Bill may make one of the following motions in regard to his Bill, namely:—

- (a) *that it be taken into consideration by the Council either at once or at some future day to be then specified; or*
- (b) *that it be referred to a select committee; or 'and so on.*

"The motion of Mr. Narayanan Nambiyar practically comes to this, that the Bill need not be sent to the Select Committee at all. I am afraid that will be circumventing the standing order of the House, and so the motion of Mr. Narayanan Nambiyar is not in order."

* The Hon. Mr. C. A. SOUTER:—"Sir, if the House agrees that we should discuss the consideration of this measure at the next session of the Council and meanwhile a conference should be held of members interested in the problem, and if that conference comes to an agreed conclusion and it is embodied in a draft and that draft is published for information before the next session of the Council, then I take it the Council would not favour the motion on the part of the Mover of the Bill that it should be taken into consideration at once. That would, I think get round the difficulty which I myself felt as to contravening the provision in Standing Order No. 37. All I can say is, if you come to an agreed measure and, I must point out also, if the Government accepts the principle which is embodied in that agreed measure, then I think there would be no difficulty in passing the Bill as it stands then or as modified by the House after arguments at one sitting."

* Sriman M. G. PATNAIK Mahasayo:—"There are some reasons as to why I should press my motion. Several of my Friends have pointed out that I ought to agree to a conference being held before the measure is referred to a select committee. I would have been very glad to do so if it were possible for me, because you know there are some difficulties in the way. Here you find in the first instance Government coming out with a proposition that if this principle be accepted it would be sought to be extended to ryotwari tracts. That is a great stumbling block, and I think Government must review their policy and come round to accept the principle. They know this principle will have to be accepted eventually in later years. Now of course we are passing

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resolutions and Government accepts them or not as they please. But if a definite principle is laid down in a measure like this, we can insist on Government giving effect to it. They see that and are alive to it, and so they do not want to accept it. That is one thing.

"There is another difficulty. The Raja of Kallikote may say that there is harmonious relationship between himself and his ryots. I do not want to go into that question now. So far as my knowledge goes the condition of the ryots there is very bad; no ryot elsewhere is in so bad a plight as the ryot in Kallikote and Atagada estates. Of course he says that his strained relations with his ryots are due to some agitators. He may rest assured that no agitator can get a foothold in an estate where the ryots are properly treated."

The RAJA OF KALLIKOT:—"I only meant that the agitators encourage and advise the ryots to rush in for cash settlement of rents."

* Sriman M. G. PATNAIK Mahasayo:—"The existence of strained relations shows that a great deal of discontent is existing. Of course somehow or other he is able to win the goodwill of the Hon. the Revenue Member. (Laughter.) The Hon. the Revenue Member was very sympathetic to him when he was a Member of the Board of Revenue. My fear is if now the Bill is not referred to a select committee, it will have to be referred to a select committee in the October session. Then there will be hardly any time for this Bill, even if passed, to receive the assent of His Excellency the Governor and of His Excellency the Viceroy before the Orissa Province is constituted. Then this Council may probably be dissolved by 31st March 1936. One indication of it is that the Assam Council was extended only up to June 1936. In that case this Council also may not be extended before June 1936. Another difficulty is we are going to have an Orissa Province. Of course the reference of the Hon. the Revenue Member that most of the estates will be transferred to Orissa is full of significance. He is not right in saying that all the estates which would be affected by this Bill would be transferred to Orissa. Surely the estates of Kallikote and Atagada will be transferred to Orissa. I think I have sufficient grounds to suspect, I cannot say that I am convinced, that if the Bill does not become law, is not passed by this Council in October, then this may not operate so as to be applicable to tracts to be transferred to Orissa. It is said that if we discuss this matter at a conference there would be no need to refer it to a select committee. I am perfectly agreeable to such a proposition. As some of my friends paid a compliment to me, I try to get all parties together. I am not here to fight for any party. I would agree to anything reasonable. Therefore I would press my motion to refer it to a select committee unless something more reasonable is put forward from the people opposing it."

Dr. P. Subbarayan's motion was put to vote and declared carried.

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Mr. P. V. Krishnayya Choudari demanded a poll, and the House divided thus:

Ayes.

- | | |
|--|---|
| 1 The Hon. Sir K. V. Reddi Nayudu. | 32 The Zamindar of Mirzapuram. |
| 2 " Mr. A. T. Pannirselvam. | 33 The Zamindar of Bodinayakanur. |
| 3 " " C. A. Souter. | 34 Mr. G. Sriramulu. |
| 4 " " G. T. H. Bracken. | 35 The Zamindar of Kirlampudi. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 36 Mr. S. A. Annamalai Chettiyar. |
| 6 Mrs. K. Alamelumangathayaranma. | 37 Rao Sahib Pandit Ganala Ramamurti. |
| 7 Mr. Scott Brown. | 38 Dr. P. Subbarayan. |
| 8 " H. R. Uzielli. | 39 Mr. K. R. Venkatarama Ayyar. |
| 9 " C. E. Jones. | 40 Diwan Bahadur T. A. Ramalinga Chettiyar. |
| 10 " G. T. Boag. | 41 Mr. Yakub Hasan Sait. |
| 11 " R. Madanagopal Nayudu. | 42 " Abdul Hameed Khan. |
| 12 " T. B. Russell. | 43 " T. S. Ramaswami Ayyar. |
| 13 " T. Sundararao Nayudu. | 44 Khan Bahadur P. Khalifullah Sahib Bahadur. |
| 14 Khan Sahib Syed Tajuddin Sahib Bahadur. | 45 Rao Bahadur P. C. Muthu Chettiyar. |
| 15 Rao Bahadur R. Srinivasan. | 46 Mr. M. A. Manikkavelu Nayakar. |
| 16 Diwan Bahadur A. Appadurai Pillai. | 47 " Ahmed Meeran Sahib. |
| 17 Rao Sahib N. Siva Raj. | 48 " K. A. Nachiyappa Gounder. |
| 18 Sir William Wright. | 49 " M. A. Muthiah Chettiyar. |
| 19 Mr. D. M. Reid. | 50 " M. S. Sreshta. |
| 20 The Raja of Parlakimedi. | 51 " K. M. Doraiswami Reddiyar. |
| 21 Mr. P. C. Moses. | 52 Rao Sahib V. I. Muniswami Pillai. |
| 22 " P. V. Rajagopal Pillai. | 53 Mr. A. Ramakrishna Reddi. |
| 23 " V. G. Vasudeva Pillai. | 54 " S. M. K. Beyabani Sahib. |
| 24 " G. Simhachalam. | 55 " H. M. Jagannatham. |
| 25 " W. P. A. Soundarapandiyar. | 56 Subadar-Major S. A. Nanjappa Bahadur. |
| 26 Rao Sahib V. Dharmalingam Pillai. | 57 Mr. C. Basu Dev. |
| 27 Rao Bahadur D. Krishnamurthi. | 58 Diwan Bahadur S. Ellappa Chettiyar. |
| 28 Mr. B. P. Sesha Reddi. | 59 Mr. I. C. Iswaran Pillai. |
| 29 Sir A. P. Patro. | 60 Rao Sahib P. Subrahmanyam Chetti. |
| 30 The Raja of Kallikote. | |
| 31 Mr. A. V. Bhanoji Rao. | |

Noes.

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|---|-------------------------------------|
| 1 Diwan Bahadur C. Natesa Mudaliyar. | 9 Mr. C. Krishnan. |
| 2 Sriman M. G. Patnaik Mahasayo. | 10 " C. Ramalinga Reddi. |
| 3 Mr. J. Kuppuswami. | 11 Mrs. A. Rukmani Lakshmipathi. |
| 4 " C. Indriah. | 12 Mr. P. Ratnavelu Tevar. |
| 5 " K. Pattabhiramayya. | 13 " C. Obi Reddi. |
| 6 Khan Bahadur T. M. Moidu Sahib Bahadur. | 14 " C. R. Parthasarathi Ayyangar. |
| 7 Rao Sahib D. V. Narasimhaswami. | 15 " K. Koti Reddi. |
| 8 Mr. K. Kesavaramamurti. | 16 " P. V. Krishnayya Choudari. |
| | 17 " U. C. Subrahmanya Bhatt. |
| | 18 Mahaboob Ali Baig Sahib Bahadur. |

Neutral.

- | | |
|-------------------------------------|---------------------|
| 1 The Hon. Sir the Raja of Bobbili. | 4 Mr. V. T. Arasu. |
| 2 Mr. R. M. Palat. | 5 " G. R. Premayya. |
| 3 " M. Devadasan. | |

Ayes 60. *Noes* 18. *Neutral* 5.

The motion was carried.

The House then adjourned for lunch.

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After Lunch (2-30 p.m.).

VIII.—A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1928.

* Mr. V. T. ARASU:—"I beg leave to introduce a Bill to amend the Madras Hindu Religious Endowments Act, 1926."

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

The Hon. Sir the RAJA OF BOBBILI:—"I have no objection."

The motion was put and carried and leave to introduce was granted.

Mr. V. T. ARASU:—"I introduce the Bill."

IX.—RESOLUTIONS.

(1) CLOSING OF CANALS IN GODAVARI WESTERN DELTA DURING SUMMER.

* Mr. G. SRIRAMULU:—"Mr. President, Sir, under Standing Order No. 55 (3), I beg leave to move resolution No. 1 standing in the name of the hon. Member, Mr. Basheer Ahmed, who unfortunately is not in his place."

The motion was duly seconded.

The motion was put and carried and leave to move was granted.

* Mr. G. SRIRAMULU:—"Sir, the resolution that I beg to move reads as follows:—

'This Council recommends to the Government that G.Os. No. 2435 I., dated 21st November 1932, and No. 1844 I., dated 21st August 1934, relating to the closure of canals for 38 days in the Godavari Western Delta during summer, be cancelled and that the practice of closing the canals during the month of May obtaining prior to G.O. No. 2435, I., dated 21st November 1932, be restored.'

"Previous to the passing of these two Government Orders there was a long-established practice of closing the canals only during the month of May. Sir, these two Government Orders were passed without the knowledge of the ryot population or landlords or tenants who are affected by these Government Orders. Before the passing of G.O. No. 2435, there was a practice of closing the canals only for 31 days and they were closed on the 1st May and were opened on the 1st June. There is second crop cultivation in the areas cultivated by the Godavari water. I think some of the Hon. Members who are now occupying the Treasury Bench know it full well. The Hon. the Revenue Member who was for some time the Collector of old Kistna which included the present West Godavari district, the Hon. the Finance Member who was

Note.—Items VIII and IX on the Agenda relating to the Muslim Wakf Bill and the Local Boards Bill were not taken up as the Members who gave notice of the same were not in their places.

[Mr. G. Sriramulu]

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for some time the Collector of East Godavari and the hon. Mr. Boag and the hon. Mr. Scott Brown, who worked as successive Collectors of the District of West Godavari know the system of cultivation full well. The second-crop cultivation requires more water in the last week of April as the fields will be then ripe to yield the crop. In many places second crop failed for want of water in time. Apart from this, all the seed beds are watered in the last week of April. All the ryots store water in the tanks just when the canals are closed, and the water that is stored in the tanks is used for growing seedlings during the month of May. By the end of May owing to the usual heat wave the seedlings would be almost on the verge of death and to give them life about the 1st of June the canals are opened. There has not been the danger of the seedlings dying before the two Government Orders were passed, but unfortunately after the passing of the above two Government Orders the canals are closed for 38 days, somewhat earlier also. The reopening also is delayed and it is effected only a few days after the 1st of June. The fields and tanks require water during the last week of April and from the 1st of June. For instance, during the course of the present year all the seedlings have died and there are no seedlings for the ryots to cultivate their fields as the canals are closed in the last week of April and opened a few days after 1st June. If reports are called for from the local officers, it will be clear to the Government and to hon. Members of this House that this year transplantation work in Godavari delta has been abnormally delayed. Seedlings are purchased at abnormal prices. Let alone the delay; let us see how far it is not beneficial to the ryots. The seedlings which were raised earlier, either in the early part of May or in the latter part of it, will yield good crops as they can withstand heavy rains and floods. Are they able to transplant the seedlings this year in time? They have not been able to transplant the seedlings this year in time as all of them have died for want of water. Many fields are still uncultivated for want of seedlings.

"Let alone the cultivable lands. There are so many garden lands solely depending upon water. A lot of water running through sandy places is absorbed by the sandy ground itself in many places. Such kind of garden crops as sugarcane, plantain, coconut, Batavia oranges, lime, turmeric, gingelly and chillies—all these crops have thoroughly failed. There is not even a single garden crop which is not starving on account of deficiency of water. Some have died because they have not got the usual supply of water during hot days and also on account of the fact that these canals are closed for a good number of days. The gardens in which plantain crop and sugarcane crop failed proved useless for paddy cultivation also. The ryot population has been reduced to the verge of insolvency as the crops failed. I can say with confidence that as a result of the passing of these two Government Orders the ryots have suffered very much. But the Government may say that on account of the representations made by the officers of the Public Works Department they could not but pass the Government

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[Mr. G. Sriramulu]

Orders. But even before the passing of the Government Orders under reference, very many gigantic works were constructed and many repairs were effected. For all that no loss has accrued to the Government. After the two Government Orders were passed no repairs worth the name have been effected. The only result has been that the ryots have suffered a great deal.

2-45
p.m.

"I do not want to detain the House for a much longer time, but I would like to refer to another salient point. During the time the canals are closed the department has been storing up water in the canals themselves. There are many locks in the canal, and channels branch off from above the locks. If water is let down either through the locks or into the channels taking off from up the locks, the canals will dry up within a few days and within the space of 31 days, the period of closure of the canals in the month of May, any amount of repairs can be effected if only the officers care. But they may say it is impossible for them to finish the work. In the previous years there used to be a second crop all over the delta. But now owing to the introduction of the turn system the ryots can have *dalwa* cultivation only once in three years. Such being the case, it will facilitate the work of the officers in making repairs without increasing the period of the closure of the canals. I, therefore, request the Hon. the Revenue Member to see that the two Government Orders are cancelled immediately and relief given to the ryot population of the Godavari Western Delta."

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

* Mr. C. INDRAYYA:—"Mr. President, Sir, coming as I do from a deltaic district, I have great pleasure in supporting the resolution moved by my hon. Friend. G.O. No. 2435 lays down that the canals must be closed for a period of 38 days and the other G.O. No. 1844, dated 21st August 1934, lays down that the date of closing must be advanced to the 23rd of April from the 1st of May. The whole of the Godavari Delta, not only the western delta but also the eastern delta, is affected by these two orders. In order to understand the serious consequences which have resulted from these two orders it is necessary to know what the previous practice was in this respect in the Godavari Delta. Formerly the canals were closed for a period of 31 days—1st May to the 31st May—and that had been the practice ever since the anicuts were built, say from 1844 or so. There had been no complaint whatever about it all these years. But now all of a sudden these two Government Orders have been passed *ex parte* without giving an opportunity to the ryots of the Delta to state their objections. The questions that arise are: Why should there be a change; are there sufficient grounds for the change and is the change in the interests of the ryots? No sufficient reasons are put forward for the change. The Government might say that the period of 31 days allotted under the old system was not sufficient for effecting the necessary repairs to the canals. But the Public Works Department is mainly responsible for it. Generally after the works are given out on contract, the contractors do not begin their

[Mr. C. Indrayya]

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work immediately after the closing of the canals. Then after the works are finished by the contractors, the Public Works Department officers cause delay in taking check measurements. If the Government issue strict instructions to the Public Works Department authorities and the Public Works Department authorities issue strict instructions to the contractors, I think the time allotted under the old system—31 days—will be found to be quite sufficient for effecting repairs. After all the repairs that are effected are very minor repairs and they need not take longer time than what is allotted under the old practice.

“The next question is, is the change in the interests of the ryots? My submission is that the change has caused much hardship and loss to the ryots. On account of the longer closure of the canals year after year, the seed beds become dried up and the seedlings die away. The ryots have to prepare new seed beds and raise fresh seedlings after the opening of the canals. The result is transplantation begins only late in the season and there is a decrease in the production of paddy. Besides this injury caused to the paddy crop, the garden crops also suffer a good deal. In the delta, other crops like sugarcane, plantains, lime and Batavia oranges are very valuable crops and they require frequent watering. By closing the canals for 38 days the fields dry up and these garden crops almost perish and their production is considerably reduced. There is another objection also to the advancing of the date of closure of the canals from the 1st of May to the 23rd of April. The second crop known as the *dalwa* crop is generally a three-months crop. It is transplanted in the month of February and will be ripe for cutting in April. If the canals are closed on the 23rd April, this *dalwa* crop will be seriously affected and there will be a decrease in the production of paddy.

“With regard to these two Government Orders the ryots of my district held several meetings and submitted several memorials to the Collector and to the Government. They also made representations to the Collector. The ryots have suffered a great loss during the last two years and the loss can be estimated at several lakhs of rupees for the whole western delta. I therefore request the Government to restore the old practice and cancel these two Government Orders which are working a great hardship to the already ruined ryots. With these words, I have very great pleasure in supporting the resolution moved by my hon. Friend.”

* The Hon. Mr. C. A. SOUTER:—“Mr. President, Sir, I have been impressed by the reasons put forward by the hon. Members who have spoken on this resolution. I hope that if they are satisfied with what I am going to say they will not press this resolution. I propose to have the whole question of these two Government Orders re-examined and I hope that the result of this examination will be such as will satisfy them.”

Mr. G. SRIRAMULU:—“I do not press the resolution, Sir.”

The resolution was by leave withdrawn.

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(2) RESETTLEMENT IN GUNTUR DISTRICT.

Mr. P. V. KRISHNAYYA CHOUDARI:—“May I be allowed to move this resolution, Sir?”

Rao Sahib D. V. NARASIMHASWAMI:—“I have no objection, Sir.”

* The Hon. the PRESIDENT:—“The hon. Member himself may formally move it. Then Mr. Krishnayya Choudari may second it.”

Rao Sahib D. V. NARASIMHASWAMI:—“Mr. President, Sir, I beg to move that—

‘this Council recommends to the Government that the resettlement report of the Guntur district should not be given effect to until a committee consisting of four members to be elected by this Council, the Member of the Board of Revenue in charge of Settlement, the Collector of the district and the Revenue Member as the Chairman of the Committee, submits its report after thorough enquiry’.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“Sir, I second the resolution moved by my hon. Friend. Sir, the Government are aware that the economic condition of the ryots is not sound and that they are not able to pay their land revenue in full even according to the present rates. We have been agitating for the last three or four years that the ryot should be given some relief and the Government have recognized the pitiable condition of the ryots and granted some revenue remissions though not to the full extent asked for by us. The Government have recognized that the present rate of assessment is pressing as a heavy burden on the ryots. In my own district they have granted a remission of 12½ per cent for the last two years. I do not understand why on the one hand the Government should grant remissions and on the other hand go on increasing the land revenue demand by resettlement. Resettlement was originally thought of in order to reduce land revenue if the prevailing rates were excessive, but now we find that there is no resettlement by which the Government are able to reduce land revenue. That is why this morning I asked the Hon. the Revenue Member what the total amount by which the land revenue in the district would be increased apart from mere percentages given in the scheme report. In some cases they have proposed an increase of 12 per cent and in some cases an increase of 18 per cent. For a layman it is not possible to calculate the total financial implications of the proposals in the scheme report. That was why I requested the Government to give the total figures.

“Another point, Sir. The Government have not fulfilled the obligations which they promised at the time of the last settlement. For the information of the House I wish to quote a few passages from the previous Settlement report. At present, the Guntur district is paying very heavy wet rate in the whole Presidency. The average wet rate we are paying now is Rs. 8-8-10 per acre, while Godavari, Masulipatam, and Tanjore deltas are paying Rs. 7-9-4, Rs. 6-11-1 and Rs. 6-7-9 respectively. After resettlement, Tanjore pays only an assessment of Rupees 7-11-3 per acre, nearly 13½ annas less than what Guntur pays. It will

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be seen thus that the ryots of the Guntur district are already heavily burdened. I have taken these figures from the settlement report itself—vide page 65, paragraph 14 of the Board of Revenue's report, Revenue and Settlement, G.O. No. 463, dated 17th December 1903. These are the figures authoritatively published by the Government themselves. I am not quoting these figures from any other source. These figures clearly show that the Guntur district is already paying very heavy wet rate.

"Another point, Sir. The Settlement Officer proposed that certain drainage schemes should be carried out immediately for the benefit of the ryots. I shall just read those portions from the settlement report. I am reading from page 11, Board of Revenue, Revenue and Settlement Records, No. 463, dated 17th December 1903.

"While still on the question of resettlement, I wish to draw your pointed attention to the new projects that were contemplated at the last settlement in view of the enhanced assessment.

'The sand ridge in the tract between the Tungabhadra and the Commamur canal absolutely blocks the water from Nizampatam to Chinna Ganjam except through the artificial Perali drain. These drains have to carry away not only the surplus water from the irrigation of the river delta, but the whole of the water from Narasaraopet and Bapatla uplands which bank up against the Commamur canal after a heavy rain into huge swamps up to 15 miles in length. The floods round Buddam are in a wet year very serious. The main difficulties are to get rid of the Romperu water and to allow the water in the Nallamada and Tungabhadra to find quick access into the sea. Perhaps something might also be done by strengthening the banks of the main drains.

'A proposition, the Appapuram Project, has been under contemplation for some years to carry a large channel on the northern side of the Commamur canal in a wide sweep from Jagarlamudi to Nallamada irrigating about twenty villages; at the same time the swamp near the canal is to be drained by a channel parallel to the canal itself. This will bring a still greater volume of water into the Nallamada and Kollimarla drains, though if, as it is proposed, they are widened the water will run off quicker.'

Then the Settlement Officer adds:—

'I beg to submit that in case 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.'

"It will be seen from the above extracts that the Resettlement Officer suggested certain improvements in drainage and irrigation and recommended that a part of the increased assessment might be utilized for carrying out these schemes. Those improvements have not been carried out even after three decades. Though the Appapuram Project was considered by the Government, it was held up by the Kistna Reservoir Project, which in its turn, was put on the shelf in favour of the Mettur Project. Now that the last scheme for the benefit of Tanjore is completed, I appeal to the Government to take up these other schemes in our district at a very early date.

"When the taxes were increased, it was proposed to carry out some improvements; nothing has been done so far by the Government all these years, although the ryots have been paying excessive rates all these years.

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"Now the Settlement Officer has proposed increase of assessment by 18½ per cent. The Government are going on increasing the assessment. I do not know how the ryot can afford to bear the burden. My hon. Friend, Mr. C. R. Reddi, raised the pertinent question and the Hon. Member has avoided answering that question by saying that it is a very difficult problem. If the Government really and honestly feel that it is a difficult problem, I appeal to the Hon. the Revenue Member not to carry on any settlements at all in view of the reformed constitution which is coming early. On the eve of new reforms, I do not understand why the Hon. the Revenue Member should go on adding to the burden of the ryots. Let the new Government which is likely to come, frame their own system of land revenue assessment and let them put it into operation. Let orders be passed by the new Government after enunciating their policy. If the Hon. the Revenue Member does not pass orders on the resettlement proposals, he will be helping the ryots to a great extent. Otherwise it will be very difficult for the new Government which is likely to come in another year to change the policy all on a sudden. As soon as the new Government come into existence, they will take up a definite attitude with regard to the land revenue system. People contesting for the next elections will take the mandate of the electorate and they will lay down their definite policy. But, if the Hon. the Revenue Member is very anxious to pass orders, let he himself be the chairman of the committee which may be constituted according to the resolution I am seconding now, and come to some decision after proper investigation. That will be in the interest of the people. I am confident that he will do justice to the people. Let him look into the things personally; he is known to be a very sympathetic officer all these years; at the fag end of his term of office I do not think he will throw a large burden on the poor ryots of the Guntur district. Though resettlement is going on in the Nellore district, the report would not be ready before one year and the Hon. the Revenue Member may not have to pass orders with regard to that district. I think it will take more than one year. So, I would appeal to him not to pass orders with regard to the Guntur district also and allow the new Government to pass their own orders.

"Another point, Sir. The Government say that they are increasing the assessment only to the maximum extent of 18½ per cent. In many other ways the Government are increasing the land-tax. Recently the Government passed an order levying a flat water-rate of Rs. 6-4-0 for the whole Guntur district. The increase was actually from 25 to 100 per cent. I hope the Hon. the Revenue Member would not think that I am exaggerating facts. If he will go through the report of Mr. G. W. Priestely, the then Collector, he will come to know that I am not exaggerating the figures. The then Collector realised that it was an unjust case and he reported the matter to the Government for revising the classification and for giving a permanent wet rate for the Repalle taluk. His proposals have not been given effect to by the Government, yet. However we are thankful to Mr. Priestley for his

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sympathetic attitude. When the tax on land is increased by 100 per cent in various ways, what is the meaning of the Government saying that they have fixed the maximum of 18½ per cent increase for resettlement operations.

"Another point, Sir. Recently water was given to the ryots for changing the turmeric zone. The Government have been penalising people who use water for this purpose, in various ways. I wish to bring this point to the notice of the Hon. Member. The Settlement Officer is expected to go into the economic condition of the ryot, before proposing increase in land revenue. He has to consider whether the ryot is capable of paying the increased assessment or not. The Government are supposed to give 50 per cent margin for the benefit of the ryot. They have to consider whether the ryot is able to lay by anything. The Government want to relieve the indebtedness of the ryot and they recently amended the Agricultural Loans Act with this idea. If there is really 50 per cent margin for the ryot, where is the necessity for him to borrow and be indebted? This is a question for the Hon. the Revenue Member to answer. The fact that the ryot is indebted goes to show that he is not having any margin of profit at all, as is stated in the scheme report. If facts are to be taken, I can assure the House that there is no margin of profit at all left for the ryot at present. During the war it is probable that the ryot might have had some margin of profit on account of excessive rates. They were not permanent rates. Even then the ryots were not allowed to have much margin because the Government had the control system; they fixed certain rates and they compelled the ryots to sell at those rates.

"In the year 1903, some proposals were made for taking up some projects for the benefit of the Guntur ryots especially. The Settlement Officer reported that those projects will give some benefit to the Guntur district. But none of those projects were taken up by the Government all these years. The Kistna Reservoir Project which was proposed by Mr. Wilson, Superintending Engineer, for the benefit of the Kistna Western Division, has not been taken up by the Government. Transplantation is not going on properly now. The other day, on the 30th of last month, I had to approach the Revenue Divisional Officer and the Subdivisional Officer for giving water to seed-beds in several villages. That goes to show that orders are not obeyed and water is not given properly for cultivation purposes. Water supplied is not adequate. With these words, I request that a Committee may be constituted to go into details and send up a report; until then I request the Government not to pass any orders. With these words, I second the motion."

3-15 P.M. * Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, Sir, my amendment to resolution No. 2 is this:—

"For the words "a Committee consisting of four members to be elected by this Council, the Member of the Board of Revenue in charge of Settlement, the Collector of the district and the

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Revenue Member as the Chairman of the Committee, submits its report after a thorough enquiry," substitute the words "it has been submitted to this Council and its decision taken thereon."

"Sir, before I speak on the amendment of which I have given notice and which I have the pleasure of placing before this House, I should like to dilate a little on the principle involved in this resolution, viz., the principle of resettlement with particular reference to the scheme report submitted by the Special Officer in connexion with the Guntur resettlement. In considering the resolution and the amendment which I have proposed, the fundamental question one has got to put to oneself is this: whether the ryots have become more prosperous or whether they have become poorer. The British Government has always been laying stress on the fact that the ryots and the peasants have been getting more and more prosperous, but the ryots of the various districts of this province have been saying that it is a fallacious argument and a plausible reasoning. In paragraph 59 on page 84 of the report of the Special Officer, under the head 'Revision of existing rates of assessment,' it is said that 'in view of the large increases in the commutation rates and the prosperity enjoyed by the district'—I want the House to note these words. The scheme report therefore says that the ryots are very prosperous, and I take it that the Government will probably support the proposal of the Special Officer on that ground, to enhance the existing rate by 18½ per cent. Well, this House has got to consider the question whether the ryots of the Guntur district are in a position to meet the enhanced rate suggested by the Special Officer.

"Sir, in spite of the rise in prices, it is an admitted fact that the ryots have become very poor indeed. It is also an established fact that over all the supposed prosperity of our ryots, we have been faced with the question of the huge indebtedness of our country. To-day, if we take statistics into consideration, the agricultural indebtedness of our country amounts to as high a figure as Rs. 1,200 crores. If the argument that the ryots are prosperous stands, I ask this House: why should India be faced with such a huge indebtedness as we are faced with to-day?

"Now, Sir, resettlements have always been condemned by progressively-minded people. I should like to remind the House, in this connexion, of the fact that a famous historian, almost an authority on the revenue system of India, viz., Mr. Romesh Chandra Dutt, had unequivocally condemned the very idea of having resettlements. Not only has Mr. Romesh Chandra Dutt denounced it, but the Congress, times without number, has in a series of resolutions, condemned the revenue policy of the Government and denounced outright the very idea of having resettlements every thirty years. Famous Moderates like Dadhabai Naoroji have also condemned the system of resettlements.

"Again, granting for a moment that resettlement is really a necessity in the interests of our country, we shall agree to it at least if

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certain sound principles are followed, though personally I am against the very principle of resettlement. We shall at least follow such sound principles as were recommended by the Economic Enquiry Committee, viz., the Arogyaswami Committee. For the benefit of the House, I shall be glad to place before it the recommendations of this Committee. It says:

'Among the several points to be borne in mind by the Settlement Officer in conducting resettlements, he must bear in mind that there should be a substantial change in prices in order to warrant any alteration of the rates of assessment and that the rates cannot be raised to the full measure of the rise in prices, because the allowance made for increased cost of living as well as for permitting a higher standard of comfort should be liberal.'

"Well, Sir, it has been said that there has been an enormous rise in prices in the years 1928 and 1929; and especially in the year 1929, the rise in prices reached the maximum practically throughout the world, and that year was known as the peak year. But ever since the year 1930, we have been faced with an economic depression, and as a consequence, ryots have been put to any amount of hardship because of the fact that prices have gone down abnormally and the ryots are unable to bear even the cultivation expenses, while the incidence of taxation has become twice or threefold. Therefore, Sir, it cannot be urged that the ryots have become prosperous. I ask the Government why they should think of resettlements at all when we are faced with such a huge economic depression.

"Sir, this morning my hon. Friend, Mr. Ramalinga Reddi anticipated me—because I wanted to refer to that topic in the course of my speech this afternoon—in putting an interpellation to the Hon. the Revenue Member as to whether the Government were resorting to passing mere executive orders on resettlement without giving the legislature an opportunity to consider them in spite of the fact that the Joint Parliamentary Committee during the time the Montford Reforms were enacted, had made a recommendation that such legislative sanction should be obtained before resettlements were resorted to. The Hon. the Revenue Member stated in reply that the Government did not propose to take that suggestion into consideration and that they were not prepared to place such proposals before the House for its sanction. Well, Sir, that is a very bureaucratic answer; in the year 1930 when a similar question came up—I wish here to refer the House to the Proceedings of the Board of Revenue, Land Revenue and Settlement, dated 29th September 1930, which reads as follows:

'On the 18th March 1930, it was suggested by the Legislative Council that the Council should be given an opportunity of expressing its opinion on the findings of the Committee'

—that is, the Arogyaswami Committee—

'appointed on the 30th January 1929 before final orders were passed by the Government; and the Government gave an undertaking that the suggestion would be borne in mind.'

The Government then stated that the 'suggestion would be borne in mind,' but this morning the Hon. the Revenue Member gave

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a very bureaucratic answer and said that the Government were not prepared to do any such thing. Well, I do not know how far such an answer warrants the very existence of this Government.

"Well, Sir, then again in support of my argument I should like to place before the House that the ryots are not really in a prosperous condition, because . . ."

* The Hon. the PRESIDENT:—"I may remind the hon. Member at least at this stage that there is a time-limit for speeches on resolutions. The hon. Member has also very much exceeded the time-limit. I wish she concludes."

Mrs. A. RUKMANI LAKSHMIPATHI:—"I thought, Sir, that this being a question of very vital importance, members would be allowed to speak as freely as possible . . ."

* The Hon. the PRESIDENT:—"But the Standing Orders do not allow speeches of such long duration."

Mrs. A. RUKMANI LAKSHMIPATHI:—"Then, I submit to the Chair, Sir. Well, Sir, I have said what all I could say in support of my amendment and I place this amendment before this House for its acceptance."

* Mr. T. S. RAMASWAMI AYYAR:—"Mr. President, Sir, I have great pleasure in seconding the amendment moved by my hon. Friend, Mrs. Lakshmipathi. The question that has been raised in the resolution and the amendment is one of principle. It is not now stated, though the point has been raised during the course of the speeches, that there should not be any settlement at all and that there should not be any consideration as to whether there should be enhancement or otherwise of the rates. The question at issue is, as has been pointed out, that the legislature has been for a long time claiming that it should have its voice heard whenever a settlement takes place. As long ago as 1919, I think it was the Joint Parliamentary Committee that reported that settlements should be put on a statutory basis. The Government since then have been saying that it is their desire to get legislative sanction for their settlements. I think, Sir, more than one attempt has been made by the Government to have a Land Revenue Act passed into law. For one reason or another it has not been possible for the Government to put one such law on the Statute Book. Once we were told that the Government of India turned down a certain proposal made by this Government and on another occasion this House did not agree to the terms put forward by the Government in the Hon. Sir Arthur Knapp's Bill. That is why, in spite of attempts now and then made, we have not been able to have a land revenue policy on the Statute Book; and now what happens to-day is this. On account of the absence of an Act, executive orders take its place. I do not, for a moment, suggest that executive orders are always bad, but as I said, it is the right of

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the legislature, especially when there are representatives of the taxpayers on this Council, to have its voice heard before final orders are passed by the Government. Let the Settlement Officer make an enquiry and report, but the Government before passing final orders thereon, should place the same before the House. The Hon. the Revenue Member said that the new constitution is coming soon and that it would not be possible for this Government now to make any more attempts to get legal sanction to the settlement policy of the Government. I ask the Government, Sir, if that is not possible, whether they would not agree to this compromise arrangement, that is, pending the passing of a Land Revenue Act which may be introduced in the next Legislative Council, Government would arrange with the representatives of the people here and have the settlements of the various districts that come up now, examined by this Council. After all, Sir, though it may not be binding on the Government it will enable them to understand the views of the representatives of the people. I think, Sir, that is the view that we ought to take on this resolution and the amendment.

"Sir, the original resolution wants a committee to go into the question, but the later amendment moved by my hon. Friend, Mrs. Lakshmiipathi, states that the views of the Legislative Council on this matter should be heard. Though for a long time the Government have been contending that the land revenue policy of the Madras Government has been a very good one, and that it would be difficult to make any changes in it, I think latterly, they have been obliged by circumstances to change their opinion in the matter. I think the latest improvement that the Government have made, I take it at the instance of the Legislative Council, is the change in Standing Order No. 14 of the Board of Revenue. Till that Standing Order was amended, it was not possible for the Government to give remissions in cases where there was a fall in prices. Government could grant remissions only if there was a drought or failure of crop, but where there was a fall in prices, Government could not grant any remission. The Collectors could not recommend any remission of tax. For some time, the Legislative Council fought hard with the Government; and the Government at first were disinclined to allow any inroad to be made on its land revenue policy; but once they agreed to give a remission of 12½ per cent on the assessment throughout the Presidency, they had to find out on what principle they could do it, apart from the vote of the Legislative Council. I take it, Sir, that was the reason why Standing Order No. 14 of the Board's Standing Orders was revised. I welcome such a change and I think the Government have recognized that there is force in the argument of the Legislative Council that when prices have toppled down so much, they should not stick to the old rules which have been going on for years without a change. The change has become necessary by the cataclysmic fall in prices and by circumstances which Government did not anticipate when the old revenue policy was formulated. When that is the case and since prices have not subsequently gone up, I do not think Government will be justified in saying, 'We shall still adhere to the policy of fixing the assessment without consulting the Legislative Council.'

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"Sir, the Legislative Council has at least on one occasion been able to convince the Government that there is a good case for a change in the policy. If that is so, why not agree to this compromise arrangement that at least in the cases of resettlements of districts which will come up before the new constitution comes into being, Government will consult the Legislative Council.

"One question that may arise in this connexion is, whether the Government are right in their claim to have 50 per cent of the net proceeds. That is a question on which the Government and the people have never agreed. Under the old revenue policy the Government have been claiming that they are entitled to 50 per cent of the net proceeds, but whenever resettlements are made and Government fix the rates, they say, no doubt, we are entitled to the 50 per cent of the net proceeds, but as a matter of fact, we have not taken 50 per cent as we are limiting the increase of assessment to 18½ per cent. That step has, of course, been taken because of the promise made by the Hon. Sir Arthur Knapp on the floor of this House that in all future settlements Government would restrict the increase of assessment to 18½ per cent. To that extent we are obliged to the Government. But does not all this suggest that the legislature has a right to convince the Government, if it can, that their land revenue policy has worked to the great disadvantage of the people. True, Sir, the Government have to get their revenues; but the Legislative Council, as at present constituted, is not a Council that is going to embarrass the Government in its collection of revenue. It only wants to put forward the case that the ryot is not able to pay the assessment that Government wants. After all, what is the scope of the resolution. It does not say that resettlement shall not take place; it only says, put it to the vote of the Legislative Council or at least take its advice as an advisory body, if not as the final word.

"I therefore have great pleasure in seconding this amendment."

* The Hon. the PRESIDENT:—"Both the resolution and the amendment are now for the discussion of the House."

* Mr. A. RAMAKRISHNA REDDI:—"Mr. President, Sir, I think the one question which has been discussed more often on the floor of this House than any other is the vexed question of resettlement, and there is no question which has elicited such unanimity of opinion among all the sections of this House as this question of resettlement. In fact, the predecessor of the Hon. the Revenue Member, when the resettlement of the Kistna district came up for discussion, admitted in so many terms that the system of resettlement did not stand the strain of the present economic depression; and in spite of such unanimity of opinion among all sections of the House and the public on this question, I want to ask, what is the policy or prestige that is involved in this matter and why Government should not consider particular cases at least. Even in the case of the poorest of districts, like the Kurnool district which is

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notorious for its famine conditions, the Government have not relaxed their rules. So far as the principles of resettlement are concerned, I do not see, even on a cursory examination of the case, how they would be applicable to the present conditions in the several districts. When the policy of resettlement was originally conceived, it must have been based on the assumption that as times advanced, the condition of the ryots would progress and they would be more and more prosperous. At that time I do not think they would have foreseen such an unprecedented economic depression as we are having at present. Now, Sir, the only reason so far as I have been able to see which Government have advanced on more than one occasion is, that it is only this system which gets a flexible income under the revenue head and the other argument that has been advanced is that, especially when the new constitution is to be inaugurated, it is not wise to abandon the present system of resettlement and that the finances of the coming Government should not be crippled. As regards the first argument of the income to Government, it is based on the assumption that for the income of the Government to be flexible, the income of the ryot also should be flexible. It will be absurd to say that the income of the Government should always continue to be flexible when the income of the ryot, a portion of which they claim, is liable to serious depreciation. Is any argument needed to say that so far as the present condition of the ryot is concerned, there is absolutely no increase in his income during this period of economic depression. Whatever the figures that might be collected by the settlement officers and whatever the statement may be in the scheme reports, I do not think that it requires any argument to convince anybody that so far as the present state of the ryot is concerned, it is most deplorable and his condition deserves to be pitied.

"The very action of the Government at the present moment in attempting to constitute a Provincial Economic Council, amending the Agricultural Loans Act and examining the indebtedness of the ryots, undertaken by them for the first time is due to the amount of agitation that has been going on in the Presidency on account of the absolutely miserable plight of the ryots. I am not able to reconcile the attitude of the Government, when at one time they say that the condition of the ryot is such as to call for the action that I have mentioned and at another time say that whatever be their condition, resettlement operations should go on and that they should exact the pound of flesh from the ryots so far as resettlement is concerned. I do not know what is the question of prestige that is involved. The Government have, in many instances, yielded to public opinion. Especially at a time of such great distress to the ryot, I do not see why the Government are not yielding at least in the few cases that have been left to them for decision before the inauguration of the Reforms. The other argument advanced is that it is not wise for the Government to cripple the finances of the coming Constitution by any changes made in the matter of resettlement. I submit that this argument cannot stand examination for a moment. It is well-known that so far as all sections of the House are concerned, all are agreed that resettlements must go. That is the view of the

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Justice Party, the Congress Party and the Party led by Dr. Subbarayan. When there is unanimity of opinion among all political parties and politicians, it is clear that, under the new Constitution, whoever is in charge of the administration, will be faced with the problem of revising the question of resettlement. I do not see why if the Government are really anxious that the new Constitution should be ushered in under sound conditions steps are not taken to strengthen the hands of the new Government. I do not see why the present Government should make the new Government tackle this problem rather than tackle it themselves. It is quite evident that this difficult problem will have to be tackled immediately by the new Government after coming into being and that might completely dislocate the finances of the Province. Therefore, the argument that they are going to help to usher in the new Constitution or strengthen the hands of the new Government does not hold water for a moment. I, therefore, think that, from whatever way this question is considered, the attitude of the Government in this regard is inconsistent. I appeal to the Government to take a reasonable view of the matter and give effect to the resolution."

Mr. C. R. PARTHASARATHI AYYANGAR:—"Mr. President, Sir, the difficulty in which we find ourselves in considering the question of resettlement is due to our forgetting the economic principle upon which resettlement is to be conducted and the duty of the Government to the people. One of the important facts that the present administration ignores in coming to a conclusion on questions of settlement is that it is the bounden duty of the Government to see that the ryot is contented and happy and has enough to eat, so that he may not become a source of unrest for the future. You will find that the principle of settlement in India was based on the share of the produce payable to the king, because the king guarantees the protection of the subject, not so far as law and order alone is concerned, but also his material interests and moral welfare. The subject was considered as an all-round being and not as a mere human being who has to keep flesh and bone together and carry on his livelihood. He was cared for by the king as a parent looks after his child. That has been the basis of the Indian administration. It is because this idea bursts out again and again in different forms that you find agitation put up in mute form whenever exception is taken to resettlement operations. The principle upon which it is based is that the administration of the country should be responsible in a greater and greater measure to the people. People who are in charge of the administration are to be more responsible than the ryots with whose interests they are entrusted. But the person drawing a big salary does not recognize the very heavy responsibility towards keeping the people in a contented state and making them understand their responsibilities, so that they may co-ordinate their activities with those of the Government. It all comes to one small thing, namely, whether the people are having leisure to enjoy life and to add to the creative activities of the nation as a whole. There is no use of your getting a report on the state of the indebtedness of the ryot. The Government's

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expecting the people to get on somehow is a wrong basis of administration. I was surprised while going into the library to find that there was no copy of *Aini Akbari*, a book of administration in Akbar's time. I went to the shops. There also I could not get one. It perhaps ought not to be sold. If you go into it, digest it and revolve it in your mind, you will find much food for thought and contemplation. You can compare the attention now being given by the Government to the welfare of the millions of subjects who are entrusted to their charge. They do not care a fig or farthing for cholera or plague to which these people are subject; and they think that they are not responsible for them. They shut their eyes to the condition of the people about them. The state of their education is abominable and is not such as would be in the interests of the ryots. And what about their material condition? We shall await with great interest the information in respect of indebtedness of the ryots. But I wonder if there is one ryot who can say that he is happy, that he is having so much in reserve and that he finds leisure to do so many other things. Has any person in responsible authority found out this feature in the position of the ryots?"

* The Hon. the PRESIDENT:—"I think it will be of use to the House if the remarks of the hon. Member are directed more relevantly to the issue before the House, namely, the appointment of a committee and the decision of the Council on this matter."

Mr. C. R. PARTHASARATHI AYYANGAR:—"Sir, this raises a question of principle. What progress have you made in charting a definite course in the direction of the prosperity of the ryot? What steps have you taken to find out the real state of affairs? The point I am now making is that the appointment of the committee will not aid the ryot in any way. The more important question we shall have to consider is that at least till next year the enhancement in the assessment should be stopped, leaving it to the new Government to do as it pleases. It may say these things are not necessary and may launch out on another course of action. Therefore, it seems unnecessary to rush forward with the resettlement and increase the assessment somehow or other. Therefore, I submit, the greater the responsibility you feel as to our duties in the matter of resettlement, the greater is our duty to oppose it. I move that the 'report shall not be given effect to till the new Government comes into power.'"

Mr. G. RAMESWARA RAO:—"I second it, Sir."

* The Hon. Mr. C. A. SOUTER:—"Mr. President, I think that most of the arguments advanced in support of this resolution seem to be arguments on the merits of the special officer's report rather than on the principal question which is whether a small committee of this House shall be formed with certain officials to consider this question and advise Government as to whether the special officer's proposal is to be accepted or not. On that point, my hon. Friend, Mr. Ramaswami Ayyar, was the only one who criticized the principles we follow.

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"Mrs. Lakshmipathi went a step further than that and proposed in her amendment that before Government passed orders, as far as I can understand the position, the Council should give its formal opinion on the proposals and that until then the Government should not pass orders. As regards the general idea, I must say that I oppose the motion for the appointment of a committee to go into a question of this kind.

"We tried it once before with almost disastrous results, and that 4 p.m. committee after spending a great deal of time and labour submitted its report. In my opinion anyhow, it did not help matters at all. Here again, apart from the principle of the general question whether resettlement is proper or not, the question is as to the resettlement in the Guntur district, and that is a matter which concerns the representatives in this House from that district. I shall be prepared, if it is considered necessary, to go to Guntur myself for a short time, taking with me the Member of the Board of Revenue and sit for some days with the Members representing the Guntur district in this Council and receive any representations that might be put forward. But that is quite a different matter from formally constituting a committee of this House to report to the Government.

"Now, a great deal has been made to-day in the speeches of the point that the present condition of the ryot is miserable and so on and so forth. All that may be perfectly true, and I will not for one moment argue that the condition of the ryot to-day is as good as it was five years ago. It would be obviously going against fact. But that fact is not in itself a reason for postponement of the resettlement or for not carrying it out. It seems to me that that fact is one which should be taken into consideration in fixing the date from which, if Government should decide to enhance the assessment in the Guntur district, that enhancement should take effect. There I quite agree that the present condition of the ryot is a very relevant factor. It is not a factor except to a very small extent in arguing against the conclusions—which I must confess I have not myself examined—to which the special officer has come. I think the hon. Members must see that.

"Then again, so far as I can see personally, I feel very strong on this point, namely, that the present Government should not do anything which will unnecessarily tie the hands of any future Government that may come in. For myself, I do not think we are doing any such thing. Therefore, if any orders are passed, it ought to be such orders that will enable any future Government to continue it if necessary, or, if they like, to forego any source of revenue which is open to them to do so. But for this Government to say straightaway, for instance, that you should not introduce any enhancement of assessment in the Guntur district next year or the year after that, and to bind the future Government in that way, I do not think, is proper on the part of the present Government. So, my position generally is that to introduce now this idea of a formal committee on the point is unnecessary, and I suppose that it will be wrong now, by any act of this Government, to bind the

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future Government or to tie its hand in any way. However, the fact that the present position of the ryot is not good should be a factor to be taken into consideration as to the date from which any enhancement is to be imposed on the district. I am afraid, therefore, that on those principles I must oppose Mr. Narasimhaswami's motion."

* The Hon. the PRESIDENT:—"I will put the amendments to the resolution to the vote of the House. The second amendment is—

'That the report shall not be given effect to till the new Government comes into power'."

The amendment was lost.

* The Hon. the PRESIDENT:—"I will now put Mrs. Lakshmipathi's amendment to the vote. The question is—

'For the words beginning with "a committee consisting of four members" to the end, substitute the words "it has been submitted to this Council and a decision taken thereon".'."

The amendment was declared lost.

Mrs. A. Rukmani Lakshmipathi demanded a poll which was taken with the following result:—

Ayes.

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| 1 Mr. J. Kuppuswami Choudari. | 15 Mrs. A. Rukman. Lakshmipathi. |
| 2 " C. Indrayya. | 16 Mr. P. Ratnavelu Tevar. |
| 3 " K. Pattabhiramayya. | 17 " C. Obi Reddi. |
| 4 " K. R. Venkatarama Ayyar. | 18 " K. P. Raman Menon. |
| 5 " Abdul Hameed Khan. | 19 " G. R. Premayya. |
| 6 " T. S. Ramaswami Ayyar. | 20 " P. M. Thangul. |
| 7 " A. B. Shetty. | 21 Rai Sahib C. Kolanda Reddi. |
| 8 " M. A. Manikkavelu Nayakar. | 22 Rao Bahadur R. K. Venugopala Nayudu. |
| 9 " K. A. Nachiyappa Gounder. | 23 Mr. P. V. Krishnayya Choudari. |
| 10 The Pattagar of Palayakottai. | 24 " C. R. Parthasarathi Ayyangar. |
| 11 S. M. K. Beyabani Sahib Bahadur. | 25 " K. Ketu Reddi. |
| 12 Rao Bahadur T. M. Narayanaswami Pillai. | 26 Diwan Bahadur M. Gopataswami Mudaliyar. |
| 13 Mr. V. P. Narayanan Nambiyar. | 27 Mr. Mahboob Ali Baig. |
| 14 " G. Rameswara Rao. | |

Noes.

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| 1 The Hon. Sir K. V. Reddi Nayudu. | 15 Mr. T. Sundara Rao Nayudu. |
| 2 " Rao Bahadur A. T. Pan-nirselvam. | 16 Khan Sahib Syed Tajudin Sahib Bahadur. |
| 3 " Mr. C. A. Souter. | 17 Mr. R. M. Palat. |
| 4 " Mr. G. T. H. Bracken. | 18 Diwan Bahadur A. Appadurai Pillai. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 19 Mr. M. Devadasan. |
| 6 " Sir the Raja of Bobbili. | 20 Rao Sahib N. Siva Raj. |
| 7 Diwan Bahadur C. Natesa Mudaliyar. | 21 The Raja of Parlakimedi. |
| 8 Mrs. K. Alamelumangathayaramma. | 22 Mr. M. Vedachala Mudaliyar. |
| 9 Mr. W. Scott Brown. | 23 " P. C. Moses. |
| 10 " H. R. Uzielli. | 24 " P. V. Rajagopal Pillai. |
| 11 " C. E. Jones. | 25 " V. G. Vasudeva Pillai. |
| 12 " G. T. Boag. | 26 " J. M. Smith. |
| 13 " R. Madanagopal Nayudu. | 27 Rao Sahib V. Dharmalingam Pillai. |
| 14 " T. B. Russell. | 28 Rao Bahadur D. Krishnamurti. |
| | 29 The Raja of Khallikote. |
| | 30 The Kumara Raja of Venkatagiri. |
| | 31 The Zamindar of Mirzapuram. |

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Noes—cont.

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| 32 The Zamindar of Bodinayakanur. | 38 Mr. M. S. Sreshta. |
| 33 Mr. G. Sriramulu. | 39 " A. Ramakrishna Reddi. |
| 34 The Zamindar of Kirlampudi. | 40 " H. M. Jagannatham. |
| 35 Rao Sahib C. Jayaram Nayudu. | 41 " C. Basu Dev. |
| 36 " D. V. Narasimhaswami. | 42 " I. C. Iswaran Pillai. |
| 37 " Pandit Ganala Ramamurti. | 43 Rao Shaib P. Subrahmanyam Chetti. |

Neutral.

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| 1 Sriman M. G. Patnaik Mahasayo. | 2 Mr. K. Kesavaramamurti Nayudu. |
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Ayes 27.

Noes. 43.

Neutral 2.

The amendment was lost.

The resolution was then put and carried.

(3) GRANT OF FLAT RATE OF REMISSION OF LAND REVENUE.

Mr. A. RAMAKRISHNA REDDI:—"Mr. President, Sir, I beg to move the resolution which stands in my name, viz.:—

'This Council recommends to the Government that the system of granting a flat rate of remission of land revenue is highly unsuitable and that the relief afforded should be based on the actual condition of ryots in each of the districts.'

"In this resolution I am referring to the remissions that have been granted by Government for the last some years on account of the general economic depression prevailing in the Presidency. I must make it plain to the House that I am not in any way referring to the seasonal remissions that are being given to some of the districts on account of unfavourable seasons and which are provided for under the Board's Standing Orders. The only criterion adopted by the Government at present is the resettlement basis, i.e., the case of districts which were recently settled and the case of districts which were resettled some years ago. I do not think, Sir, that this criterion can in any way decide the condition of the ryots. It cannot be said that the district of Tanjore can in any way be compared with the district of Kurnool. So far as the attitude of Government is concerned, they base it on the principle that on account of the extreme distress just now prevailing in the Presidency, they should come to the help of the ryots and give some sort of charity by way of remission. It is clear once the Government concede it is only a question of charity that that charity must be according to the needs of the individual. It cannot be said that so far as this remission is concerned, the Ceded districts which are notoriously poor and famine-stricken should be treated in the same way as some of the deltaic districts in the Presidency—districts where there are irrigation facilities and where the soil is rich and productive and where the agricultural ryot is getting a much larger income than in the poorer

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districts like the Ceded districts. I need hardly mention the conditions in some of the districts, for example the Ceded districts and some of the poorer districts. No doubt Government have come forward with remissions to such of the portions as have been badly affected by the seasons. But this can only touch the fringe of the population. In some cases, for instance in the Kurnool district, though famine relief is going on, I may mention that the remissions are given only to two *firkas*. Even as regards the rest of the districts, this seasonal remission does not reach most of the ryots. Even in the case of districts which do not come under the operation of the Board's Standing Orders for the purpose of being treated as famine stricken, I think it will be admitted by Government also that the seasons cannot be said to be normally favourable seasons. The seasons are such there, that the distress is not so acute as to make the revenue subordinates realize that the places come under the Board's Standing Orders for the purpose of being treated as famine-stricken areas. In these areas, I need hardly say that the condition of the ryot is extremely deplorable. I shall give an instance of what happened in the Goodur *firka* of the Kurnool taluk. Representations were made that some of the places should be given remissions, and I know that both the Tahsildar and the Deputy Collector agreed that it was a fit case for the grant of remissions. But unfortunately the District Collector did not agree. Even small mercies like permission to cultivate tank-beds have been refused. The ryots of the village of Belagal applied for permission to cultivate the tank-bed; the Tahsildar and the Revenue Divisional Officer recommended their application; the Executive Engineer also agreed that this being an year of exceptional distress the ryots might be permitted to cultivate the tank-bed; but unfortunately, the District Collector said that a sufficient case has not been made out for the grant of such permission. I therefore say that so far as relief given by way of seasonal remissions is concerned, it does not in any way go to relieve the distress of the majority of the ryots in the district, who are also affected by the seasonal conditions, though not to such a marked extent as to bring them under the operation of the Board's Standing Orders. I do not say that I am trying only to make out a case for the Ceded districts; I only say that the principle on which relief should be given must be more equitable and the most needy must be attended to first. By this I do not mean that the rate of remissions that are being given to other districts should in any way be curtailed. I do not say anything, so far as the resolution is concerned, about the rates that are to be given to other districts. I only say that whatever money Government might set apart for the purpose of granting remissions on account of the general economic depression they must distribute it on the basis that the ryot that is most hit ought to be relieved first and then the rest."

* The Hon. Mr. C. A. SOUTER:—"Can the hon. Member give me some more detail as to what he means; he is very general in his remarks. It is very interesting; that is why I ask him."

Mr. A. RAMAKRISHNA REDDI:—"So far as my resolution is concerned it only discusses the principle on which remissions should be

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granted, that as it is a case of charity, the persons most in need and in greater distress should first be attended to and then the rest. I do not say that Government should curtail the remissions to be given to the other districts. Whatever money Government may allot for the purpose of granting remissions to the several districts on account of the general economic depression, it should be distributed on the basis that those in greater misery should be attended to first and then the others.

"No doubt, Sir, it may be said that the entire Presidency is affected by the general economic depression. But so far as some of the districts of this Presidency are concerned, the ryots there are in greater distress and need greater help than the rest of the Presidency. In the Ceded districts, the people are passing through a period of exceptional stress. These districts are notorious as famine-stricken areas, notorious for lack of rainfall and lack of irrigation facilities; and they are now being affected for some years past by adverse seasonal conditions. On the one hand they are affected by adverse seasonal conditions; on another side there are the rent collector and the creditor, and there is the burden of maintaining the family on another side. They are torn asunder among so many difficulties. I know on the last occasion when I mentioned it it was taken as a joke. I know that some of the ryots in the Kurnool district have actually migrated into the Nizam's territory. I will assure the hon. Member that what I am stating is a fact, and if an enquiry is instituted I can convince him by facts and figures as to why they went and where they went for making a living.

"The idea that there must be a careful investigation of the regions which are affected, is not a new idea that I am propounding. This idea was freely given expression to by all sections of the House. I may say that Sir A. P. Patro, one of the chief spokesmen of the Justice Party, also said on more than one occasion when the discussion on land revenue remissions was taking place last year, that an examination on a regional basis was necessary and that the distribution of relief should be based on such an examination, and the relief should be in proportion to the extent of distress prevailing. He also reiterated the same during the debate on the no-confidence motion against the Ministry this year. Mr. Sivaraj and other members also said the same thing. It therefore stands to reason and to logic that the person who is in direct need should first be attended to and then others who are less hit.

"I do not think that hon. Members of the House will view with any spirit of suspicion as to whether their own districts will not be adversely affected if this principle were given effect to. I only base it on the humanitarian principle, that you must first go to the relief of the starving and then to the less needy."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"Sir, I second it. In doing so I shall make clear what the proposer means, so far as I understand him. On account of the general economic depression Government were pleased to give a general remission throughout the Presidency. If I am wrong I should like to be corrected. What we are

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now contending is that that sort of general relief will not be of much avail where there is very acute economical distress and famine. I think we can speak with greater authority on this subject because we are in the grip of famine not only this year, but we have been so for several decades. I think we are the pet children of famine, and every year the loss of human life and cattle on account of this is very enormous.

"I suppose this cannot be denied even by the Government. That is the reason why we have been pressing on the Government the need to see that these districts are afforded relief in the matter of irrigation facilities. Apart from that, what we are now pleading for is that, situated as we are in this famine-stricken area, hard hit by famine every year, relief should be given to us, not on the general principle of one anna in the rupee or so whenever there is depression everywhere, but on the basis of the acuteness of the distress. In our areas where the people are unable to pay any tax whatever, we want the Government to come to our rescue and give us, not a flat rate of remission, but full remission taking into account the acuteness of the distress. I am sure the Hon. the Revenue Member will certainly appreciate this suggestion and not quarrel with us for making it. As has been observed by the hon. Mover, we are not asking the Government to deprive the other districts of what they are entitled to. We are only asking that, so far as our districts are concerned, we should be given some more benefit and we agree that as some other districts are also hard hit by the absence of rainfall, they too might derive benefit. That is the reason why we have moved this motion. I hope the Government will accept it."

4-30
p.m.

Mr. G. RAMESWARA RAO:—"Sir, in rising to support this motion, I desire to point out that the staying power of the ryot must be taken as the basis for giving remissions. The Hon. the Revenue Member knows and the whole House knows that some districts like Anantapur have been suffering from chronic famine from absolute want of rain for years after years and consequently their staying power has been reduced to the irreducible minimum. Under these circumstances to say that with the rest of the Presidency these districts also will be entitled only to a flat rate of remission which is based on the ground of depression and fall in prices would not meet the ends of justice. Along with the general depression to which every ryot is subject, the staying power of the ryot also must be taken as the chief consideration in determining what amount of leniency a particular ryot requires. It is only on that footing that we can justify our appeal to the Hon. the Revenue Member for considering the case of making regional distinction in granting general remission. We do not want seasonal remission which comes when it is justified. I am sure the Hon. Member has won the gratitude of the people of Anantapur for the very liberal seasonal remission he has been able to grant for the last year. I hope he will do so if occasion unfortunately arises next year also. Apart from that, the general idea of remitting a portion of the taxation on the ground of the utter incapacity of the ryot and the complete absence of his staying power should be taken into consideration and some discrimination made on that footing."

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Mr. S. M. K. BEYABANI SAHIB:—"Mr. President, I just like to add a few words regarding the resolution so ably moved by my hon. Friend, Mr. Ramakrishna Reddi. Everybody is aware of the fact that the Deded districts, being in the interior, do not get timely rains at all. In this connexion I would like to bring to the notice of the Hon. the Revenue Member the conditions prevailing in the Cumbum tank area. Though the sowing season commences in the month of June, the ryot has entirely to depend upon rains which sometimes come as late as in the month of September or October. On account of the absence of water in the Cumbum tank the ryots are unable to get the full benefit of the paddy cultivation which requires full supply of water. Last time when I asked for statistics as to when the tank actually got water for the past ten years, the information was furnished and it showed that in seven years out of ten, the tank got supply only in August and sometimes only in September and October, that is, two-three months after the sowing season. Now, paddy requires a lot of water for cultivation and even for the first crop as there is dearth of water, the yield will naturally be very poor and the ryots suffer very much. Owing to these conditions most of the ryots depending upon paddy cultivation have left their villages and gone to Bezvada, Tenali, etc. My hon. Friends representing Guntur and Kistna will be able to say how many families have gone to their places on account of this difficulty. The very big village of Cumbum which was once thickly populated in the old days has now as many as three streets completely desolated presenting an appearance of ruins. So I would request the Hon. the Revenue Member to consider the case of districts like ours and do what he can."

* The Hon. M. C. A. SOUTER:—"Mr. President, Sir, I may say at once that with the general idea of this resolution I have every sympathy. I should have been obliged to my hon. Friend, Mr. Ramakrishna Reddi, if he had given some more details as to how I must discriminate between one class of persons and another. He put the position generally by saying that those who are in need should be helped first and that the others should be helped afterwards. If he would only pursue that theory further and give me some sort of idea how I am to separate the sheep from the goat on general principles, I should be only too glad. It has struck me and my hon. Colleagues too that granting general remissions on a district basis without reference to the greater needs of one tract than another, is not proceeding on sound lines; and quite recently I have had an enquiry made as to the incidence of taxation by districts to see whether that would not afford some sort of guide on which to distribute any general remissions which might unfortunately be necessary in future. That line of enquiry has given us a little help, but not nearly enough. We want a little more practical guide in detail and I should be only too glad if any hon. Member has any bright ideas on the subject which he may be able to give us. I do not think any of the hon. Members who spoke on this resolution can possibly allege that we have treated Bellary and Anantapur in a niggardly manner in the past years. On the contrary, it seems to me that we have been more generous than has usually been the case in similar circumstances. Hon.

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Members may rest assured that we should give the same consideration to any other district which is unfortunately affected by similar famine conditions. But one must recognize that it is a question for a particular area and that it does not touch the general subject. Fall in prices and so on are due to general causes and affect the whole Presidency. I would certainly like to have some sort of working formula which will enable me to say that such and such a district ought to get a certain proportion or that a certain area in a particular district ought to get a far larger proportion than another area. I should be glad to have a working formula of that kind. If any Member of this House, mathematically or otherwise, inclined can make it available, I should be only too glad. I have been trying to get something like that myself, but I have not been successful. But I may say, Mr. President, that with the general idea of this resolution I am in full sympathy and I do not think there is any necessity for the hon. Members to press it for that reason."

Mr. K. KOTI REDDI:—"Mr. President, I am glad to find that the Hon. the Revenue Member has expressed his sympathy with regard to the principle underlying this resolution. He however finds it difficult to give practical effect to it. I am again, Sir, very glad to find that this sympathy seems to be based on the actual conditions prevailing in the Ceded districts. I am rather not quite willing to admit at this stage that we have been more generously treated than we are entitled to under the conditions actually prevailing in the Ceded districts. It may be, Sir, that compared to the past years, the Government have been more just. If only the Hon. the Revenue Member who is expected to travel in that area in the course of the next week will actually go into some of these villages and see that actual distress that even to-day prevails there, I am absolutely certain that he will be more generous than now.

"In this connexion I may mention, Sir, that the Government are now attempting to close down some of the relief camps and to put pressure on the ryots to see they do not resort to relief works. Recently I was told—I hope my information is not correct—that pattadars were plainly told not to work in the relief camps. What is that based on? It is based on the idea that the pattadars are in a much better position to make an independent living than the actual labourers. But I am afraid that that idea is based on a wrong calculation. If there is distress to-day in certain areas, it is more with regard to the ryots than even the actual labourers. It is the small ryot who is suffering more than the actual labourer. I hope, Sir, that this fact will be taken into account by the Hon. the Revenue Member when he travels in that area and makes detailed investigations. Already there have been complaints and some of us have received . . ."

* The Hon. the PRESIDENT:—"If the hon. Member goes on speaking about famine relief, I am afraid he will not be in order."

Mr. K. KOTI REDDI:—"Sir, I just referred to it to show the Hon. the Member for Revenue the lines on which he should proceed to give effect

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to this resolution. The Hon. Member asked for some practical suggestions. Though not to enlighten him very much, I shall try to throw out some suggestions.

"I believe, Sir, that in the matter of giving general relief to the ryots owing to the general economic depression, a distinction should be made between bigger and smaller ryots. For instance, the ryots who are paying say Rs. 100 and more as assessment may be shown less consideration in their assessment and those who are paying less than this amount should be exempted from the payment of land revenue during these bad years when they are suffering very much. If they do so the Government will be doing some good to the poorer ryots. As things stand at present, the small ryot has no power of sustenance and during years like this he is miserable and I hope my suggestion could be easily taken into account and something done to relieve the distress of the ryots.

"Again, Sir, there are certain areas in the Ceded districts which are better situated than others. For instance the black cotton soils are a little more fertile than the red soils and the ryots in the former are better able to stand any famine or any other adverse seasonal conditions than the latter. There are certain parts of the districts which could be cultivated even in bad seasons if we have enough water in wells. Sir, these facts ought to be taken into account in distinguishing between one particular area and another. It is no doubt true that there are practical difficulties in giving effect to this resolution. At the same time I feel that from the sympathetic way in which the Hon. the Revenue Member has dealt with this question, he should be able to arrive at a plan if he deeply considers over this matter again. I once more plead on behalf of the Ceded districts that they are very badly affected. I certainly had an idea of moving an adjournment motion on the subject and I am awaiting for certain information from the districts. However I do not want to take up the time of the Hon. House until I am able to get more reliable information on the subject. In this connexion I may inform the House that the Government are putting some pressure now to see that the ryots do not resort to relief camps."

* The Hon. Mr. C. A. SOUTER:—"A word of explanation, Sir. I have just received a report from the Collector to the effect that the number in the relief camps has gone up by 400 in the last week. We shall be incurring an expenditure of about 5 lakhs in these relief camps during the course of this month and at the end of this month we will have spent something like Rs. 15 lakhs. That does not show that Government are curtailing the numbers on relief."

Mr. K. KOTI REDDI:—"Sir, if the pressure had been less, probably the number of people who would have gone to relief camps would have been greater. In the case of Pulivendla taluk of Cuddapah district, all the work was stopped by the end of July and I am sure there will be actual starvation if the work is not renewed. I hope the Government will see to it that some funds are given to the district board to continue the work which they have started for providing for labour."

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Mr. A. RAMAKRISHNA REDDI:—"Sir, I thank the Hon. the Revenue Member for his sympathetic reply and for the assurance that he has given us. I am also very thankful to him for the statement that he has made that the granting of remissions to all the districts alike without looking into the incidence of taxation is not going on sound lines. I also see that before this resolution has been discussed on the floor of this House, the Hon. the Revenue Member has taken some pains to work out a formula on which relief to the distressed will be distributed on the basis of economic depression in the different districts. I see he has already taken very serious steps to implement the promise of equitable distribution of relief to the several districts of the Presidency. In these circumstances I beg to withdraw my resolution."

The resolution was, by leave, withdrawn.

(4) REMISSION OF LAND REVENUE SUSPENDED DURING FASLI 1344.

Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, Sir, I beg to move—

'That Resolution No. 4 on the agenda do stand over until Resolution No. 5 which runs thus is taken up and considered—

'This Council recommends to the Government that the suspended portion of land revenue, etc., in ryotwari villages during the fasli 1344 be remitted once for all.'"

Mr. T. S. RAMASWAMI AYYAR:—"I second it."

Mr. G. RAMESWARA RAO:—"I oppose it."

The motion was put and carried and Resolution No. 4 was allowed to stand over.

The Hon. Mr. C. A. SOUTER:—"Perhaps it may save the time of the Council if I make a preliminary statement before the hon. Member Mr. Nachiyappa Gounder begins to move his resolution. After the resolution was tabled by the hon. Member, Government have come to a decision that the amount suspended last year should be remitted."

The resolution of Mr. Nachiyappa Gounder was by leave withdrawn.

(5) ESTABLISHMENT OF A HOMOEOPATHIC SCHOOL OF MEDICINE AND DISPENSARIES.

Mr. G. RAMESWARA RAO:—"I beg to move the resolution which stands in my name and which runs as follows:—

'This Council recommends to the Government that a Committee consisting of some non-official Members of this House and some officials and some homeopathic practitioners be constituted to report to the Government on the advisability of starting a Homeopathic School of Medicine and Homeopathic Dispensaries in our Presidency.'

"The reason why I was prompted to table a resolution of this sort can be seen from what happened in the course of the budget debate on the 21st March when the Medical Demand was under discussion. At that time I pointed out that the homeopathic system of treatment had

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[Mr. G. Rameswara Rao]

been in vogue for the last 150 years and recognized all over the continent and the United Kingdom as well as in America and it claims to be the cheapest and most effective sort of treatment that the modern world has ever known. When I made mention of this fact, I simply summed up what I said then by making an appeal to the Hon. Minister not to give me a definite answer on the spur of the moment because the subject was one which almost every Member of this House had no knowledge of, but to give the system a fair trial by appointing a committee which would advise him on the ways in which the system could be introduced in this country and also formulate proposals to give a definite impetus towards that end so that suitable men may be given the necessary training. When I said so, the Hon. Minister, in the course of his reply, said that I must convince the Government and the country by enough of propaganda and secondly that he had an open mind and that he would certainly think of the matter when conviction was brought home to his mind. This is what he said—

'I am afraid it will be necessary for my friend and all those people who believe in this system of medicine to carry on a great deal of propaganda to persuade the Government or this Council to adopt that system in the place of the existing system.'

"Sir, it is not my intention to replace the present system of Allopathy or Ayurvedic, Unani or Siddha systems. I only want that the Homeopathic system might be given a fair trial and investigated into and information gathered to see how far the claims held out by those who stand for that system are really well-founded, because no new system could straightway be taken for granted as correct or efficacious or being the best system. So my request was then modest and very fair and in reply to this the Hon. the Minister said that I must convince the House and the Government about the usefulness of this system. How else could I bring home a conviction to him and to the Government than by asking him to appoint a committee to go into the whole matter? So with this end in view, I make a request to him to appoint a committee to go into the matter in detail and give the necessary advice. As a reasonable man he might have agreed to this suggestion but he does not seem to do so. In this connexion I may add that he need not turn his back on the whole proposal and as a reasonable man he could use his discrimination to see which system is good, which is better and which is best and then would have come to a proper conclusion. When I said that homeopathy is the cheapest and the most effective I said it with my fullest responsibility and from my own experience, as well as from what I read about the system in English and American journals. I have practised the system as an amateur and during times of epidemics such as cholera, etc., I rendered yeomen service to the general public in my district by issuing bulletins and supplying medicines from the common good fund of co-operative societies. The Hon. Minister may institute an enquiry to satisfy himself as to whether this system deserves his support and encouragement or not. I want him to take the advice of competent persons like the Surgeon-General, the Head of the Ayurvedic Institute, the opinion of educated people in our as well as other countries and also the opinion of those in our own land such as Travancore and Bengal. I

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want him to gather information on these lines and if he does so, I am sure he would be in a better position to judge for himself and give a correct advice and guidance to the Government. It is in this view that I propose that a Committee might be appointed. The Hon. the Minister may well say that the question of finance stands always in his way, and therefore, 'Let us not think of that in the present state of our finances.' Times out of number I have heard it said on behalf of the Government that this Government should not abdicate their functions because the new Government which will take their place might suffer. It is stated that the present Government must be carried on in such a way as to look after the comforts of the people for whom they exist. The Hon. the Minister has put forward a ten-year scheme for rural uplift. What is rural uplift if it does not tend to maintain the health and prosperity of the rural population? I submit that health is the first concern that deserves the first consideration of a good Government. The question of finding finance must not be a stumbling block. I say the matter does not cost much after all. A small committee of the local people—I may say the very people who may be practising in Madras the system of homeopathy—may be formed and their views taken. The Government of Travancore or Bengal may be addressed. Non-official dispensaries and non-official colleges which have been recognized by the Government as well as American Universities may be consulted and also the experience of eminent doctors may be gathered. This is not a matter which would involve the Government in very heavy expenditure. Sir, I also submit that the idea of finance is not a matter which must weigh with the Government in such an important matter as the health of the taxpayer. I also base my regard for this system on my own clinical experience.

"Therefore I appeal to the Hon. Minister and the country to consider this matter and I would also urge on the Hon. the Minister not to give his laconic reply that the question of finance stands in his way of accepting this resolution. The amount that is required to carry out my proposal is not of such a stupendous nature.

"The effect would be very good. It is with the very idea of economy and cheapness that I say that this system should be tried. Where 100 people could be treated according to other systems with a certain amount of money, 1,000 people could be treated under this system at the same cost. This is ten times cheaper and ten times more effective. I see Dr. Natesan nods. This is not a system to which he is accustomed. I fully sympathised with him and with other hon. Members, because it is so strange and so novel that very few people know about it. I request them to go into the matter and think about it.

The Hon. the PRESIDENT:—"The hon. Member may continue his speech on the next available non-official day. The House will now adjourn and meet again at 11 a.m. to-morrow."

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

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APPENDIX I.

[Vide answer to question No. 141 asked by Mr. M. S. Sreshta at the meeting of the Legislative Council held on the 8th August 1935, page 368 supra.]

Statement showing the number of applications received and the number of candidates selected during each of the three years 1933-34 to 1935-36.

Community.	1933-34.		1934-1935.		1935-36.	
	Number of applications received.	Number selected.	Number of applications received.	Number selected.	Number of applications received.	Number selected.
Brahmans	352	80	302	76	294	79
Non-Brahmans	114	61	139	58	121	59
Indian Christians	85	31	82	29	90	33
Muhammadans	8	8	11	11	10	10
Anglo-Indians	..	..	1	1	3	3
Depressed-classes or scheduled	..	..	8	8	1	1

APPENDIX II.

[Vide answer to question No. 151 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 8th August 1935, page 378 supra.]

(1)

Letter No. 1736-Genl./35, dated 20th May 1935, from the District Superintendent of Police, Ganjam, to the Inspector-General of Police, Madras.

[Subject.—Buildings—Police buildings—R. Udayagiri—Destruction of.]

At about 1 p.m. on 10th May 1935 a fire broke out in the village of R. Udayagiri in the Pano street and before anything could be done it spread rapidly and altogether about 60 houses including the following thatched Police buildings were destroyed.

The Inspector of Police, R. Udayagiri, reports that the Police buildings were completely burnt to ashes in spite of several attempts made to put out the fire.

A detailed report in Form 2-B of the Madras Financial and Account Code will be submitted on the receipt of the report of the Assistant District Superintendent of Police who is reporting on the matter.

	RS.
Sub-Inspector's quarters	260
Two head constables' huts and 20 Police constables' huts	750
Granary	40

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(2)

From the Collector of West Godavari district, dated 5th June 1935, R.O.C. No. B-4-172-S/35.

Summer has been very severe here and there have been reports of out-breaks of fire from several parts of the district during the last few days. But so far, there has been no loss of human life. The first report of human life having been lost as a result of destruction of dwelling houses by fire came from Satyavada village of Tanuku taluk. On 2nd June 1935 fire broke out in that village at about 4-30 p.m. and destroyed one tiled house and about 180 thatched houses. One woman aged about 80 entered a burning house to rescue some clothes, but perished in the attempt. The shoulder of another lady was also partially burnt and 1,800 bags of paddy and some fowls and pigs were destroyed. The total lost in the village is estimated at Rs. 37,650. This is a proprietary village and steps will be taken to afford relief to the sufferers in consultation with the proprietor.

2. Another disastrous accident occurred on 3rd June 1935 at Dendulur, a Government village about six miles from Ellore. About 300 houses were burnt. The casualties so far reported are two men, one woman and one seed-bull burnt to death in the conflagration. About 20,000 bags of paddy, seven to eight thousands of cart-loads of hay, one thousand ploughs and fifty carts have also been burnt. The value of the property lost is estimated at Rs. 5 lakhs on the whole. Necessary arrangements have been made by the Police to prevent offences against property in the area and steps are being taken to afford relief to the sufferers.

(3)

Letter from the Revenue Divisional Officer, Chandragiri, to the Collector of Chittoor, dated 4th June 1935, R.C. No. 1 Tour of 1935.

There were accidental outbreaks of fire in Tirupati town on 2nd June 1935. There were two different outbreaks. The first was in the morning at about 9-30 o'clock. The fire first started in the house of Mogili Munemma, a resident of Peddakapu street. The cause of the outbreak is not known, but is found to be accidental on enquiry. Owing to the prevalence of winds, the fire spread easily and sixty houses in this street were destroyed by this outbreak. The houses belonged to Kapus and Muhammadans mostly and most of them were thatched ones. As the municipality opened all the taps and as water was also available in the wells in the street, the fire was brought under control before midday.

2. At about 11-30 a.m., while the outbreak in the Peddakapu street was being put down, fire broke out in the Gali street in a different portion of the town about $\frac{3}{4}$ mile away from the Peddakapu street. This outbreak was also accidental. It started from the house of one Khadir Bi. When this fire broke out, there were high winds and the supply of water in the taps also was nearing exhaustion. Due to scarcity of

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water-supply and the prevalence of high winds, the fire spread easily and could not be brought under control so easily as in the Kapu street, so much so, 120 houses were destroyed in this and in an adjoining street called Konka street. The fire was brought under some control at about 5 p.m., when the strong winds subsided. Fifty coolies were engaged by the Municipal Commissioner for carrying water from the available taps and draw well for quenching fire in the affected street. The coolies were divided into batches and were placed in charge of Police constables. A number of houses attacked by fire were allotted to each batch according to convenience and by vigorous pouring of water in this manner the situation was brought under complete control by about 3 a.m. in the morning in this area. The smouldering fire was also put down similarly the next morning and by 2 p.m. on 3rd June 1935, the fire was completely extinguished in all the affected areas. A party of Reserve Police constables who arrived from Chittoor have been keeping watch over the properties of the persons rendered homeless on account of this outbreak. All these people are keeping their things in open places near the affected areas and the Reserve party is patrolling these areas during nights.

3. The estimated loss to the property and buildings in the Peddakapu street is about Rs. 3,500 and in Gali and Konka streets about Rs. 16,000. This estimate was arrived at after personal enquiry in the affected areas. Two goats, nine fowls and two ducks died in the outbreak. There was no loss of human life.

4. A statement * showing the cases in which free grant of timber is recommended is enclosed. Only really deserving cases have been included in the list. There are no unreserves near Tirupati, wherefrom, the free grant can be made. Particulars of the materials required are not furnished now. They will be furnished after enquiring the parties most of whom could not be found at their houses as they are scattered all over the town. In cases exceeding four akanams, a maximum of four akanams only has been provided for in making the recommendation. The required timber will be available in the Mamandur Range, which is the reserved forest nearest to Tirupati. If it is not possible to provide free grant of timber to all persons mentioned in the list, a reasonable amount may be granted from the discretionary grants after consulting the District Forest Officer.

5. The distressed people are also being helped by the charitably minded public. The Mahant's mutt is supplying rice freely to them. Some rich Vaisyas of the town are also providing food to a large number of these people. The Municipal Council called for an emergent meeting to-day and has appointed a committee of five councillors to go into the question of giving relief to the affected persons. The committee has been instructed to report to the Council in a week the nature and extent of the relief to be provided to the deserving poor. The Municipal Council has also sanctioned the purchase of a motor water-lorry at

* Not reported to the Government.

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a cost of Rs. 4,900. The Council has also ordered gaslights to be put up in places occupied by persons rendered homeless on account of fire havoc. Sixteen water-pandals have also been opened in these places.

(4)

Reference from the Board of Revenue, Land Revenue and Settlement, Ref. No. M. 4178/35-1, dated 21st June 1935.

[Fire—Accidental (Kurnool)—Markapur taluk—Sunkesula village—Destruction of houses—Free grant of building materials—Recommended.]

READ—the following paper:—

Letter from the Collector of Kurnool, dated 15th June 1935,
R.C. No. B. 1-1628/35.

I forward herewith the report of the Revenue Inspector, Dornal, about the accidental fire in Sunkesula village of Markapur taluk on 2nd June 1935 at 8 p.m., which destroyed 200 huts belonging to 130 persons for favour of perusal and return. The Tahsildar of Markapur has verified the Revenue Inspector's report. Of the 130 persons, 7 persons pay a land revenue of more than Rs. 10 each a year to Government and are reported to be rich. Free grant of building materials is not therefore necessary in the case of these seven persons. The remaining 123 persons pay a land revenue of less than Rs. 10 each. They are poor and have absolutely no means of rebuilding their huts without State help. I therefore recommend the free grant of building materials (palmyra trees and leaves) to those 123 persons in respect of 40 single-poled huts and 83 double-poled huts from the unreserves of Badvid village closeby.

2. The scale of grant for a single-poled hut and the value of materials fixed for this district is given below:—

Scale.	Value.		
	RS.	A.	P.
4 palmyra trees at Rs. 2-8-0 each	10	0	0
500 palmyra leaves	0	8	0
	10	8	0

The scale of grant and the value of materials for a double-poled hut is double that of a single-poled hut. According to this, the value of materials for 40 single-poled huts and 83 double-poled huts works up to Rs. 2,163 and it exceeds my powers of sanction. I, therefore, request that the Board of Revenue will be pleased to obtain the sanction of Government to the free grant of the building materials, under section 65 of the Madras Forest Department and Account Code, Volume I.

Reference—No. M. 4178/35-1, dated 21st June 1935.

Submitted to the Government.

2. The Board supports the Collector's recommendation.

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(5)

Letter from Sriman Rao Bahadur D. Mahanty Mahasaya, M.A., Collector of Kurnool, R.C. No. B. 1-1627/35, dated 29th June 1935.

[Fire—Accidental—Cumbum taluk—Magatur village—Free grant of building materials—Recommended.]

There was an accidental fire in Magatur village of Cumbum taluk on 27th May 1935 at about 12 noon, which destroyed 132 huts belonging to 82 persons. Of the 82 persons, 14 persons pay a land revenue of more than 10 rupees each a year to Government and are reported to be not poor. Free grant of building materials is not therefore necessary in the case of these fourteen persons. The remaining 68 persons pay a land revenue of less than 10 rupees each. They are poor and have absolutely no means of rebuilding their huts without State help. I therefore recommend the free grant of building materials (palmyra trees and leaves) to these 68 persons in respect of 30 single poled huts and 38 double poled huts from the unreserves of Magatur village, close by.

2. The scale of grant for a single poled hut and the value of materials fixed for this district is given below:—

Scale.	Value.		
	RS.	A.	P.
4 palmyra trees, at Rs. 2-8-0 each	10	0	0
500 palmyra leaves	0	8	0
Total	10	8	0

The scale of grant and the value of materials for a double poled hut is double that for a single poled hut. According to this, the value of materials for 30 single poled huts and 38 double poled huts works up to Rs. 1,113 which exceeds my powers of sanction. I therefore request that the Board of Revenue will be pleased to sanction the free grant of the building materials, under section 65 of the Madras Forest Department and Account Code. Volume I.

Reference.

Submitted to the Government.

2. The Board supports the Collector's recommendation and requests that sanction may be accorded for the free grant of building materials (palmyra trees and leaves) of the aggregate value of Rs. 1,113.

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APPENDIX III.

[Vide answer to question No. 155 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 8th August 1935, page 381 supra.]

Extract of the Chief Engineer's latest progress report.

29. *Lower Bhavani Project.*—Marking of commandable ayacut with distributaries has been completed as also the preparation of rough ayacut registers. Joint enquiry for the localization of irrigable ayacut is being conducted and by the end of March 1935, 18 villages have been covered and an extent of about 30,000 acres has been included under the project. Detailed investigation of some typical distributaries has been completed and the design for masonry works is in progress. Calyx drill borings at Dam site and in the surplus course are also in progress. Duty experiments in the second-crop zone at Kugalur have been completed and the report on the results is awaited. Owing to scarcity of water the preliminary operations for the first-crop experiments at Chennasamudram were somewhat delayed at the start but as subsequently there were some rains in the locality and also freshes in the river, the preliminary operations are being pushed through. Transmission loss observations in the Kugalur Extension channel, in the existing Sengiam and Vaniputhur branch channels and Thadapalli channel were conducted and the report on their results is awaited. Owing to scarcity of water, no observations were possible at Chennasamudram.

APPENDIX IV.

[Vide answer to question No. 159 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 8th August 1935, page 384 supra.]

Letter from the Collector of Salem, R.O.C. No. 1761/31-C/1, dated the 25th November 1932.

[Assignment—Land—Disreserved areas—The expropriated ryots of Mettur.]

In making assignments in the western block of the Perumbalamalai disreserved area, the following system was adopted. At first a village in the old acquired area was taken and it was decided as to where that village should be located in the disreserved area. Then the expropriated ryots of that village who had cleared the lines for survey were dealt with and lands assigned to them. Secondly the expropriated ryots who had not cleared lines but who were promised lands were dealt with. Thirdly the expropriated ryots of other villages who wished to settle down in this particular village and who had not cleared lines were dealt with. Fourthly, when all the above cases had been exhausted cases of persons whose lands were not acquired but who had cleared lines and who had been promised lands at the

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time of line clearance to help the survey and who had lost their livelihood by reason of acquisition in the affected area, were considered and lands were assigned to them. These last were not living with the expropriated ryots. Outside the above four classes of people, there are also barbers, Adi-Dravidas and coolies and other hangers-on of the village whose case is not yet settled. Among these people, only those whose house-sites were acquired have been dealt with by the grant of fresh house-sites. Temporary pattadars (i.e., persons to whom land in the project area was conditionally assigned and subsequently resumed) also might come under this class. Those people have no real claim, but it is desirable to provide for them on the general principle that people who lived in the acquired area must be given some land to live upon. For people coming under this class (Adi-Dravidas, barbers, coolies, etc., and the temporary pattadars) the Revenue Divisional Officer suggests that they should be granted a couple of acres each. There seems no ground for apprehension that the area available will be exhausted prematurely.

2. Long before the work of assignment was begun, applications were called for, not only from the villages where the lands have been acquired, but from all places to which the expropriated ryots had gone. It is now five months since that was done and we may safely assume that all bona fide applications have long since been received. There remain now 164 applications to be dealt with. A good many of these are believed not to be bona fide. Assuming that bona fide applications are only 100, about 500 acres are needed to provide for them. About 1,209 acres still remain unassigned, so that after providing for the bona fide darkhasts, there will be 700 acres still available. This extent should be sufficient to provide for Adi-Dravidas, temporary pattadar, barbers, coolies, etc., even if they are given 2 or 3 acres each.

3. The assignment of part fields will involve subdivision work as it is unlikely that the survey department will do more work in this area and as joint pattas have always been held objectionable. The Revenue Divisional Officer will be able to say later on whether the Revenue Inspector will find time to do the work. I think that it should be easy to make arbitrary subdivisions in these almost square fields which the Survey department has made.

4. As the above work involves the assignment of land to a certain number of persons from whom land was not acquired, I submit the case for Board's information. Assignment to many of these persons is necessary in order to keep the village communities together and we cannot do it if we are to confine ourselves to persons who actually owned lands in the acquired area.

5. I also suggest that the above principles of assignment of land may be followed not only in the Perumbalamalai Western disreserved block but also in the Perumbalamalai Eastern disreserved block and in the Vanavasi and Woodapatti disreserved areas.

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APPENDIX V.

[Vide answer to question No. 162 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 8th August 1935, page 387 supra.]

G.O. No. 686, Public (Services), dated 19th June 1931.

The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

THE MADRAS MINISTERIAL SERVICE RULES.

Special Rules.

In exercise of the powers conferred by rule 44 of the Civil Services (Classification, Control and Appeal) Rules, the Governor in Council and the Governor acting with Ministers hereby make the following special rules to regulate the method of recruitment, conditions of service, pay and allowances of the Madras Ministerial Service, hereinafter referred to as 'the Service'.

1. *Constitution*.—The Service shall consist of the following officers, namely:—

- (a) First Assistant, Board of Revenue, Land Revenue and Settlement.
- (b) Assistant Secretary to the Commissioner for Government Examinations.
- (c) Non-gazetted Personal Assistants, Office managers, Superintendents and Assistant Superintendents.
- (d) Sarishtadars in the Settlement Department and Taluk Sarishtadars.
- (e) Stewards.
- (f) Storekeepers.
- (g) Head clerks, Statistical assistants and assistants.
- (h) Head Accountants and Accountants.
- (i) Cashkeepers and Treasurers.
- (j) Oriya Translator.
- (k) Clerks, upper division (including Revenue Inspectors).
- (l) Librarians.
- (m) Referencers.
- (n) Clerks, lower division.
- (o) Steno-typists.
- (p) Typists.
- (q) Superintendents and Assistant Superintendents on Copyist establishments.
- (r) Assistant Oriya Translator.
- (s) Examiners.
- (t) Readers.
- (u) Linen-keepers.
- (v) Copyists other than those remunerated by piece-work.

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2. *Recruitment*.—(a) Admission to the Service may be (i) by transfer from any other subordinate service in any post or (ii) by direct recruitment to any of the undermentioned posts, namely:—

Storekeepers,
Cashkeepers and Treasurers,
Oriya Translator,
Clerks, upper division,
Referencers,
Clerks, lower division,
Steno-typists,
Typists,
Superintendents and Assistant Superintendents on Copyist establishments,
Assistant Oriya Translator,
Examiners,
Readers,
Linen-keepers,
Copyists other than those remunerated by piece-work.

Provided, however, that there shall be no admission to the Service as First Assistant, Board of Revenue, Land Revenue and Settlement, otherwise than by transfer from the Madras Revenue Subordinate Service.

(b) Candidates for admission to the Service by direct recruitment shall be selected after consultation with the Madras Services Commission.

Provided that such consultation shall not be necessary for selection for appointment to the following posts:—

Clerks in the Laccadive and Amindivi Islands.
Shipping clerks in the Marine Department.
Oriya Translator and Assistant Oriya Translator.
Readers.
Copyists.

- (c) Candidates for admission to the Service by direct recruitment as
- Storekeepers,
Cashkeepers,
Treasurers,
Clerks, upper division,
Referencers,
Clerks, lower division, and Examiners,
Steno-typists and typists,
Superintendents and Assistant Superintendents on Copyist establishments,
Linen-keepers,

shall be selected from the lists of eligible candidates, which shall be drawn up by the Madras Services Commission separately for the City of Madras and for groups of offices in each district, and for each of the communities recognized in General Rule 5, which shall be classified and arranged in order of preference and according to the various communities and which

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shall be published by the Madras Services Commission in the gazette of the district concerned in the case of candidates for mufassal offices and in the *Fort St. George Gazette* in the case of candidates for City offices.

(d) Sub-rules (b) and (c) shall not apply to the appointment, in case of emergency, of a candidate to hold temporarily a post included in the cadre of the Service for a period or periods not exceeding three months altogether in the case of each person, but every such appointment together with the reasons therefor shall be reported without delay, if in the City of Madras, direct to the Madras Services Commission and, if in the mufassal, through the Collector of the district to the Madras Services Commission, and a person so appointed shall not be regarded as a candidate selected for admission to the service.

(e) Every candidate for whose selection for admission to the service consultation with the Madras Services Commission is necessary under sub-rule (b) shall remit a fee of rupees five into a Government treasury or into the Imperial Bank of India, Madras, or one of the branches thereof to the credit of the Government under the head "XXVI. Miscellaneous Department—Examination fees—Fees for examinations—Madras Services Commission" and shall send the treasury or bank receipt therefor with his application.

(f) An appointing authority in a mufassal district or in the City of Madras shall apply for any candidate for admission to the service as

Storekeepers,
Cashkeepers,
Treasurers,
Clerks, upper division,
Referencers,
Clerks, lower division,
Steno-typists and typists,
Superintendents and Assistant Superintendents on Copyist establishment and Examiners,
Linen-keepers,

to the Collector of the district or to the Madras Services Commission as the case may be, stating the community of the candidate to be selected and the duration of the vacancy. The Collector or the Madras Services Commission as the case may be shall allot to the department the senior candidate on the district or Madras City list as the case may be of the community desired and shall at once open a service register for that candidate and send it to the appointing authority.

If when the vacancy ceases, it is expected that it will be possible to absorb the candidate later in a permanent vacancy in the department in the district, the candidate shall be regarded as permanently allotted to that department in the district and shall not be employed in any other department without the consent of the appointing authority of the department to which the candidate was allotted, but may be employed by such appointing authority in any acting or temporary appointment for which the candidate is eligible, in any office in his department in the district. Every such acting or temporary appointment shall be reported forthwith to the Collector or the Madras Services Commission as the case may be, by the appointing authority.

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3. Sub-rule (b) of General Rule 2 shall not apply in the case of the following appointment, viz., Superintendent of the Law (Drafting) section of the Law and Education Secretariat.

4. General Rule 5 shall apply separately in each department in each district or in each office and in each department of the Secretariat and in each branch of the Board of Revenue in the City of Madras in respect of the class of appointments to which selection is made.

5. *Qualifications.*—(a) On and after the 1st January 1933 no candidate shall be eligible for selection for admission to the service as clerk in any office to which a typewriter has been supplied by Government unless he has passed the special test by the higher grade in typewriting.

(b) Notwithstanding anything contained in clause (b) of General Rule 3 pensioned Indian Officers of the rank of jamadar or subadar and other military pensioners and soldiers who have been retired or discharged and possess—

(i) certificates of education granted by the Presidents of half-yearly Garrison Boards and certificates of education awarded under the provisions of Educational Training, Indian Army, 1925, Chapter VI, sections 35–39, or

(ii) certificates of education awarded in accordance with regulations contained in Educational Training, 1923, Chapter VIII, section 29 and Appendices I and II;

or can show that they have been exempted from examination under the provisions of Educational Training, 1923, section 32, paragraph 5 (i), (ii), (iii) and (iv);

shall be eligible for selection for admission to the Service as Shipping Clerks in the Marine Department.

(c) (i) A candidate for selection for admission to the Service as a typist or a steno-typist in the Madras City or mufassal shall be qualified by the higher grade examination in typewriting. If, however, candidates with this qualification are not available, those with lower qualifications may be included by the Madras Services Commission in the list of eligible candidates until 1st January 1933.

(ii) Nothing contained in clause (b) of General Rule 3 shall apply to selection for admission to the Service as typists on the scales of pay shown in sub-items (c) and (d) of item 3 under "General" in Annexure D.

(d) Nothing contained in clause (b) of General Rule 3 shall apply to selection for admission to the Service as Reader or Librarian, Police Training School, Vellore, or copyist.

Provided, however, that in the case of appointment of copyists in taluk offices, preference shall be given to candidates who possess the minimum general educational qualification prescribed in General Rule 3 and have passed the lower grade examination in typewriting or who hold completed Secondary School-Leaving Certificates containing satisfactory entries under shorthand and typewriting.

(e) (i) Notwithstanding anything contained in clause (b) of General Rule 3 pensioned Indian Officers of the rank of jamadar or subadar and other military pensioners and soldiers who have been retired or discharged and possess—

(1) certificates of education granted by the Presidents of half-yearly Garrison Boards and certificates of education awarded under the provisions of Educational Training, Indian Army, 1925, Chapter VI, sections 35–39, or

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(2) certificates of education awarded in accordance with regulations contained in Educational Training, 1923, Chapter VIII, section 29 and Appendices I and II

or can show that they have been exempted from examination under the provisions of Educational Training, 1923, section 32, paragraph 5 (i), (ii), (iii) and (v)

shall be eligible for selection for admission to the Service as

Storekeepers in Government Hospitals,

Storekeepers in P.W.D., and

Storekeeper, Madura Industrial School.

(ii) No person shall be eligible for selection for admission to the Service as Storekeeper of medicines in the Government General Hospital, Madras, unless he holds the Chemists and Druggists diploma and deposits a security of Rs. 1,000.

6. *Probation.*—(a) On the expiry of a vacancy to which the candidate has been appointed under sub-rule (f) of rule 2 the appointing authority shall, if he is not regarded as permanently allotted to the department in which the vacancy had arisen, return the service register brought up to date and shall send to the Collector or the Madras Services Commission as the case may be, a report showing whether the candidate's work and conduct have or have not been satisfactory. If the report is not satisfactory, it shall be open to the Collector or the Madras Services Commission as the case may be, to terminate the candidate's probation. An appeal shall lie against an order of termination of probation by a Collector to the Madras Services Commission within one month of its communication to the candidate.

(b) (i) A candidate selected after the issue of these rules for admission to the Service as clerk in any office in which a typewriter is supplied by the Government shall within the period of probation prescribed in sub-rule (b) of General Rule 6 successfully undergo the Government examination in typewriting by the higher grade unless he has already passed it. Failure to so qualify shall involve termination of probation.

(ii) A candidate who has been selected for admission to the Service in any of the posts mentioned in Annexure B shall within the period of probation prescribed in General Rule 6 have successfully undergone the special tests mentioned against each in the said annexure if he has not already passed such tests. Failure to pass the tests within the prescribed period of probation shall involve termination of probation.

Provided that a candidate selected for admission to the Service as clerk in the Jail Department may be allowed to pass the Law part of the Jail Test within two years of confirmation and failure to pass this part within the period allowed shall involve stoppage of increments only.

(iii) A candidate selected for admission to the Service as Superintendent or Clerk in the Excise Department referred to in Annexure B shall be allowed four successive chances to pass tests, A, C, D and test E in one vernacular other than his own vernacular and further four successive chances to complete tests B and E in a second language. Failure to qualify within the number of chances allowed shall involve termination of probation or stoppage of increments if he has completed his probation.

(iv) A candidate selected for admission to the Service as upper division clerk in the office of the Director of Public Instruction shall pass

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the Deputy Inspector's Test (Part I) within a period of four years after selection. Failure to pass the test within the period shall involve termination of probation if the candidate has not by that time been admitted to the Service and to stoppage of increments if he has already been admitted to the Service.

7. *Selection and appointment.*—The authority competent to make selections and appointments to the service shall be as shown in Annexure A to these rules.

8. General Rule 12 shall apply separately in each department in each district or in each office and in each department of the Secretariat and in each branch of the Board of Revenue in the City of Madras in respect of the category of appointments to which selection has been made.

9. Where qualifications are prescribed for selection for admission to the Service in any capacity no person who on the date of issue of these rules is already officiating or is temporarily employed in such capacity shall be admitted as a member of the Service in such capacity unless and until he has proved his possession of these qualifications.

10. *Pay.*—There shall be paid to the members of the Service a monthly pay calculated at the rates mentioned in Annexure D to these rules.

Provided however that a member of the Service who does not possess the qualifications prescribed for the post which he holds shall not be entitled to hold any post other than the post specified in the orders of exemption, if any, passed in his case by the Government before the issue of these rules; nor shall he be entitled to rise to a higher pay or stage of pay than the pay or stage of pay specified in such order of exemption.

11. *Special pay.*—In addition to the pay specified in rule 10, there shall be paid to the members of the Service holding the posts mentioned in Annexure E to these rules, special pay calculated at the rates mentioned against each in the said annexure.

12. *Promotion.*—(a) The authorities competent to make promotions to the posts mentioned in Annexure A to these rules shall be as shown in the said annexure.

(b) Promotion to the rank of First Assistant, Board of Revenue, may be made only from among the members of the Service employed in the office of the Board of Revenue, Land Revenue and Settlement.

(c) No member of the Service shall be eligible for promotion to any of the posts mentioned in Annexure C until and unless he has passed the special tests mentioned against each in the said annexure.

Provided however that in special cases a member of the Service in the Excise Department may be appointed to officiate in or hold temporarily the post of Superintendent or Upper Division clerk in that department referred to in the said annexure before passing the prescribed tests and such member shall be allowed four successive chances to pass tests A, C, D, and test E in one vernacular other than his own vernacular and further four successive chances to complete tests B and E in a second language. Failure to qualify within the number of chances allowed shall involve reversion to his substantive appointment.

Provided further that a member of the Service in the Educational Department who has not passed the Deputy Inspector's Test (Part I) may

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in special cases be appointed to officiate in or held temporarily upper division clerk's post in the office of the Director of Public Instruction or as Head Clerk in the offices of Inspecting officers whose post carries a maximum pay higher than Rs. 65 per mensem and such member shall pass that test within a period of four years after promotion. Failure to pass the test within the prescribed period shall involve reversion to his substantive appointment.

(d) No member of the Service shall be eligible for promotion as Head Clerk in the office of the Administrator-General and Official Trustee, Madras, unless he is a graduate in arts or if he possesses only the minimum general educational qualification prescribed in sub-rule (b) of General Rule 3, unless he possesses in addition thereto three years' experience of official correspondence and précis-writing.

(e) No member of the Service as clerk in the Local Fund Audit Department shall be eligible for crossing the efficiency bars at Rs. 80 and Rs. 120 or for promotion from the second to the first grade or for appearing for the Subordinate Accounts Service examination unless he has completed the Departmental Test in Accounts.

13. *Transfers.*—The authorities competent to make transfers of members of the Service, probationers and officers officiating in the Service shall be as shown in Annexure A to these rules.

Provided that the undermentioned authorities shall also be competent to order transfers as indicated below:—

Authorities.	Establishments.	Extent of transfers.
Revenue Divisional officers ..	Clerks under their control drawing pay less than Rs. 60.	Within respective divisions.
Commissioner of Excise ..	Clerks of Excise Department in divisions.	Outside the divisions.

(By order of the Governor in Council)

C. W. E. COTTON,
Chief Secretary.

To the Madras Services Commission.
,, the Departments of the Secretariat (all sections).
,, all Heads of Departments (including Collectors and District Judges).
,, the Accountant-General (through the Finance Department).
,, the Superintendent, Government Press, for publication of the notification in the Gazette.

ANNEXURE A.

[Referred to in rules 7, 12 (a) and 13.]

Post.	Authority competent to make appointment, promotion and transfer.
<i>Secretariat.</i>	
Superintendents ..	Secretaries to Government.
Clerks, Steno-typists and typists ..	Do.
<i>Board of Revenue, Land Revenue and Settlement.</i>	
First Assistant, Board of Revenue and Manager, Court of Wards ..	Members of the Board of Revenue.
Superintendents ..	Secretary, Board of Revenue.
Clerks and typists ..	Do.
Manager, Inam Commissioner's Office ..	Inam Commissioner.
Clerks, Inam Commissioner's Office ..	Do.

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Post.	Authority competent to make appointment, promotion and transfer.
<i>Revenue Department.</i>	
Taluk Sarishtadars, Taluk Head Accountants and Treasurers ..	Collector.
Oriya Translators, Assistant Oriya Translators, clerks and typists in Collector's Office.	Do.
Clerks including clerks working as Revenue Inspectors, Accountants, Cash-keepers and typists under Revenue Divisional Officers—	Collector.
(a) on Rs. 80 and above ..	Do.
(b) below Rs. 60 ..	Do.
<i>Survey Department.</i>	
Managers and Head Accountant in the Central Survey Office ..	Director of Survey.
Clerks in the Central Survey Office ..	Do.
Clerks under Assistant Directors of Survey ..	Do.
Typists under Assistant Directors of Survey ..	Assistant Director of Survey.
<i>Excise Department.</i>	
Clerks in divisions ..	Assistant Commissioner of Excise.
<i>Presidency Magistrates.</i>	
Chief clerks and Accountants ..	Chief Presidency Magistrate.
Clerks and typists ..	Do.
<i>Law Officers.</i>	
Managers serving under—	
(a) Advocate-General ..	Advocate-General.
(b) Government Pleader ..	Government Pleader.
(c) Public Prosecutor ..	Public Prosecutor.
Clerks and typists serving under—	
(a) Advocate-General ..	Advocate-General.
(b) Government Pleader ..	Government Pleader.
(c) Public Prosecutor ..	Public Prosecutor.
<i>Administrator-General and Official Trustee.</i>	
Manager, Head Clerk and Accountants ..	Administrator-General and Official Trustee.
Clerks ..	Do.
<i>City Civil Court.</i>	
Clerks, Examiners, Readers and typists ..	Judge, City Civil Court.
Copyists ..	Do.
<i>Presidency Court of Small Causes.</i>	
Head Clerks, Treasurer and copyists ..	Chief Judge, Court of Small Causes.
Clerks, Examiners, Readers and typists ..	Do.
<i>Mufassal Courts of Small Causes.</i>	
Head Clerks and copyists ..	Judge, Court of Small Causes, in the case of appointments carrying pay less than Rs. 40 and Judge, Court of Small Causes, subject to the approval of the District Judge in other cases.
Clerks, Examiners, Readers and typists ..	Do.
<i>District Courts.</i>	
Head Clerks, Superintendents and Assistant Superintendents in Copyist Establishments and copyists.	District Judge.
Clerks, Examiners and Readers ..	Do.
<i>Sub-Courts.</i>	
Head Clerks, Superintendents and Assistant Superintendents on the Copyist Establishment and copyists.	Sub-Judge in the case of appointments carrying pay less than Rs. 40 and Sub-Judge subject to the approval of the District Judge in other cases—Appointment, District Judge—Promotion and transfer.
Clerks, Examiners and Readers ..	Do.
<i>District Munsifs' Courts.</i>	
Head Clerks and Superintendents on the Copyist Establishment ..	District Munsif in the case of appointments carrying pay less than Rs. 40 and District Munsif subject to the approval of the District Judge in other cases—Appointment, District Judge—Promotion and transfer.
Clerks, Examiners and Readers ..	Do.
<i>Jail Department.</i>	
Clerks on pay above Rs. 60 ..	Inspector-General of Prisons.
Clerks on Rs. 45—60 and typists ..	Do.

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Post.	Authority competent to make appointment, promotion and transfer.
Labour Department.	
Manager, Superintendent and Head Clerks in the office of the Commissioner of Labour.	Commissioner of Labour.
Clerks in the office of the Commissioner of Labour	Do.
Clerks and typists in the District Labour Officers' offices	Collector.
Accountants under the Kallar Special Officer	Kallar Special Officer subject to the approval of the Commissioner of Labour—Appointment, Promotion and transfer.
Board of Examiners.	
Clerks	President, Board of Examiners.
Registration Department.	
Clerks and typists in the office of the Inspector-General of Registration.	Inspector-General of Registration.
Clerks on Rs. 65—4—85 in Madras	Do.
Clerks on Rs. 60—4—80 in mufassal	Do.
Clerks and typists on Rs. 60—65 in Madras other than office of the Inspector-General of Registration.	District Registrars—Appointment, Promotion and transfer.
Clerks and typists on Rs. 35—60 in mufassal	Do.
Translators' Department.	
Clerks and typists	Senior Translator.
Education Department.	
Superintendents in the office of Director of Public Instruction	Director of Public Instruction.
Clerks and typists in the office of Director of Public Instruction	Do.
Clerks and Accountants on Rs. 75 and above in other offices under his control.	Do.
Clerks, typists and store-keepers on less than Rs. 75 in offices other than that of the Director of Public Instruction.	District Educational Officers including Inspectresses of Schools and Inspector of European Schools Superintendent of Sanskrit School and Principals of Government Colleges.
Clerks, typists and store-keeper on less than Rs. 60 in the mufassal and Rs. 65 in Madras City.	Superintendent, School of Engineering, Vizagapatam and Head masters of Schools of Commerce at Calicut and Vizagapatam Principal, Institute of Commerce Madras and Curator of the Oriental Manuscripts Library.
Government Examination.	
Assistant Secretary, Manager and Accountant and Head Clerk in the office of the Commissioner for Government Examinations.	Commissioner for Government Examinations.
Clerks and typists in the office of the Commissioner for Government Examinations.	Do.
Government Museum and Connemara Library.	
Personal Assistant, Sub-Librarian, Head Clerk, Cash-keeper	Superintendent, Government Museum and Chief Librarian Connemara Library.
Clerks	Do.
Local Fund Audit Department.	
Superintendents, Examiner's Office	Examiner of Local Fund Accounts
Clerks	Do.
Stationery Office.	
Manager, Head Clerk and Head Accountant	Superintendent of Stationery.
Clerks and typists	Do.
Madras Record Office.	
Senior Assistant, Assistants and Referencers	Curator.
Clerks and typists	Do.
Government Press	
Head Clerks, Accountants and Cash-keepers	Superintendent, Government Press.
Clerks and typists	Do.
Agricultural Department.	
Manager, Accountants	Director of Agriculture.
Veterinary Department.	
Personal Assistant and Head Accountant, in the office of the Director of Veterinary Services.	Director of Veterinary Services.
Clerks and typists in the office of the Director of Veterinary Services	Do.
Clerks and typists in Circle offices	Head of office.

(District Registrars may make appointments to this grade provided the vacancy does not, and is likely to, extend beyond three months.)

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Post.	Authority competent to make appointment, promotion and transfer.
Co-operative Department.	
Superintendents	Registrar of Co-operative Societies
Clerks	Do.
Forest Department.	
Manager, Head Clerks and Accountants, in the office of—	
(1) Chief Conservator of Forests	Chief Conservator of Forests.
(2) Conservator of Forests	Conservator of Forests.
(3) District Forest Officer	District Forest Officer.
Clerks, Store-keepers and typists in the office of—	
(1) Chief Conservator of Forests	Chief Conservator of Forests.
(2) Conservator of Forests	Conservator of Forests.
(3) District Forest Officer	District Forest Officer.
Cinchona Department.	
Clerks and typists	Deputy Director of Agriculture, Cinchona.
Industries Department.	
Manager and Accountant in the office of the Director of Industries in the Industrial Engineering Branch and in the Industrial Institute.	Director of Industries.
Clerks, store-keeper and typist in the office of the Director of Industries, in the Industrial Engineering Branch and in the Industrial Institute.	Do.
Fisheries Department.	
Personal Assistant, Head Clerks and Accountants	Director of Fisheries.
Clerks and typists	Do.
Inspector of Municipal Councils and Local Boards.	
Head Clerks	Inspector of Municipal Councils and Local Boards.
Clerks and typists	Do.
Public Health Department.	
Manager and Superintendents	Director of Public Health.
Clerks and typists	Do.
Factories Department.	
Clerks and typists	Chief Inspector of Factories.
Town-Planning.	
Clerks and typists	Director of Town-Planning.
King Institute, Guindy.	
Manager, Accountant and Librarian	Director, King Institute.
Clerks and typists	Do.
Medical Department.	
Manager, Superintendents, Accountants, Stewards and Librarian	Heads of offices.
Clerks, typists and Linen keepers	Do.
Store-keeper of Medicines, Government General Hospital, Madras	Superintendent, Government General Hospital, Madras, subject to approval of the Surgeon-General.
Engineering Department.	
Managers in the offices of the Chief Engineers	Chief Engineers.
Clerks and typists in the offices of the Chief Engineers	Do.
Managers in Circle offices	Superintending Engineer.
Clerks and typists in Circle offices	Do.
Sanitary Engineering Department.	
Manager	Sanitary Engineer.
Clerks and typists	Do.
Boiler Inspector's Department.	
Clerks and typists	Chief Inspector of Boilers.
Electrical Engineer's Department.	
Clerks and typists	Electrical Inspector and Electrical Engineer in respect of subordinates under their control.

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Post.	Authority competent to make appointment, promotion and transfer.
Police Department.	
Manager and Cash-keeper in the office of the Inspector-General	Inspector-General of Police.
Clerks and typists in the office of the Inspector-General	Do.
Manager and Accountant in the office of the Commissioner of Police	Commissioner of Police.
Clerks and typists in the office of the Commissioner of Police	Do.
Managers and Accountants (including Head clerks graded as Accountants) in other offices	Deputy Inspector-General of Police.
Clerks and typists in other offices	Head of office.
Agent for Government Consignments.	
Head clerks and shipping clerks	Agent for Government Consignments.
Clerks other than shipping clerks	Do.
Marine Department.	
Manager, Head Accountant and Head Clerk	Presidency Port Officer.
Clerks	Do.

ANNEXURE B.

[Referred to in rule 6 (b) (ii).]

Offices or appointments.	Tests.
A. Government Secretariat.	
Superintendents and permanent Upper division clerks on Rs. 80 and upwards in the Revenue Secretariat.	Revenue Test.
B. Revenue Department.	
Vernacular Head Clerks in Collectors' offices	Revenue Test.
Head Accountants in Collectors' offices	Account Test.
The Second Accountant in the Collector's office, the Nilgiris	Do.
Head Clerks in the offices of Revenue Divisional Officers	Revenue Test and Account Test.
Taluk Sarishtadars and Taluk Head Accountants (except in Madras)	Revenue Test.
Revenue Inspectors	Account Test.
Accountants on Rs. 50 and upwards in the office of the Superintendent of Stamps and Stationery.	Revenue Test and Revenue Survey Test (after Survey training for six weeks).
Head Accountant in Settlement parties	Account Test.
Head Clerks and Sarishtadars in Settlement parties	Do.
C. Agricultural Department.	
All Head Clerks, Accountants, clerks on or above Rs. 60 in the mufassal and Rs. 65 in the Madras City and such other clerks as have to deal with accounts in the several offices in the Agricultural Department.	Revenue Account and Account Tests.
Clerical staff in the office of the Deputy Director of Agriculture (Cinchona).	Account Test.
D. Industries Department.	
Head Clerks, Accountants (excepting those employed in commercial concerns), clerks on or above Rs. 60 in the mufassal and Rs. 65 in the Madras City and others who have to deal with accounts in the several offices in the Industries Department.	Government Technical Examinations in Book-keeping (Lower grade).
Clerks who maintain the accounts of Government commercial concerns, or of Government institutions, the accounts of which are maintained on commercial lines.	Account Test.
E. Co-operative Department.	
Head Accountant in the office of the Registrar of Co-operative Societies.	The Government Technical Examination in Book-keeping, Higher grade, or the equivalent examination in Book-keeping of the London Chamber of Commerce, the Bengal Chamber of Commerce or the Society of Arts.
F. Forest Department.	
Manager, Superintendents and Upper division clerks of the Chief Conservator's office.	Account Test.
Managers, Accountants and second clerks of the Territorial Conservators' offices.	Account Test.
Head Clerk of the Working Plan Conservator's office	Account Test and Departmental Test prescribed in section 33 of the Madras Forest Department and Account Code, Volume I, First edition.
Head Clerks and Accountants of District Forest offices	
Manager and Accountant of the office of the Madras Forest College	
Head Clerk, Accountant and Tour clerk of the Chief Forest Engineer's office.	
Tour clerk and Accountant of the Forest Utilization office	
Accountant of the Forest Exploitation office	
Manager of the Forest Engineer's office	

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Offices or appointments.	Tests.
G. Veterinary Department.	
Accountant, office of the Principal, Madras Veterinary College	Account Test.
Clerks in the Accounts section of the office of the Director of Veterinary Services.	Do.
Accountants in District Veterinary offices	Do.
H. Excise Department.	
Superintendents in the scales of Rs. 200—10—250 and Rs. 125—5—175.	Tests A (Criminal Law), B (Accounts), C (Excise), D (Distillery Manual), and E (in one language). By the lower grade.
Clerks in the scale of Rs. 65—4—125	Tests B (Accounts), C (Excise), D (Distillery Manual), and E (in one language). By the lower grade.
I. Judicial Department (a).	
Head Clerks in District Courts	Civil Judicial Test or the Pleaders' Test.
or the Pleaders' Test, Second grade, or the B.L. Degree Examination with Criminal Procedure Code as prescribed for the old Criminal Judicial Test, Lower Grade, or for the new Criminal Judicial Test or with the High Court Apprentices Examination or the L.L.B. Degree Examination of the University of Bombay.	Criminal Judicial Test.
Head Clerk in the City Civil Court	Civil Judicial Test or the Pleaders' Test.
Head Clerk in the Court of Small Causes, Madras	Do.
Head Clerks in the Subordinate Judges' Courts and District Munsifs' Courts.	Do.
Head Accountant in the Court of Small Causes, Madras	(b) Account Test for subordinate officers of the Judicial Department.
Chief Clerks and Accountants in the Presidency Magistrates' Courts	Do.
Head Clerks of District Courts, Sub-Courts and District Munsifs' Courts.	Do.
Manager in the Office of the Administrator-General and Official Trustee, Madras.	Do.
Accountant	In the office of the Administrator-General and Official Trustee, Madras.
Lodger-keeper	Account Test for subordinate officers of the Judicial Department.
Shorthand clerk and typist in the office of the Administrator-General and Official Trustee, Madras.	Government Technical Examinations in shorthand and in typewriting in the lower grade.
(a) Officers of the Judicial Department who have passed the old Civil Higher or Civil Lower Grade Test or the Pleaders' Test are exempted from passing the Civil Judicial Test.	
(b) Persons who have already passed the old Account Test, Higher or Lower grade, or the present Account Test, shall not be required to pass the Account Test for subordinate officers of the Judicial Department.	
J. Jail Department.	
Clerks	Jail Test (comprising two parts, viz., Finance and Law).
K. Police Department.	
(a) Upper Division clerks of the office of the Inspector-General of Police;	Departmental Test in Police Orders and Practice.
(b) Accountants in District Police offices, Head Clerks in the offices of the Deputy Inspector-General of Police and the Police Training School, Vellore; and	
(c) Clerks on Rs. 65 to Rs. 85 in the offices of the Commissioner of Police, Madras, and the Deputy Inspector-General of Police, Eastern Range, excluding those employed in the Special branch and the Finger-print Bureau.	
L. Marine Department.	
Manager, Head Clerk and Head Accountant of the Presidency Port Office, Madras.	Account Test.
M. Educational Department.	
Clerks in the Upper Division of the office of the Director of Public Instruction and Head Clerks in the offices of Inspecting officers whose posts carry a maximum pay higher than Rs. 65 per mensem.	The Deputy Inspectors' Test (Part I).
N. Medical Department.	
Chief clerks in all offices and institutions under the control of the Surgeon-General with the Government of Madras.	Account Test.
O. Fisheries Department.	
Members of the clerical establishment employed in the Fisheries department excepting the Accountant at the Cannery, Chaillyam.	Account Test.
Accountant at the Cannery, Chaillyam	Government Technical Examination in Book-keeping (Higher grade).

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Offices or appointments.

P. Miscellaneous.

The Assistant to the Hindustani Translator to Government ..
 Munshi and first clerks in the offices of the Translators to Government ..
 The clerk of the Senior Translator to Government in the Translators' ..
 Department ..
 Manager of the office of the Commissioner of Labour ..
 Head Clerk in the office of the Chief Inspector of Factories ..
 Head Clerks in the offices of District Labour Officers ..
 Accountant on Rs. 80—4—120 in the Kallar Reclamation office, ..
 Madras ..
 Accountant in the office of the Deputy Superintendent, Kallar Recla- ..
 mation, Tanjore ..
 Accountant in the Government Press ..
 Manager and Accountant in the office of the Commissioner for Govern- ..
 ment Examinations ..
 Head Clerk and the Clerk who deals with account matters in the office ..
 of the President, Board of Examiners ..
 Manager, office of the Protector of Emigrants, Madras ..
 Head clerks in the offices of the Protectors of Emigrants, Mandapam ..
 and Negapatam ..
 Accountant in the office of the Special Officer for South African ..
 Repatriates ..

Translation Test.
Do.

Account Test.

Do.

Do.

Do.

Do.

Do.

Do.

ANNEXURE C.

[Reserved to in Rule 12 (e).]

Offices or appointments.

A. Government Secretariat.

Permanent Upper division clerks on Rs. 80 and upwards in the Revenue ..
 Secretariat ..

Revenue Test.

B. Revenue Department.

Vernacular Head clerks in Collectors' offices ..
 Head Accountants in Collectors' offices ..
 Head clerks in the offices of Revenue Divisional Officers ..
 Taluk Sarishtadars and Taluk Head Accountants (except in Madras) ..
 Taluk Sarishtadars exercising magisterial powers ..

Revenue Test.

Account Test.

Revenue Test.

Account Test.

Revenue Test.

Account Test.

Old Criminal Judicial Test, Lower ..
 Grade or new Criminal Judicial ..
 Test ..

Account Test.

Revenue Account and Account Tests.

C. Agricultural Department.

All Head clerks, Accountants, clerks on or above Rs. 60 in the mufassal ..
 and Rs. 65 in the Madras City and such other clerks as have to deal ..
 with accounts in the several offices in the Agricultural department ..
 Clerical staff in the office of the Deputy Director of Agriculture ..
 (Cinchona) ..

Account Test.

Government Technical Examination ..
 in Book-keeping (Lower Grade) ..

D. Industries Department.

Head clerks, Accountants (excepting those employed in commercial ..
 concerns), clerks on or above Rs. 60 in the mufassal and Rs. 65 in the ..
 Madras City and others who have to deal with accounts in the several ..
 offices in the Industries Department ..
 Clerks who maintain the accounts of Government commercial concerns, ..
 or of Government institutions, the accounts of which are maintained ..
 on commercial lines ..

Account Test.

The Government Technical Exam- ..
 nation in Book-keeping, Higher ..
 Grade, or the equivalent examina- ..
 tion in Book-keeping of the ..
 London Chamber of Commerce, ..
 the Bengal Chamber of Commerce ..
 or the Society of Arts ..

E. Co-operative Department.

Head Accountant in the office of the Registrar of Co-operative Societies ..

Account Test.

F. Forest Department.

Manager, Superintendents, and Upper division clerks of the Chief Con- ..
 servator's office ..
 Managers and Accountants of the Territorial Conservators' offices ..
 Head clerk of the Working Plan Conservator's office ..
 Head clerks and Accountants of District Forest offices ..
 Manager and Accountant of the office of the Madras Forest College ..
 Head clerk and Accountant of the Chief Forest Engineer's office ..
 Accountant of the Forest Exploitation office ..
 Manager of the Forest Engineer's office ..

Account Test.

Account Test and Departmental ..
 Test prescribed in section 33 of the ..
 Madras Forest Department and ..
 Account Code, Volume I, first ..
 edition ..

G. Veterinary Department.

Accountant, office of the Principal, Madras Veterinary College ..
 Upper division clerks in the Accounts section of the office of the Director ..
 of Veterinary Service ..
 Accountants in District Veterinary offices ..

Account Test.

Do.

Do.

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Offices or appointments.

Tests.

H. Excise Department.

Superintendents in the scales of Rs. 200—10—250 ..
 and Rs. 125—6—175 ..

Tests A (Criminal Law), B (Accounts), ..
 C (Excise), D (Distillery Manual) and E ..
 (in one language) ..

By the ..
 Lower ..
 Grade ..

Clerks in the scale of Rs. 65—4—125 ..

Tests B (Accounts), C (Excise), D (Distillery ..
 Manual) and E (in one language) ..

By the ..
 Lower ..
 Grade ..

I. Judicial Department.

Head clerks in District Courts ..

Civil Judicial Test ..
 Criminal Judicial Test ..

Or the Pleader's Test, Second Grade, or the B.L. Degree Examination with Criminal Procedure Code as ..
 prescribed for the old Criminal Judicial Test, Lower Grade, or for the new Criminal Judicial Test or with ..
 the High Court Apprentices Examination or the LL.B. Degree Examination of the University of Bombay ..
 Head clerk in the City Civil Court ..

Civil Judicial Test or the Pleaders ..
 Test ..

Do.

Head clerk in the Court of Small Causes, Madras ..
 Head clerks in the Subordinate Judge's Courts and District Munsif's ..
 Courts ..

Do.

Head Accountant in the Court of Small Causes, Madras ..

Account Test for subordinate officers ..
 in the Judicial Department ..

Do.

Chief clerks and Accountants in the Presidency Magistrates' Courts ..
 Head clerks of District Courts, Sub-Courts and District Munsif's Courts ..
 Manager in the office of the Administrator-General and Official Trustee, ..
 Madras ..

Do.

Do.

Do.

Accountant in the office of the Administrator-General and Official ..
 Trustee, Madras ..

Do.

J. Jail Department.

Clerks other than those on Rs. 35—60 ..

Jail Test (comprising two parts, ..
 viz., Finance and Law) ..

K. Police Department.

(a) Upper division clerks of the office of the Inspector-General of ..
 Police ..
 (b) Accountants in District Police offices, Head clerks in the offices ..
 of the Deputy Inspector-General of Police and the Police Training ..
 School, Vellore; and ..
 (c) Clerks on Rs. 65 to 85 in the offices of the Commissioner of Police, ..
 Madras, and the Deputy Inspector-General of Police, Eastern ..
 Range, excluding those employed in the Special branch and the ..
 Finger-Print Bureau ..

Departmental Test in Police Orders ..
 and Practice ..

L. Marine Department.

Manager, Head clerk and Head Accountant of the Presidency Port ..
 Office, Madras ..

Account Test.

M. Educational Department.

Clerks in the Upper division of the office of the Director of Public ..
 Instruction and Head clerks in the offices of inspecting officers ..
 whose posts carry a maximum pay higher than Rs. 65 per mensem ..

The Deputy Inspectors' Test (Part II) ..

N. Medical Department.

Chief clerks in all offices and institutions under the control of the ..
 Surgeon-General with the Government of Madras ..

Account Test.

O. Fisheries Department.

Upper division clerks in the Fisheries department excepting the ..
 Accountant at the Cannery, Challyam ..

Account Test.

P. Miscellaneous.

The Assistant to the Hindustani Translator to Government ..
 Munshi's and first clerks in the offices of the Translators to Government ..
 Manager of the office of the Commissioner of Labour ..
 Head clerk in the office of the Chief Inspector of Factories ..
 Head clerks in the offices of District Labour officers ..
 Accountant on Rs. 80—4—120 in the Kallar Reclamation office, ..
 Madras ..
 Accountant in the office of the Deputy Superintendent, Kallar Recla- ..
 mation, Tanjore ..
 Accountant in the Government Press ..
 Manager and Accountant in the office of the Commissioner for Govern- ..
 ment Examinations ..
 Head clerk in the office of the President, Board of Examiners ..
 Manager, office of the Protector of Emigrants, Madras ..
 Head clerks in the offices of the Protectors of Emigrants, Mandapam ..
 and Negapatam ..
 Accountants in the office of the Special Officer for South African ..
 Repatriates ..

Translation Test ..
 Do ..

Account Test.

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ANNEXURE D.

[REFERRED TO IN RULES 5 (a) (ii) and 10.]

General.

1. Clerks, Upper division, including Managers, Superintendents, Head Accountants other than those in the Revenue and Survey department, Accountants, Assistant Accountants, Cashkeepers, Head clerks, stewards, storekeepers and librarians—

Madras City	RS.
	65—4—85
	85—4—125
Mufassal	85—4—125
	80—4—80
	80—4—120
	80—4—120

2. Clerks' Lower division, including Accountants, storekeepers, stewards and librarians—

Madras City	40, 40—5—65—3—80
	40, 40—2—65—3/2—80
Mufassal	40, 40—1—55—1—65
	35, 35—1—50—1—60

3. (a) Typists who are qualified under sub-rule (b) of General Rule 3 and who have passed the Higher Grade Test in Typewriting—

Madras City	40, 40—5—65—3—80
	40, 40—2—65—3/2—80
Mufassal	40, 40—1—55—1—65
	35, 35—1—50—1—60

- (b) Typists who are fully qualified under sub-rule (b) of General Rule 3 but have passed only the Lower Grade Test in Typewriting.

Minimum pay of a Lower division clerk.
May rise up to the bar of Rs. 50 or Rs. 55 as the case may be in the scale of pay of Lower division clerks but not further.

- (c) Typist who are not qualified under sub-rule (b) of General Rule 3 but whose Secondary School-Leaving Certificates show that they took the examination on the completion of their school course up to and including Form VI and have passed the Higher Grade Test in Typewriting.

- (d) Typists who do not come under any of the categories mentioned above—

Madras City	RS.
Mufassal	23, 23—1—35.
	20—1—35.

Secretariat and Legislative Council Office.

Superintendents (General)	RS.
Superintendents (Central Issue Branch, Central Records Branch, Central Cash Bureau and Secretariat Library)	200—20—400
Upper division clerks, Secretariat and Legislative Council office	200—10—300
Steno-typist clerks attached to the Hon'ble Members and Ministers	70, 70—10—150—6—175
	100—230
	40, 40—6—160

Survey Department.

Publication Manager	200
Store Manager	200—10—250
Head Accountant	125—5—150

Settlement Department.

Saristadars	200—10—300
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Board of Revenue including Offices of the Court of Wards, Inam Commissioner and Commissioner of Excise.

First Assistant, Board of Revenue	480
Manager, Court of Wards	350—20—450
Superintendents	300—10—350
	200—10—250
	125—5—175
Manager, Office of the Inam Commissioner	65—125
	125—5—175

Revenue Department.

Clerks	150—5—200
	125
Oriya Translators	90
Assistant Oriya Translators	100—5/2—150
	35, 35—1—60
Treasury establishments—	60—1—60
Accountants	125
Cashkeepers	90
	150
Subdivisional establishments—	90
Clerks	90
	80
Tahuk establishments—	100
Tahuk Saristadars and Head Accountants	75
Superintendents	65—4—85
Clerks, Working as Revenue Inspectors	65—4—85

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Madras Record Office.

Senior Assistants	200—40—250
Assistants	125—5—175
Referencemen	85—4—125

Local Fund Audit Department.

Superintendents	150—40—175
Assistant Superintendent	80—25—100
	150
Clerks	35—5—40—4—80 (E.B.)—4—120 (E.B.)—2—150
	35—5—40—2 1/2—60 (E.B.)—2 1/2—80

(Clerks whether in the I grade or II grade who have passed the Subordinate Accounts Service Examination shall be allowed a special increment of Rs. 10 instead of the ordinary increment.)

Advocate-General's Office.

Manager and confidential clerk	RS.
	125—5—150

Administrator-General's Office.

Manager	200—10—250
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Presidency Magistrate's Court.

Chief Clerk	125—5—150
Typist-copyists	30

City Civil Court.

Clerk	125—5—150
Examiner	40—1—45
Reader	30—1—35
Copyists	25

Presidency Small Causes Court.

Treasurer	85—125
Examiner	40—1—45
Reader	30—1—35
Copyists	25

Mufassal Civil and Sessions Courts and Small Cause Courts.

Head clerks	125—5—150
Copyist establishment—	
Superintendents	35—60
Assistant Superintendents and Examiners	35—1—40
Readers	25—1—30
Copyists	20

Medical Department.

Manager, office of the Surgeon-General	300—10—350
Superintendents, office of the Surgeon-General	200—10—250
	125—5—175
Presidency hospitals—	
Accountants	125—5—175
	125—5—150
Clerks	50—3—80
Stewards	200—10—250
Storekeepers	200—10—250
	50—5—100
Linen clerks and linen keepers	50—5—100
	80—1—50
	23, 23, 23—1—35
School of Indian Medicine—	
Storekeeper	40

Public Health Department.

Manager, office of the Director of Public Health	200—10—250
Statistical Assistant	125—5—175
Superintendent	125—5—175
Head clerk	125—5—150

Sanitary Engineer's Office.

Manager	180—10—240
Clerks	125—5—150

King Institute, Guindy.

Manager	125—5—150
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Agricultural Department.

Manager, office of the Director of Agriculture	200—10—250
Clerks	125—10—250
Librarian	85—120

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RS.

Veterinary Department.	
Personal Assistant to the Director of Civil Veterinary Services	200-10-250
Head Accountant	125-5-150
Industries Department.	
Manager, office of the Director of Industries	200-10-250
Storekeeper in the Madras Trades School	40-1-45
Fisheries Department.	
Personal Assistant to the Director of Fisheries	200-10-250
Labour Department.	
Manager, office of the Commissioner of Labour	200-10-250
Superintendent, office of the Commissioner of Labour	125-5-175
Jail Department.	
Clerks in the office of the Inspector-General	200-10-250
Clerks in Central Jails	125-5-150
	60-4-100
Police Department.	
Manager, office of the Commissioner of Police and Superintendents, office of the Inspector-General of Police	200-10-250
Junior Superintendents, office of the Inspector-General of Police	125-5-175
Managers, District Police Officers, and offices of the Superintendents, Railway Police	125-7-200
Manager, Finger Print Bureau	125-7-200
Manager, Crime Branch	125-7-200
Clerks, Special Branch	125-5-150
Cashkeeper, office of the Commissioner of Police	100-5-150
Lecturers, Police Training School, Vellore	20-1-35
Forest Department.	
Manager, office of the Chief Conservator of Forests	200-10-250
Superintendents, office of the Chief Conservator of Forests, and Managers of District Forest Offices	125-5-175
Accountants	125-5-150
Head Clerks	70-4-90
	60-4-80
Education Department.	
Superintendents, office of the Director of Public Instruction	200-10-250
	150-10-250
Librarian, Oriental Manuscripts Library	125-5-175
Head clerk, office of the Registrar of Books	65-4-125
	100
Provincial Museum and Connemara Library.	
Personal Assistant	125-5-175-7-250
Sub-Librarian	125-5-175-7-250
Office of the Commissioner for Government Examinations.	
Assistant Secretary to the Commissioner for Government Examinations	200-10-250
Manager and Accountant	125-5-175
Stationary Office.	
Manager	125-5-175
Government Press.	
Head Clerk	125-5-175
Marine Department.	
Shipping clerks, office of the Agent for Government Consignments	30-1-45
Public Works Department.	
Manager, Chief Engineer's office	200-10-250
Senior Superintendents, Chief Engineer's office	200-10-250
Junior Superintendents, Managers and clerks	125-5-175
Clerks	65-4-125
Clerks in the Superintending Engineer's offices	180-10-240
Accountants	125-5-150
Storekeepers	100-10-200
	240-10-280
	100-2-125
	65-75

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ANNEXURE B.

(Referred to in rule 11.)

Designation. (1)	Department. (2)	Station. (3)	Rate of special pay. (4)
Clerks who supervise the work of other clerks in offices (including the original registration branch of the District Registrar's offices) in which there is no head clerk and there are four or more clerks on the lowest grade.	General	General	Rs. 5
Clerks, shorthand-writers and typists possessing the higher grade qualification in shorthand who are actually engaged in shorthand work whether in addition to their ordinary duties or not and who hold posts for which the allowance has been sanctioned.	Do.	Do.	25
Clerks, shorthand-writers and typists possessing lower grade qualification in shorthand who are actually engaged in shorthand work whether in addition to their ordinary duties or not and who hold posts for which the allowance has been sanctioned.	Do.	Do.	15
Clerks attached to the Hon. Members of the Executive Council and the Hon. the Ministers.	Secretariat	Madras	25
Three trained clerks or typists of the establishment of the Central Issue Branch, Chief Secretariat, for attending to Secretariat Telephone Sub-Exchange out of office hours.	Do.	Do.	5 each.
One clerk, Collector's office, who is French Translator.	Revenue	South Arcot.	10
One clerk, Collector's office, who does Court of Wards work.	Do.	North Arcot.	10
Head clerks of the Excise Circle offices except the one in the Madras Town circle.	Excise	General	5
Clerks in Government offices employed as part-time clerks in Bench Courts.	Judicial	General	Not exceeding Rs. 5 under the specific sanction of the Local Government to be obtained in each case.
Head clerk, Veterinary College, who supervises the hostel.	Veterinary	Madras	10
Storekeeper in Divisional offices	Public Works Department.	General	Station. Allowance. RS.
		Berhampur	
		Bellary	10
		Kurnool	
		Cuddalore	10
		Vellore	
		Vizagapatam	
		Coimbatore	
		Salem	
		Madras	
		Nellore	5
		Madura	
		Palanichottah	
		Trichinopoly	
		Tanjore	
		Cauvery	
		Vennar	
		Electrical Engineer, Madras	
		Barwada	
		Kistna Central.	
Clerks on Rs. 150-5-200		Localities declared by the Local Government as unhealthy.	RS. 50
		Do.	50
Manager, District Police Office, Koraput (125-7-200).		Do.	40
Clerks on Rs. 80-4-120		Do.	25
Revenue Inspectors on Rs. 60-4-80		Do.	15
Clerks and Revenue Inspectors on Rs. 35-60.		Do.	5
Clerks and typists on Rs. 20-1-35		Do.	40
Accountants and Auditors on Rs. 60		Do.	25
Clerks and Accountants on Rs. 60-4-80		Do.	25
One clerk, Godavari Agency Circle	Excise	Rajahmundry.	Rate admissible in localities declared unhealthy.
Revenue Inspector, Vizagapatam Agency	Revenue	Palkonda	Do.
Revenue Inspector, Salem	Do.	Namagiripet.	Do.

* This rate will be admissible so long as stores in charge are over Rs. 50,000 in value; otherwise Rs. 5 only will be admissible.

† Admissible to a clerk on the electrical establishment only when he is put in independent charge of portion of duties of the storekeeper on the petty establishment.

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MADRAS SERVICES COMMISSION.

APPOINTMENT TO POSTS IN THE MADRAS MINISTERIAL SERVICE.

A competitive examination for the recruitment of candidates to the following posts in the Madras Ministerial Service will be held early in 1935:—

- (1) Storekeepers.
- (2) Cashkeepers.
- (3) Treasurers.
- (4) Clerks, Upper division.
- (5) Referencers.
- (6) Clerks, Lower division and Examiners.
- (7) Superintendents and Assistant Superintendents on Copyist establishment.
- (8) Linen keepers.

N.B.—For scales of pay, see notification No. 101, published at pages 892-893 of Part I of the *Fort St. George Gazette*, dated 14th July 1931.

Appointments will be made as vacancies arise, from the list of successful candidates published by the Madras Services Commission on the results of the examination. The exact dates of the examination will be notified in due course to the candidates admitted to the examination. An applicant must possess the following qualifications for admission to the examination:—

- (a) he must be a British subject or a subject of a State in India; if the latter, he must have obtained the previous sanction of the Local Government for his appointment in Government service;
- (b) his age as proved by evidence required in paragraph 10 below must not exceed 25 years on 1st July 1932, i.e., he must have been born on or after the 2nd July 1907;
- (c) he must be of good character;
- (d) he must be of sound health, good physique and active habits and free from any defect unfitting him for Government service;
- (e) if he was educated at a school in the Madras Presidency, Bangalore, Coorg or Pudukottah, he must have obtained a completed Secondary School-Leaving Certificate issued under the authority of the Government of Madras and such certificate must show that the applicant has obtained at the Public Examination at least 85 per cent of the marks in each of the subjects in group "A" and in each of two subjects in group "C" of which one at least shall be a subject included in the following list, namely:—

(a) *Classical.*

Sanskrit.
Greek.
Latin.

Arabic.
Persian.
Hebrew.

(b) *Foreign.*

French.

German.

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(c) *Indian vernaculars.*

Urdu (Hindustani).
Kanarese.
Tamil.
Telugu.
Malayalam.
Mahratti.
Oriya.
Burmese.

Sinhalese.
History of England and India.
Algebra and Geometry.
Practical Mathematics.
Trigonometry.
Botany.
Physics.
Chemistry.

Note.—(i) The certificate of an applicant who has been exempted from vernacular composition and Translation in group "A" will not be considered incomplete because it contains no entry under that subject;

(ii) A pass in the Government Technical Examination will be regarded as equivalent to obtaining 35 per cent in the corresponding subject in the Secondary School-Leaving Certificate Examination; for this purpose where in the latter examination the technical subject comprises two subjects in the Government Technical Examination, passes in at least the lower grade are required in both the subjects in the Government Technical Examination;

(iii) An applicant who has not passed at least the Intermediate Examination in full must possess the qualifications prescribed in this sub-paragraph;

(f) if he was not educated at a school in the Madras Presidency, Bangalore, Coorg or Pudukottah, he must have been declared eligible for appointment to posts in the superior service by the Staff Selection Board or the Madras Services Commission.

2. The examination will be held simultaneously at the following centres in the Presidency:—

Madras.	Cuddapah.	Madura.
Vizagapatam.	Cuddalore.	Tinnevely.
Rajahmundry.	Vellore.	Coimbatore.
Masulipatam.	Salem.	Palghat.
Guntur.	Kumbakonam.	Calicut.
Anantapur.	Trichinopoly.	Mangalore.

Applicants will be required to appear for the examination at the centres stated in their applications. Requests for change of centre will not be complied with.

The following will be the subjects for the examination:—

- (1) *English Composition.*—Ability to write simple idiomatic English as well as the effective handling of English sentences and the proper use of English words will be tested. Marks will be deducted for incorrect spelling and grammar—Time 3 hours.
- (2) *Vernacular.*—Every candidate must offer a vernacular—Translation from English into the vernacular chosen and composition in that vernacular. Ability to use the vernacular as a medium of expression of modern life and thought will be expected—Time 3 hours.
- (3) *Precis-writing.*—Time 3 hours.
- (4) *General Knowledge.*—Knowledge, accurate but not detailed, of life of all kinds around us, especially in India and the Madras Presidency will be expected—Time 3 hours.

A hundred marks will be allotted for each subject. Credit will be given up to a maximum of seventy-five marks for proficiency acquired in shorthand and typewriting in the Secondary School course or otherwise.

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A person may not apply for employment in more than one district. For this purpose, Madras City will be considered as a district. The district in which he seeks employment should be stated in the application.

3. On the results of the competitive examination, the successful candidates will be arranged into four classes corresponding to the following four groups of offices:—

GROUP I.

All Government offices in the City of Madras.

GROUP II.

Offices in the Revenue Department in the mufassal (excluding offices in the Survey and Settlement Departments).

GROUP III.

Offices in the following departments in the mufassal:—

- | | | |
|-------------|---------------------|-----------------------|
| (a) Excise. | (c) Jail. | (e) Co-operative. |
| (b) Police. | (d) Civil Judicial. | (f) Local Fund Audit. |

GROUP IV.

All offices in the mufassal not included in groups II and III (including offices in the Survey and Settlement Departments).

4. The number of vacancies anticipated in 1932 is approximately as follows:

Districts.	Groups of offices.			
	I	II	III	IV
Madras	91	..	..	..
Ganjam	..	9	7	4
Vizagapatam	..	10	14	2
Godavari, East	..	2	10	13
Godavari, West	..	5	10	7
Kistna	..	3	4	6
Guntur	..	11	2	4
Bellary	..	18	8	3
Kurnool	..	19	2	3
Anantapur	..	13	2	2
Cuddapah	..	22	3	4
Chittoor	..	15	5	4
Nellore	..	10	9	1
Chingleput	..	15	6	5
Arcoot, North	..	20	12	14
Arcoot, South	..	..	5	10
Salem	..	25	5	13
Tanjore	..	83	12	9
Trichinopoly	..	10	3	8
Madura	..	18	14	2
Ramnad	..	12	7	4
Tinnevely	..	6	6	3
Coimbatore	..	9	4	17
Nilgiris	..	6	1	7
Malabar	..	55	8	21
South Kanara	..	24	13	1
Total	91	420	172	170

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5. A candidate placed in class (1) will be eligible for appointment in offices included in group I; a candidate placed in class (2), for appointment in offices in group II, III or IV in the mufassal district mentioned in his application; a candidate placed in class (3), for appointment in offices in group III or IV in the mufassal district mentioned in his application; and a candidate placed in class (4), for appointment in offices in group IV in the mufassal district mentioned in his application. A candidate who applies for appointment in a certain group but qualifies in the examination only for appointment in a lower group, may, at his request and at the option of the Commission, be placed in the class corresponding to such lower group. A candidate who wishes to be selected for appointment in an office in a lower group than the group for which he is eligible on the results of the examination may at his request be placed in the corresponding lower class and in that event he will be placed above those candidates originally selected for that lower class. A candidate who is selected for an office in class (1) may, at his request and at the option of the Commission, be transferred to the list of a mufassal district or from the list of one mufassal district to that of another mufassal district. Lists of candidates successful in the examination arranged in the order of merit under each group of offices in each district will be published by the Commission in the *Fort St. George Gazette* in the case of candidates selected for appointment in offices in the City and in the District Gazettes concerned in the case of candidates selected for appointment in offices in the mufassal districts. Each list will remain in force until all the persons in it have been appointed or have been removed from the list on account of age or for other reasons. When the age of a candidate included in the list exceeds 25, his name will be deleted from it unless he has by that time been appointed. A candidate will be on probation for a total period of one year on duty from the date of his first appointment.

6. Persons who have been approved by the Staff Selection Board or the Madras Services Commission for appointment as clerks need not appear for the examination. A person selected by the Commission on the results of the last competitive examination may however appear for the examination to be held in 1932 if he is still eligible in every respect and has not actually been placed on probation for an appointment in Government service, should he wish to qualify for admission to a higher class than that in which he has already been placed. His class and position will, in that event, be decided on the results of the subsequent examination and the candidate cannot be restored to the position he held in the list on the results of the examination in 1931 if he fails to qualify for the higher class.

N.B.—Graduates as such are not exempt from the examination.

7. Every applicant must pay a fee of Rs. 5 into a Government Treasury or into the Imperial Bank of India, Madras, to the credit of the Government under the head "XXVI—Miscellaneous Departments—Examination fees—Fees for Examinations—Madras Services Commission." On no account will this fee be refunded. Applicants are therefore advised before paying the fee, to satisfy themselves that they fulfil the conditions prescribed in this notification.

8. Forms of application and of medical certificate can be obtained from the Secretary, Madras Services Commission, Teynampet P.O., Madras. A request for forms should be accompanied by a stamped envelope addressed to the person requiring them. Requests not accompanied by stamped envelopes and requests in person will not be complied with.

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9. The application must be in the applicant's handwriting; it must not be typewritten.

10. The application must be accompanied by the following documents:—

(a) a medical certificate in the prescribed form;

Note.—A medical certificate dated earlier than 1st July 1931 will not be accepted.

(b) the treasury or Bank receipt for the payment of the fee of Rs. 5;

(c) at least two certificates of character and conduct in *original*, one of which must be from the Principal or Headmaster of the educational institution in which the applicant last studied for not less than one year;

(d) certificates of proficiency in shorthand and typewriting;

(e) evidence of date of birth, viz.,

(i) a certified extract from Secondary School-Leaving Certificate showing the date of birth; or

(ii) a certificate from a University, College or School authority showing date of birth according to the University or College or School records; and

(f) Candidates who are unable to produce their original Secondary School-Leaving Certificates and who wish to obtain certified copies of the marks obtained by them at the Public examination should apply to the Secretary, S.S.L.C. Board, Cathedral Post, Madras, at least a week before the latest date fixed for the submission of applications, after paying a fee of rupee one for each year's marks into a Government Treasury or the Imperial Bank of India, Madras, to the credit of the Government under the following head of account: "XXVI-b. Miscellaneous Departments—Government Examinations by the Commissioner—Fees for certified copy of marks—Secondary School-Leaving Certificates." While applying for such copies, they should state correctly all particulars regarding the year or years in which and the school or schools from which they appeared as pupils for the S.S.L.C. Public Examination in each year and in the case of 'Private' candidates, they should specially mention 'Private Study' and the centres of the examination. They should also specify the purpose for which the certified copies are applied for.

11. Every application (with all the enclosures arranged in the order mentioned in paragraph 10 and securely stitched at the left hand corner) should be sent by registered post superscribed and addressed as follows:—

*" Application for appointment to posts in the
Madras Ministerial Service.*

To

The Secretary, Madras Services Commission,
Teynampet P.O., Madras."

12. Applications must reach the Secretary *on or before 7th January 1932*. Applications received after that date and applications in respect of which certificates in proper form have not been received *on or before that date* will not be considered.

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13. An applicant will be disqualified who attempts to canvass or to bring influence to bear on the Chairman or any Member of the Commission personally or by letter either by himself or through the agency of any relative, friend, patron, official or other person.

14. All communications intended for the Commission must be made in writing and addressed to the Secretary. Any candidate speaking to or attempting to speak to the Secretary or any member of the staff of the Madras Services Commission either personally or through any other person with reference to his application will be disqualified.

C. P. KARUNAKARA MENON,
Secretary.

Office of the Madras Services Commission,
Teynampet P.O., Madras, 21st November 1931.

APPENDIX VI.

[Vide answer to question No. 163 asked by Mr. U. C. Subramanya Bhatt at the meeting of the Legislative Council held on the 8th August 1935, page 387 supra.]

District.	1932.		1933.		1934.		1932.		1933.		1934.		1932.		1933.		1934.	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)
1 Anantapur ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
2 Arcot, North ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
3 Arcot, South ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
4 Bellary ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
5 Chingleput ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
6 Chittoor ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
7 Coimbatore ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
8 Cuddapah ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
9 Ganjam ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
10 East Godavari ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
11 West Godavari ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
12 Guntur ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
13 South Kanara ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
14 Kistna ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
15 Kurnool ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
16 Madras ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
17 Madras ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
18 Malabar ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
19 Nellore ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
20 Nilgiris, the ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
21 Ramnad ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
22 Salem ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
23 Tanjore ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
24 Tinnevely ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
25 Trichinopoly ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
26 Vizagapatam Plains ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
27 Do. Agency ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

REMARKS.—Figures in respect of Anantapur, Bellary, Ganjam, East Godavari and Malabar districts and figures for column (3) in respect of Guntur and Vizagapatam districts have been called for.

* Includes revolvers also.

† Represents the amount realized by sale of all confiscated arms. Separate figures for pistols and guns are not available.

‡ Represents the amount realized during December 1932. The amount realized from January 1932 to November 1932 is not known.

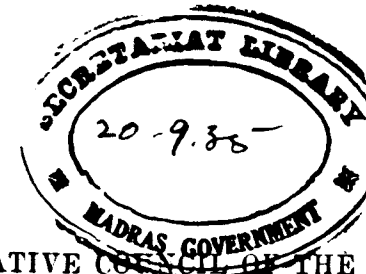
[8th August 1935]

APPENDIX VII.

[Vide answer to question No. 170 asked by Mr. P. V. Krishnayya Chowdari at the meeting of the Legislative Council held on the 8th August 1935, page 396 supra.]

List of private bodies who have applied for licences to supply electric energy in municipalities.

Name of applicant.	Name of municipality.
1 Palacole Power and Light, Limited	Palacole.
2 Palacole Electric Supply Corporation, Limited	Do.
3 Messrs. Seshasayee Brothers, Limited	Sivakasi.
4 Messrs. Ramaaswami & Co., Limited	Srivilliputtur.
5 Narasaraopet Electric Corporation, Limited	Chingleput.
6 (i) Vizianagram Electric Supply Corporation, Limited	Narasaraopet.
(ii) Vizianagram Electric Distribution Company, Limited	Vizianagram.
(iii) Vizianagram Power and Light, Limited	
(iv) Andhra Engineering Company, Limited	
7 Ongole Electric Supply Company, Limited	Ongole.
8 Engineers' Association, Limited, Bellary	Cuddapah.
9 Andhra Engineering Company, Limited	Anakapalle.
10 Messrs. Ameen Ram and Das & Co.	Tiruvannamalai.
11 (i) North Arcot District Electric Supply Corporation, Limited	Gudiyattam.
(ii) Messrs. Khaleeli Ram and Ayyar & Co.	Vaniyambadi.
12 West Ramnad Electric Distributing Company, Limited	Tirupattur.
13 Berhampur Electric Supply Corporation	Sivakasi.
14 Vellore Electric Supply Corporation, Limited	Srivilliputtur.
	Berhampur.
	Wallajapet.
	Tiruvannamalai.



THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Friday, the 9th August 1935.

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

PRESENT :

Reddi Nayudu, Kt., The Hon. Rai Bahadur Sir K. V.	Kuppuswami Choudari, Mr. J.
Pannirselvam, The Hon. Rao Bahadur A. T.	Madanagopal Nayudu, Mr. R.
Souter, C.S.I., I.C.S., The Hon. Mr. C. A.	Mahboob Ali Baig Sahib Bahadur.
Bracken, C.S.I., C.I.E., I.C.S., The Hon. Mr. G. T. H.	Manikkavelu Nayakar, Mr. M. A.
Raja of Bobbili, K.C.I.E., The Hon. Sir the.	Moidoo Sahib Bahadur, Khan Bahadur T. M.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Moses, Mr. P. C.
Abdul Hameed Khan Sahib Bahadur.	Muniswami Pillai, Rao Sahib V. I.
Ahmed Meeran Sahib Bahadur.	Muthiah Chettiyar, Mr. M. A.
Alagannan Chettiyar, Rao Sahib A. S.	Muthu Chettiyar, Rao Bahadur P. C.
Alamelumangathayaramma, Mrs. K.	Nachiyappa Gounder, Mr. K. A.
Annamalai Chettiyar, Mr. S. A. A.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Appadurai Pillai, Diwan Bahadur A.	Nanjappa Bahadur, Subadar-Major S. A.
Arasu, Mr. V. T.	Narasa Reddi, T.
Ari Gowder, Mr. H. B.	Narasimhaswami, Rao Sahib D. V.
Basheer Ahmed Sayeed Sahib Bahadur.	Narayanan Nambiyar, Mr. V. P.
Basu Dev, Mr. C.	Narayanawami Pillai, Rao Bahadur T. M.
Beyahani Sahib Bahadur, S. M. K.	Natesa Mudaliyar, Diwan Bahadur C.
Bhanoji Rao, Sri A. V.	Obi Reddi, Mr. C.
Boag, C.I.E., I.C.S., Mr. G. T.	Palat, Mr. R. M.
Devadasan, Mr. M.	Parthasarathi Ayyangar, Mr. C. R.
Dharmalingam Pillai, Rao Sahib V.	Patnaik Mahasayo, Sriman M. G.
Duraiswami Reddiyar, Mr. K. M.	Patro, K.C.I.E., Rao Bahadur Sir A. P.
Ellappa Chettiyar, Diwan Bahadur S.	Pattabhiramayya, Mr. K.
Gopalaswami Mudaliyar, Diwan Bahadur M.	Pattagar of Palayakottai, The.
Indrayya, Mr. C.	Pocker Sahib Bahadur, B.
Iswaran Pillai, Mr. I. C.	Premayya, Mr. G. R.
Jagannatham, Mr. H. M.	Raagopala Pillai, Mr. P. V.
Javad Husain Khan Sahib Bahadur, Khan Bahadur.	Raja of Khalikote, The.
Jayaram Nayudu, Rao Sahib C.	Raja of Farlakimedi, The.
Jones, I.C.S., Mr. C. E.	Ramakrishna Reddi, Mr. A.
Kesavaramamurti Nayudu, Mr. K.	Ramalingam Chettiyar, Diwan Bahadur T. A.
Khalif-ullah Sahib Bahadur, Khan Bahadur P.	Ramalinga Reddi, Mr. C.
Kolanda Reddi, Rai Sahib C.	Ramamurti, Rao Sahib Pandit Ganala.
Koti Reddi, Mr. K.	Raman Menon, Mr. K. P.
Krishnayya Choudari, Mr. P. V.	Ramaswami Ayyar, Mr. T. S.
Krishnamurti, Rao Bahadur D.	Ramaswami Mudaliyar, Mr. V. M.
Krishnan, Mr. C.	Rameswara Rao, Mr. G.
Kumararaja of Venkatagiri, The.	Ranganatha Mudaliyar, Mr. G.
	Ranganatha Mudaliyar, Mr. M. D. T.
	Rangaswami Reddi, Mr. M. B.
	Ratnavelu Tevar, Mr. P.
	Reid, Mr. Douglas Muir.
	Rukmani Lakshmiopathi, Mrs. A.

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PRESENT—cont.

Russell, I.C.S., Mr. T. B.
 Scott-Brown, I.C.S., Mr. W.
 Sessa Reddi, Rao Bahadur B. P.
 Shetty, Mr. A. B.
 Simhachalam Pantulu, Mr. G.
 Siva Raj, Rao Sahib N.
 Smith, Mr. J. M.
 Soundara Pandian, Mr. W. P. A.
 Sreshta, Mr. M. S.
 Srinivasan, Rao Bahadur R.
 Sriramulu, Mr. G.
 Stanes, Mr. F. J.
 Subbarayan, Dr. P.
 Subrahmanya Chetti, Rao Sahib P.
 Subrahmanya Bhatt, Mr. U. C.

Sundara Rao Nayudu, Mr. T.
 Syed Tajuddin Sahib Bahadur, Khan Sahib.
 Thangal, Mr. P. M.
 Uzielli, C.I.E., I.C.S., Mr. H. R.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venugopal Nayudu, Rao Bahadur R. K.
 Wright, Sir William.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Bodinayakkanur, The.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Administration of Justice

Reply of the High Court regarding certain alleged drawbacks in the administration of justice.

* 173 Q.—Mr. M. S. SRESHTA: Will the Hon. the Law Member be pleased to state—

(a) whether my suggestion that a committee be appointed to go into certain drawbacks in the administration of justice, which Sir M. Krishnan Nayar, the then Law Member, promised on the 17th March 1934 in the Council to forward to the High Court (vide page 427 of Legislative Council Proceedings, Volume LXXI, No. 6) was so forwarded; and

(b) if so, what reply was received from the High Court?

A.—(a) Yes.

(b) No reply has been received from the High Court as yet.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I ask whether the Government have issued any reminder to the High Court? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ Ordinarily the respect that is due to the High Court requires that we should not send reminders to them as far as possible, but occasionally we do send reminders.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ But when they fail to discharge their responsibility and send a reply in time, is it not the duty of the Government to issue a reminder to them? May I ask whether, after this long delay on the part of the High Court, the Government are prepared to send a reminder to them? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ The question will be considered, Sir.”

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Provision of accommodation to jurors and assessors attending the Sessions Courts.

* 174 Q.—Mr. M. S. SRESHTA: Will the Hon. the Law Member be pleased to state—

(a) whether he has considered the suggestion that reports be called for from all District Judges as to what accommodation is available for jurors and assessors in the courts as promised by him in reply to supplementary questions on Question No. 453 given on 23rd January 1935; and

(b) if the suggestion has been acted upon, what replies have been received?

A.—(a) & (b) The hon. Member apparently refers to question No. 454 answered on 23rd January 1935. The High Court has been addressed in the matter and its reply is awaited.

Electricity

Proposals, if any, for the electrification of Omalur, Dharmapuri, Krishnagiri, etc., of Salem district.

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

(a) whether there are any proposals for the electrification of the towns of Omalur, Dharmapuri, Krishnagiri, etc., in the Salem district; and

(b) if so, what they are and when they are likely to be achieved?

A.—(a) & (b) In the estimates for the Mettur Hydro-Electric Project as sanctioned, provision is made for extension of transmission lines to Dharmapuri and Krishnagiri in the third and fourth years after the project has commenced operation. There are no proposals before Government at present for the electrification of the towns.

Mr. K. A. NACHIYAPPA GOUNDER:—“ The Government have stated in their reply that provision is made for extension of transmission lines to Dharmapuri and Krishnagiri in the third and fourth years after the Mettur Hydro-Electric Project has commenced operation, and there is no mention about Omalur. May I know, Sir, whether Omalur is now part of the Pykara system or whether its electrification has been postponed till after the Mettur system comes in? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ This place is part of the Mettur system, I think.”

Variation of rates for electricity consumed in Bhavani and Komarapalayam, respectively.

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

(a) what the rates are of electric current consumed for various purposes in the town of Bhavani in Coimbatore district;

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(b) what the rates are of current for similar purposes in the town of Komarapalaiyam in Salem district, situated in about two furlongs from Bhavani; and

(c) if there are variations, what the reasons are therefor?

A.—(a), (b) & (c) The standard Pykara retail rates are charged both at Bhavani and Komarapalaiyam for electricity consumed for various purposes.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I, Sir, ask whether the lines in the Komarapalaiyam area were laid by Messrs. Octavius, Steel & Co., or by the Government themselves? "

The Hon. Sir K. V. REDDI NAYUDU:—" I want notice, Sir."

General

Publication of the report of the Special Officer appointed to enquire into the indebtedness of the ryots.

* 177 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Law Member be pleased to state—

(a) whether the special officer appointed to enquire into the indebtedness of the ryots has submitted his report;

(b) if so, whether it will be placed on the table of this House; and

(c) whether the Government will introduce comprehensive legislation in order to afford immediate relief to the heavily indebted ryots?

A.—(a) Yes.

(b) The matter is under consideration.

(c) The question will be considered.

Mr. C. RAMALINGA REDDI:—" May I ask my hon. Friend what estimate the Special Officer has made of the total rural indebtedness requiring immediate relief? "

The Hon. Sir K. V. REDDI NAYUDU:—" I am not quite sure, Sir. I believe the figure is about Rs. 200 crores."

Mr. C. RAMALINGA REDDI:—" May I request my hon. Friend to say what fund the Government propose to constitute with a view to work the debt conciliation scheme? "

The Hon. Sir K. V. REDDI NAYUDU:—" That will have to be considered along with the report."

Mr. C. RAMALINGA REDDI:—" I am not asking for exact figures, Mr. President, but for some general idea of the fund he will consider to be adequate to meet this big demand? "

The Hon. Sir K. V. REDDI NAYUDU:—" I do not know whether it will be possible to meet the whole demand, but every attempt will be made to find as many resources as possible."

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Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Special Officer has made any particular proposals for the solution of the problem of indebtedness of the ryots? "

The Hon. Sir K. V. REDDI NAYUDU:—" He has made certain proposals."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether the Hon. the Leader of the House will give us an idea of the proposals? "

The Hon. Sir K. V. REDDI NAYUDU:—" As a matter of fact, this report which has been sent for printing may cover about 150 pages and it was not possible for me to go through the whole of it while the Council was sitting."

Mrs. A. RUKMANI LAKSHMIPATHI:—" May I know whether the Hon. the Law Member has received copies of the resolution passed by the Andhra Provincial Conference for the relief of rural indebtedness, to the effect that a moratorium should be given to the ryots? "

The Hon. Sir K. V. REDDI NAYUDU:—" I do not remember to have received any such document."

Mrs. A. RUKMANI LAKSHMIPATHI:—" Has the Hon. Member at least read of that resolution in the press? "

The Hon. Sir K. V. REDDI NAYUDU:—" Mr. President, it is such a difficult thing nowadays to remember what we read in the press, because there is so much of it."

Mr. C. RAMALINGA REDDI:—" May I request my hon. Friend who has been so kind as to state the total amount to say whether he proposes to constitute a Debt Conciliation Scheme Fund from independent resources to be raised in this Presidency or from a loan from the Government of India? "

The Hon. Sir K. V. REDDI NAYUDU:—" All that I can say, Sir, is that if the proposal is before the Government, it will be considered. It may be one of the ways."

Mr. A. B. SHETTY:—" May I ask what the difficulty is in placing the report on the table of the House? Why do the Government say that the matter is under consideration? "

The Hon. Sir K. V. REDDI NAYUDU:—" Because it is under consideration."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask the Hon. the Law Member whether he would circulate the report as soon as it is received from the press? "

The Hon. Sir K. V. REDDI NAYUDU:—" Is it to the members of the Select Committee? If so, it will be circulated to them."

Mr. V. M. RAMASWAMI MUDALIYAR:—" To the hon. Members of this House? "

The Hon. Sir K. V. REDDI NAYUDU:—" That question will have to be considered."

[9th August 1935]

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I ask when the Select Committee is going to meet? "

The Hon. Sir K. V. REDDI NAYUDU:—" Sir, it should have met on the 10th of this month, but the Chairman of the Select Committee who was obliged to remain here for the last two or three weeks in connexion with the work of the Delimitation Committee wrote to me saying that it would not be possible for him to remain in Madras on the 10th and suggesting another date in September. The meeting of the Select Committee will come off on that date accordingly."

Progress of the enquiry into the indebtedness of the ryots.

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

(a) when the special officer appointed to enquire into the indebtedness of the ryots is expected to complete the enquiries and submit his report;

(b) if the report has been received, whether a copy of it will be placed on the table; and

(c) if the enquiries have not been completed, whether any interim reports have been received and, if so, whether a copy of them will be placed on the table?

A.—(a) The Special Officer has just submitted his report.

(b) The question is under consideration.

(c) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know the actual date on which the report was received by the Government? "

The Hon. Sir K. V. REDDI NAYUDU:—" I do not exactly remember. It was about the beginning of this month."

Publication of the report of the Special Officer appointed to enquire into the question of agricultural indebtedness.

* 179 Q.—Mr. A. B. SHETTY: Will the Hon. the Law Member be pleased to state when the Government propose to publish the report of the Special Officer appointed to enquire into the question of agricultural indebtedness and whether the Government propose to invite public opinion before decisions are taken on the recommendations contained in the report?

A.—The matter is under consideration.

[9th August 1935]

Control of Books

Proscription of 'Swatantra Samudayam,' a Malayalam book by Mr. E. Madhavan of Travancore.

* 180 Q.—Mr. C. KRISHNAN: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that the Malayalam book written by Mr. E. Madhavan of Travancore entitled 'Swatantra Samudayam' was proscribed by the Madras Government because it contained obscene passages;

(b) whether the Government will be pleased to point out some of the particular passages to which they raise objection; and

(c) whether it is a fact that similar ideas and incidents occur in some of the well-known religious books of the Hindus?

A.—(a) The book was proscribed on the ground that it contained matter the publication of which was punishable under section 295-A of the Indian Penal Code.

(b) There are several passages in the book falling under the above section and anyone who reads the book can easily find them out.

(c) The Government have no information.

Mr. K. KOTI REDDI:—" Sir, with reference to the answer to clause (b) that anyone who reads the book can easily find out the objectionable passages, may I know whether, even though the book has been proscribed there is no objection to anyone getting that book for the purpose of finding out the objectionable passages? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" There was no objection before the book was proscribed."

Mr. K. KOTI REDDI:—" What can any hon. Member do if he wants to find out which passages are considered objectionable? "

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" If the hon. Member would go to my room, I will show him extracts."

Police

'Alleged use of force by the Police on the Congress volunteers at Karaikudi on the 14th July 1935.

* 181 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that the Police used force on Congress volunteers at Karaikudi on 14th July 1935 when the latter were distributing pamphlets with a view to put a stop to gambling organized by the South Indian Show as part of the amusements;

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(b) whether any report has been submitted to the Government in this connexion; and

(c) if so, whether it will be placed on the table of this House?

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

(b) No.

(c) Does not arise.

Irrigation

Proposals, if any, regarding the Gundlakamma Project in the Guntur district.

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

(a) whether there are any proposals now before the Government about the Gundlakamma project in Guntur district;

(b) if so, what the estimated area to be irrigated is and what the taluks to be benefited are; and

(c) what the estimated revenue therefrom is and what rate they propose to charge for an acre?

A.—(a), (b) & (c) There is a proposal to form a reservoir at Thangirala and construct an anicut across the Gundlakamma river at Pedda Jammalamadugu for the irrigation of about 20,000 acres in the Ongole taluk of Guntur district. The consideration of the proposal is pending the results of gauging now going on. Till the results of the gauging are known, nothing definite can be said.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I ask when the gaugings for the Gundlakamma project in the Guntur district are likely to be completed? ”

The Hon. Mr. C. A. SOUTER:—“ Notice, Sir. I do not know.”

Mr. G. R. PREMAYYA:—“ May I ask when the gaugings were started? ”

The Hon. Mr. C. A. SOUTER:—“ I am informed about six years ago.”

Mr. G. R. PREMAYYA:—“ May I ask why the Government should take such a long time over these gaugings? ”

The Hon. Mr. C. A. SOUTER:—“ Mr. President, I hope you will permit me to give a general reply to a question like this. The fact is that some of the projects have been sanctioned in the past without adequate investigation into the rainfall and the amount of water that passes into the river and on that account had failed either partially or wholly. The Government now consider that before they undertake any project finally the hydrographic details of that project must be worked out completely.”

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Mr. G. R. PREMAYYA:—“ May I ask how much of money has been spent during the last six years on this gauging work? ”

The Hon. Mr. C. A. SOUTER:—“ Notice, Sir.”

S. M. K. BEYABANI SAHIB Bahadur:—“ May I ask whether any representations have been received from the people of Cumbum and Markapur taluks to the effect that irrigation projects must be undertaken in those taluks before any other project is undertaken by Government? ”

The Hon. Mr. C. A. SOUTER:—“ Does this arise out of this question, Sir? I thought question No. 182 related to the Gundlakamma project in the Guntur district.”

S. M. K. BEYABANI SAHIB Bahadur:—“ I am putting this question as the Gundlakamma river passes through Cumbum and Markapur taluks. Have the Government considered the desirability of undertaking projects in these taluks? ”

The Hon. Mr. C. A. SOUTER:—“ If the hon. Member desires that the Guntur project should be postponed to the Greek Kalends until we investigate what could be done in Markapur taluk, I do not think the Guntur ryots will welcome such a proposal.”

Mr. T. S. RAMASWAMI AYTAR:—“ May I ask whether this project is considered productive or protective? ”

The Hon. Mr. C. A. SOUTER:—“ My recollection is that it is a productive work. If the hon. Member really wishes to know it, I will find that out and let him know.”

S. M. K. BEYABANI SAHIB Bahadur:—“ What I submit is that in justice to the people of these two taluks, the Government should investigate the possibility of irrigation schemes in these two taluks before they undertake other schemes; for, once the Guntur project is finished, the people of Guntur will object to any other project in the upper reaches of the river.”

The Hon. Mr. C. A. SOUTER:—“ That, Sir, depends entirely on the amount of water available in the river. If there is sufficient water in the river and if it is found that a project is feasible in Markapur taluk, there is no reason why the Government should not investigate that too.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I ask whether it is a fact that in Markapur taluk the land levels are not suitable for any irrigation schemes? ”

The Hon. Mr. C. A. SOUTER:—“ I suppose so, Sir. That was one of the considerations which prevailed with the investigating officer.”

Mr. K. KOTI REDDI:—“ May I ask whether the Ceded Districts Irrigation Committee of 1926 did not say in their report that there was every possibility of irrigation projects being taken up in Markapur and Cumbum taluks? ”

The Hon. Mr. C. A. SOUTER:—“ Notice, Sir.”

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The Mopad project, Nellore district.

* 183 Q.—Khan Bahadur YAHYA ALI SAHIB Bahadur: Will the Hon. the Member for Revenue be pleased to state—

(a) whether any amount of the Famine Fund was utilized for the purpose of constructing the Mopad project in the Nellore district and whether it was taken up as a protective or a productive work;

(b) the total extent of acreage under first crop and second crop ever since the project came into existence;

(c) whether it is a fact that the project is not as satisfactory as it was expected and, if so, what the reasons are for the same; and

(d) whether any other proposal has been made and considered to supplement the supply to the area of the Mopad ayacut?

A.—(a) The project was taken up as a protective work and was financed from the Famine Insurance Fund.

(b)

Year.	First crop.	Second crop.	Total.
1921-22	1,559	489	2,048
1922-23	1,695	523	2,218
1923-24	2,540	886	3,426
1924-25	2,375	833	3,208
1925-26	4,950	1,368	6,318
1926-27	4,316	804	5,120
1927-28	3,678	1,057	4,735
1928-29	3,399	216	3,615
1929-30	3,408	522	3,930
1930-31	3,550	2,179	5,729
1931-32	4,896	415	5,311
1932-33	5,000	613	5,613
1933-34	3,204	458	3,662

(c) Yes. The main reasons for the non-development of irrigation are reported to be the great transverse fall of the country which necessitates in the areas already not brought under irrigation, a relatively greater expenditure on terracing and levelling of the fields and the limited quantity of water received in the reservoir in an average year.

(d) Yes. A scheme for constructing an anicut across the Pillaperu stream at a place about $3\frac{1}{2}$ miles above the aqueduct carrying the Mopad main channel and excavating a channel to carry 60 cusecs to supplement the supply in the Mopad main channel is under consideration. Gaugings of the supply available in the Pillaperu are in progress. Apart from this, orders have been issued to carry out the following works with a view to stimulate the growth of irrigation under the project:—

(1) Correct ayacut registers should be prepared and gauges should be fixed at the several headsluices, so that there may be a more correct system of water regulation;

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(2) the growth of nachu in the head reaches of the main channel should be cleared periodically; and

(3) the surplus weir should be raised to the designed ultimate level so as to secure an increased storage during years when it is available.

Land Revenue Administration*Provision of lands to ryots dispossessed of their holdings on account of the construction of the Mettur Dam.*

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

(a) what the extent is of land acquired for the purposes of Mettur Dam or other connected works in each of the villages in the Mettur area of Salem district;

(b) how many ryots have in each of such villages been deprived of their lands in this area by this process;

(c) of these, how many belonging to each of the said villages have been provided with lands for cultivation anywhere else; and

(d) in which place or places the refugees of each of such villages have been provided with lands, and what the extent of land granted in each of those places is?

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

Mr. K. A. NACHIYAPPA GOUNDER:—“ Sir, the answer given here is that the Government have no information but have called for a report. May I suggest that it would be convenient if the Government furnish such answer after the report is received? ”

The Hon. Mr. C. A. SOTTER:—“ If the hon. Member wishes the Government to keep quiet in a matter like this until the report is received, I have no objection. I thought as a matter of courtesy to the hon. Member who asked the question that we should tell him what we were doing. ”

Final orders of the Government in respect of the portion of land taxes suspended during the fasli 1344.

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

(a) what the Government propose to do with regard to the suspension of a portion of land taxes made during the fasli 1344;

(b) whether final orders have been passed in the matter, and, if so, whether a copy of it will be placed on the table; and

(c) if not, when and what orders are likely to be passed?

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A.—(a) & (c) The Government have decided not to collect the suspended revenue of fasli 1344.

(b) A copy of the order will be placed on the table of the House.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I ask the Hon. Member whether proposals have been considered by the Government to grant remissions for the current year simultaneously with the remission of the revenue suspended during last year? "

The Hon. Mr. C. A. SOUTER:—" No, Sir."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I ask whether the Government have communicated any proposals to the Collectors of the famine areas to write off the revenues for the current year? "

The Hon. Mr. C. A. SOUTER:—" Current year? No, Sir."

Enhancement of water-rate in the Cauvery irrigated area of the Salem district.

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

(a) whether representations have been received protesting against the enhancement of water-rate in the Cauvery irrigated area of Salem district by G.O. No. 736, Revenue, dated 12th April 1934;

(b) if so, from whom and whether copies of them will be placed on the table of the house;

(c) what action has been taken thereon and at what stage the matter now is;

(d) whether the legality of the Government for raising the water-rate under the Irrigation Cess Act is questioned in those representations; and

(e) if so, whether legal opinion was obtained in the matter, and whether a copy of it will be placed on the table?

A.—(a) Yes.

(b) A list of persons from whom representations have been received is attached *. No useful purpose will be served by placing copies of the representations on the table of the House.

(c) The Government have been awaiting a report from the Collector and the Board of Revenue on the representations sent through those authorities. The report has just been received and is under consideration.

(d) Yes.

(e) No.

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Mr. K. A. NACHIYAPPA GOUNDER:—" Part of clause (e) of the 11-15 question enquired whether legal opinion was obtained in the matter. The answer given is 'no.' May I ask, Sir, why the Government have not taken legal opinion? "

The Hon. Mr. C. A. SOUTER:—" The answer 'No' refers to the question whether a copy of the legal opinion will be placed on the table. It does not refer to the question whether legal opinion was obtained in the matter. I may personally inform the hon. Member that we have obtained legal opinion in the matter."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Will the hon. Member be pleased to state whether the Government will bring forward an Irrigation Bill and not enhance water-rate by executive orders? "

The Hon. Mr. C. A. SOUTER:—" That question does not arise; I do not quite follow the hon. Member."

Protest by the proprietor of Selur Estate, Salem district, against the levy of water-cess on paimash wet lands.

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

(a) whether representations have been made to the Government by the proprietor of Selur Estate in Namakkal taluk of Salem district in the matter of the proposed levy of water-cess on the paimash wet lands irrigated by the waters of Raja channel in his estate; and

(b) if so, whether a copy of it will be placed on the table together with the orders passed thereon?

A.—(a) Yes.

(b) The attention of the hon. Member is invited to the answer to clauses (b) and (c) of question No. 186.

Tasdik due to the Iswara temple at Badagakajekar village, Mangalore.

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

(a) whether it is a fact that the tasdik amount due to the Iswara temple of Badagakajekar village, Mangalore taluk, South Kanara district, has not been paid to the said temple for about the last 20 years owing to the minority of the trustee;

(b) whether the trustee Subraya Kikunnaya applied to the Collector for payment of the arrears and the future tasdik grant to him on behalf of the temple; if so, what became of the same; and

(c) what the nature is of the said grant to the said temple?

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

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Mr. U. C. SUBRAHMANYA BHATT:—" May I ask whether the Government have since called for the information? "

The Hon. Mr. C. A. SOUTER:—" We have not, Sir, for this reason. The payment of the amounts can be settled by the Collector and the Board of Revenue. If a claim for this amount is put forward in the ordinary way, the Revenue authorities are capable of passing orders thereon. There is no necessity for the Government to intervene at present."

Mr. U. C. SUBRAHMANYA BHATT:—" In view of the fact that a large number of cases have come to my notice where payments have been withheld and the amounts due to the temples are not being paid now, will the Government call for information on the point? "

The Hon. Mr. C. A. SOUTER:—" As I said, I see no reason for doing so. I may explain the position; while I was in the Board of Revenue, personally I knew that a considerable number of these cases did come up to the Board; the Collector of South Kanara recommended that the tasdik amounts which had been withheld for a certain number of years, should be granted to the temples. There is no reason at all to suppose that the Collector does not continue to pursue the same policy."

Public Service

Extension of the age concession granted to " Scheduled classes " to gazetted appointments also.

* 189 Q.—Mr. P. V. RAJAGOPAL PILLAI: Will the Hon. the Member for Revenue be pleased to state—

(a) why the concession of age limit of 26 years for technical appointments of " Scheduled classes " in Government service is not applied in the case of Gazetted appointments such as Deputy Superintendents of Police, Deputy Collectors, etc., and

(b) what the term " technical appointment " indicates?

A.—(a) The question of raising the age-limits generally in the case of minority communities is under consideration.

(b) Technical appointments are appointments for which candidates possessing technical qualifications, as distinguished from the ordinary general educational qualifications, are required.

Mr. M. DEVADASAN:—" With reference to answer (a), may I ask how long the matter has been engaging the consideration of the Government? "

The Hon. Mr. C. A. SOUTER:—" I think for about the past two months."

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Rao Sahib V. I. MUNISWAMI PILLAI:—" With reference to answer (a), is it not a fact that the Government have raised the age-limit for the depressed classes for all appointments, not only technical appointments? "

The Hon. Mr. C. A. SOUTER:—" The question refers to technical appointments and not to all appointments."

Mr. M. A. MANIKKAVELU NAYAKAR:—" With reference to answer (a), may I know which are the minority communities that are contemplated? "

The Hon. Mr. C. A. SOUTER:—" Muhammadans and Indian Christians, as far as I recollect; that is all I remember for the moment; if the hon. Member really wishes to know, I will let him know."

Mr. A. B. SHETTY:—" May I ask how the Government fix the age-limit for technical appointments for communities other than the minority communities? "

The Hon. Mr. C. A. SOUTER:—" I think it depends on the particular appointment; in case the Chief Engineer for Electricity asks for a certain man and proposes that in that case, the age should be so and so, the Government fix the age-limit; I do not think I can give an answer to that general question."

Mr. U. C. SUBRAHMANYA BHATT:—" May I ask whether Brahmans are included among the minority communities? "

The Hon. Mr. C. A. SOUTER:—" If we look at their numbers, they ought to be."

Commerce

Import of Siamese rice since 1st March 1935.

* 190 Q.—Mr. K. A. NACHYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(a) what the quantity is of Siamese rice imported into the ports of this Presidency in each of the fortnights since 1st March 1935; and

(b) what the rate of duty imposed on such rice now is and what the amount so far collected as duty on such rice is?

A.—(a) A statement * is attached.

(b) A duty of 12 annas per maund has been imposed on broken rice. The amount of duty collected up to the 15th July 1935, on Siamese broken rice is Rs. 5.

Mr. K. A. NACHYAPPA GOUNDER:—" May I know, Sir, whether the decrease in the import of Siam rice is due to levy of the duty or to any other cause? "

The Hon. Mr. G. T. H. BRACKEN:—" I am not aware of the actual cause; it may be that the imposition of the duty had some effect."

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Mr. C. BASU DEV:—"Regarding the question of import of rice from Siam, have the Government replied to a question in the Budget session thus: 'The quantity of rice produced was far below the quantity of rice required for consumption'? May I know how that deficit has been or is proposed to be made up now in this Province, now that imports have practically stopped?"

The Hon. Mr. G. T. H. BRACKEN:—"I believe there was considerable increase in imports just before the duty was imposed. They stopped perhaps as a result of the imposition of the duty. It is rather difficult to give any answer to the general question raised. I must ask for notice of the question."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Are the Government aware that after the imposition of duty on broken rice, the quantity of paddy imported has increased?"

The Hon. Mr. G. T. H. BRACKEN:—"Notice, Sir."

Mr. A. B. SHETTY:—"Will the Hon. Member be pleased to state whether the fall in the import of rice is due to failure of crops in Siam?"

The Hon. Mr. G. T. H. BRACKEN:—"I understand that the crops in Siam are not good; it is possible that it is a contributory cause."

Mr. T. S. RAMASWAMI AYYAR:—"May I know if the Government consider there is no need for imposition of duty on the import of paddy in addition to that on broken rice?"

The Hon. Mr. G. T. H. BRACKEN:—"I have to study the position. Before we know what the imports are, it will not be possible to come to any decision on that point."

Mr. P. V. KRISHNAYYA CHOUDARI:—"If the Government find that the import of paddy is great, are they prepared to recommend to the Government of India with regard to the action to be taken?"

The Hon. Mr. G. T. H. BRACKEN:—"The matter will be considered if the imports are found to be excessive."

Reforms

Delimitation of constituencies for the representation of the Europeans in the Legislatures under the Reforms.

* 191 Q.—Mr. J. A. DAVIS: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have asked the Madras Branch of the European Association whether the Presidency should be treated as one or three constituencies for returning the three European Members to the Assembly or Council; and

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(b) whether the Government propose to recommend that the Presidency be regarded as one constituency for the Assembly election and as more than one constituency for election to the Provincial Council?

A.—(a) Yes.

(b) The Government have not yet considered the question.

Agriculture

Scope for cotton cultivation in Nellore district.

* 192 Q.—Khan Bahadur YAHYA ALI SAHIB Bahadur: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that a large extent of black cotton soil or soil that is fit for raising cotton crop is available in portions of Kavali, Atmakur and Udayagiri taluks in the Nellore district; and

(b) whether any attempt has been made till now or is being made to investigate into the possibilities of growing cotton in that area?

A.—(a) A large extent of black soil exists in Kavali, Atmakur and Udayagiri taluks; but there is not much of typical black cotton soil fit for raising cotton. Most of the soils are inferior black soils. Moreover, the rainfall is either limited or erratic in these areas.

(b) Necessary investigation has been made this year regarding the possibilities of growing cotton. As it is expected that cotton as a rotation crop with jonna would be a profitable crop if sown in good black soils, arrangements have been made this year by the Agricultural Department in Udayagiri taluk to grow an improved strain of Cocanadas cotton. If results are encouraging arrangements will be made to extend the cotton area.

Mr. G. R. PREMAYYA:—"Answer (a) states that cotton cannot be grown in areas where rainfall is limited. May I know whether the Government will import other varieties from other countries and grow them where there is limited supply of water?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"We must know the result of the experiments that are being made."

Mr. K. KOTI REDDI:—"Will the Hon. Minister be pleased to state if there is not more than enough cotton in the world?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I cannot say."

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Excise

Sale of illicit arrack in Jammalamadugu, Cuddapah district.

* 193 Q.—Mr. T. NARASA REDDI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that illicit arrack is being sold in Jammalamadugu;

(b) whether the Excise department has taken any action to put down illicit distillation in Cuddapah district; and

(c) how many cases have been charged for illicit distillation in the year 1934 in Cuddapah district?

A.—(a) & (c) The Cuddapah district comprises the Cuddapah and Jammalamadugu Excise Circles. A statement * showing the number of cases of illicit distillation and kindred offences reported in each of these circles during 1933–34 and 1934–35 is attached. The statement gives also information as to the number of cases charged out of those reported.

(b) One of the principal duties of the Excise staff is the prevention and detection of offences against the Abkari laws. The Government have recently strengthened the Excise staff in the Cuddapah district with a view to check the development of illicit distillation.

Industries

Glass factories in the Province.

* 194 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) how many glass factories there are in this Province, and where they are situated;

(b) when the Glass Factory at or near Madras was started;

(c) whether it has been a success; and

(d) whether a survey has been made in his Province to ascertain the possibilities of manufacturing glass in other places?

A.—(a) One; at Tiruvottiyur.

(b) In 1933.

(c) The Government cannot say.

(d) The hon. Member is referred to the answer given to clause (d) of the question No. 646 answered in the Council on 20th February 1935.

* Printed as Appendix III on page 549 infra.

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Mr. T. S. RAMASWAMI AYYAR:—“ May I know if the Government have any intention of starting a glass factory themselves in Madras? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ No, Sir.”

Mr. T. S. RAMASWAMI AYYAR:—“ Have the Government spent any money on the improvement of industries in this Presidency? I see only a very small amount has been provided for expenditure under the Industrial Loans Act during the current year.”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ This question relates to glass manufacture.”

Mr. M. DEVADASAN:—“ With reference to answer (d), may I know what the purport of the answer was that was given to question No. 646? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ That was a question put by the hon. Member himself. I believe he has seen the answer.”

Mr. A. B. SHETTY:—“ Will the Hon. Minister be pleased to state whether the Government have made any attempts to start glass factories themselves or to encourage the starting of such factories by the people? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ No applications, I think, have so far been received by the Government. If applications are received and if they satisfy the conditions, the matter will be considered.”

Mr. BASHEER AHMED SAYEED:—“ Will the Government consider the advisability of instituting a further technical scholarship in glass training? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ One has been instituted already and applications are invited.”

Mr. ABDUL HAMEED KHAN:—“ May I know what exactly is the kind of encouragement the Government have given to the existing glass industry? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ As far as I can recollect, I do not think the glass industry applied for any help.”

Mr. T. S. RAMASWAMI AYYAR:—“ May I ask whether the Government have done any propaganda work with regard to important industries, instead of waiting for applications from people? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Does my hon. Friend mean that we should go about searching for applicants? ”

Mr. T. S. RAMASWAMI AYYAR:—“ May I know if the Hon. Minister is aware that the Mysore Government have started a sugar factory on their own initiative? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I have no information about it.”

Mr. A. B. SHETTY:—“ Will the Hon. Minister be pleased to state whether the Government themselves would take the initiative and start

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a model glass factory as they did in the case of the soap factory at Calicut?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not think the conditions in this Presidency are suitable for glass manufacture."

Mr. P. V. KRISHNAYYA CHOUDARI:—"What are the reasons for reservation of one scholarship for the West Coast?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The gentleman who gave the endowment, a European I.C.S. officer, has made it a condition that it must go to a West Coast student."

Mr. U. C. SUBRAHMANYA BHATT:—"Should West Coast not have a place at all in this matter?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"He may address the question to Mr. Krishnayya Choudari."

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

II.—A BILL TO AMEND THE MADRAS CITY MUNICIPAL ACT, 1919, FOR CERTAIN PURPOSES (BILL No. 11 OF 1934)—cont.

Clause 44—cont.

* The Hon. the PRESIDENT:—"The consideration of the City Municipal Act Amending Bill will be resumed. Clause 3, sub-clause (5), is for the consideration of the House. We will go on with clause 3 and we will take up clause 44 later on."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I have given notice of an amendment to clause 44 and you were pleased to ask me to move it; I shall move it now."

* The Hon. the PRESIDENT:—"I am sure the hon. Member's amendment will not escape the notice of the House. The other day the understanding was that clause 3 should be taken up first."

Mr. M. A. MUTHIAH CHETTIYAR:—"I think the consideration of clause 4 regarding the constitution of the Council and of the clause relating to franchise was adjourned to to-morrow. Some of us have not thought over clauses 4 and 5 and given notice of amendments on the understanding the other day that we should go on with clause 44 and the following clauses."

* The Hon. the PRESIDENT:—"That was not the impression I gained."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, as far as I remember, no time-limit was fixed; it was considered that a day or two would be necessary to discuss various details. Some of the Members of this Council who suggested the adjournment of clause 4 have not made any proposals to me so far. There has been no real benefit by the adjournment of the consideration of this clause regarding the constitution of

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the Council. As far as the Government are concerned, they do not propose to amend the clause as passed by the Select Committee. We are only awaiting the suggestions of hon. Members of this House; we are expecting amendments from the European group also. I have not so far received any suggestions about the constitution of the Council."

* The Hon. the PRESIDENT:—"Is it the idea of the Hon. Minister that the consideration of clause 4 should be further postponed so that suggestions might be received by him?"

* The Hon. Sir the RAJA OF BOBBILI:—"If hon. Members have any definite proposals to make, I have no objection to give them sufficient time to bring them forward. I may inform hon. Members that to-day will be the last day to be devoted to the consideration of this Bill."

* The Hon. the PRESIDENT:—"Then I take it that the House is ready to continue the discussion on clause 44." 11-30 a.m.

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, my amendment is that a small committee may be constituted with the Mayor, the Commissioner and three councillors to function in the place of the council in regard to the making of appointments. I have already explained my reasons the other day. My idea is that instead of allowing the whole council of 60 or 70 councillors to be canvassed by any officer to be appointed, which will be a very inconvenient thing and by which efficiency also will be affected to a very great extent, we can easily have a small committee to attend to this work. My amendment applies, Sir, to sections 86 and 87 also, but I move it now to section 85 only."

* The Hon. the PRESIDENT:—"I do not know what the hon. Member has done just now; has he moved his amendment?"

Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I move my amendment which runs thus—"

'In section 85 (1), for the words "the Council," the words, "a committee consisting of the Mayor, the Commissioner and three councillors elected by the council" shall be substituted.'

"My idea is that a small committee like this should appoint executive officers who are responsible officers of the Corporation and heads of departments. If, on the other hand, the council itself is to appoint the officers, there will be undue influences of various kinds. The other day in the case of the District Municipalities Act, we approved the constitution of a small committee to make appointments carrying a salary of over Rs. 50 in each municipality. At present the Commissioner of the Corporation can only give his advice in respect of any appointment which the council has to make, but he cannot exercise any power of voting. The constitution of a small committee, as I suggest, including the Commissioner, will enable him to have a greater voice in the appointment of these officers. I therefore appeal to the House and to the members of the Corporation who are here, to accept

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my amendment and thereby facilitate the administration of the Corporation."

* Mr. C. BASU DEV:—"Sir, I second the motion. I do not think I need add any further arguments to the exhaustive speech of my hon. Friend, Mr. Choudari. His amendment is a very salutary provision, and I hope the House will give it its unanimous support."

* Mr. D. M. REID:—"Mr. President, Sir, I hope the House will bear with me for a while and show me some indulgence while I am speaking for the first time in this House. Sir, this question is a matter which, I think, goes very much to the heart of all those in this House who have been members of the Corporation for a number of years, during which I have myself been there. I do not think it is really in any sense a contentious amendment, but it is one intended purely to lead to the smooth working of the Corporation. In my experience, Sir, of a number of years, and I think of a large number of members, the simplest way is to have a preliminary discussion—as the Mayor will know—then to form a small committee to consider all the applications to these posts and ask it to make its recommendations to the council. I have found, Sir, in the past that that system has worked very smoothly. In due course the whole question has to be considered by the council, and though some of us may consider that some of the appointments have not been the best, eventually I think those appointments have proved satisfactory. And speaking for myself, I cannot see any reason why we should alter the Bill as it is. I take it that the members of the council of the Corporation do feel definitely that we should have a say in the matter of these appointments, particularly those relating to the more important officers. They are all officers who are responsible to the members of the council from day to day for the efficient running of the Corporation, and I think we should consider seriously the views of the councillors of the Corporation and those who will be in the new council of the Corporation when it comes into being. I am sure that they will be almost unanimous in wishing to retain this power. The reasons given by my friend, Mr. Krishnayya Choudari, no doubt show his anxiety for the smooth working of the Corporation, but I do not think many of us who are here will feel so anxious about it. I do hope, Sir, that the amendment will not be supported by this House."

Mr. ABDUL HAMEED KHAN:—"I am very sorry, Sir, I cannot agree with my friend, Mr. Choudari, in regard to this amendment. Some of us who have been in the Corporation for some time know how well the administration has been carried on with the existing provisions of the Act, giving power to the council to make appointments of the more important officers. No doubt sometimes one feels anxious to get rid of the bother of having to select one officer as against another; but we have to deal with such situations daily in our life, more especially in public life. Merely because we have to select one person in preference to another in making an appointment, we should not run away from

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the responsibility that devolves upon us as public men belonging to a particular institution. As Mr. Reid has observed, we have made appointments of officers of the Corporation whose work has been found to be satisfactory. No case has so far arisen for handing over the responsibility of making these appointments to a small committee. My friend Mr. Choudari cannot compare the Madras Corporation with the municipalities and try to impose on the Corporation all the provisions of the District Municipalities Act; for the conditions are very different. Such being the case, the present practice is the best and the most sound. The councillors should continue to have the right of choosing their own officers. If it was possible, some of us would have even asked the Government to entrust the council with the appointment of the Chief Executive Officer also; but for reasons which have weighed with us for the present, we have not come forward with such a suggestion. When the appointment of the Commissioner himself is made by the Government, I do not see any necessity for divesting the City council of the powers which it has been enjoying all these years."

Mr. M. A. MUTHIAH CHETTIYAR:—"Mr. President, Sir, the question of appointments is always a very contentious one, and generally we like to exercise patronage. The moment this power is handed over to a committee, the complaint will start from the other councillors that favouritism has taken place in regard to the recommendation of the committee."

"As regards the practice that has been in vogue in the Corporation, I may say there are only a few appointments which come up before the council, such as the Revenue Officer, the Health Officer and the Engineer who are heads of different departments. In those cases too, the Commissioner has got a say in the matter. He puts up his recommendation and it is considered by the council. Sir, the other day when this House considered the question of the power of appointments under the District Municipalities Act, we decided that a committee should be appointed by the council to go into such questions. I think it is a very wrong step that has been taken; and I have no doubt that experience will show that the committee will become a small oligarchy and the council itself will have to pass resolutions requesting the Government to rescind that section of the District Municipalities Act. In regard to these high appointments, I think it is good to have officers who have the confidence of the entire council instead of the confidence of a small body of members elected by the council. It is in that light, Sir, that this question should be gone into. No doubt it may be said: 'There are fifty councillors; why should all of them be seen by the officers?' I would like that these officers do not see the councillors, but it cannot be helped in certain cases. Some of the officers do see the councillors; but I do not see there is anything very wrong in their presenting their case before the councillors if they think they ought to do so; otherwise they may feel that their case goes by default. I may say that so far the Corporation has not had any great difficulty

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with regard to the appointment of these officers by the Council, and I would therefore request my hon. Friend, Mr. Krishnayya Choudari, to withdraw his amendment."

Mr. R. MADANAGOPAL NAYUDU:—"Sir, I am also against this provision. I am sorry that my friend, Mr. Krishnayya Choudari, who is very democratic in his views has become somewhat anti-democratic in regard to this matter. Instead of having the power vested in 65 councillors for making these appointments, he wants that it should be concentrated in the hands of five people. His argument about 'undue influences' coming up applies with greater force in the case of a committee of five members. If out of the five people three are in favour of a particular officer, they will command greater respect from that officer, while it is not so in the case of a council of 65 members making the appointment, by a majority of at least 33. Further, as was pointed out by the Mayor just now, the opinion of the Commissioner is given out in the open Council. Generally in regard to these appointments, the Council goes into committee, discusses the matter as thoroughly as possible and every one of the councillors has got his right to choose and say 'aye' or 'no'. The selection of the candidate also is made by ballot which is secret, and there would not be that danger which my friend, Mr. Krishnayya Choudari, was referring to. As has been pointed out by Mr. Reid, the one satisfaction of all the councillors will be that they have had a hand in the selection of important officers. It generally happens that we promote the person who is an assistant officer to the officer's post and there will be a lot of difficulty if you leave the matter in the hands of a small committee. Again, as pointed out by Mr. Reid, on previous occasions when special committees were appointed to make recommendations in this behalf, the final decision always rested with the council. The proposal which has been put forward is not agreeable, I think, to the several members of the Corporation who are here, and I therefore take it that the House will respect their wishes and see that this power is not placed in the hands of a small committee of 5 members as against the 65 members of the Corporation who will exercise their votes in the matter."

11-45 a.m. Mr. K. KOTI REDDI:—"Mr. President, Sir, may I take this opportunity to give my experience in regard to this matter of appointments? I always found that the selection of officers by a small committee leads to very dangerous consequences. I would rather trust one man than a committee as the authority for making such appointments. What happens generally is this. There is a small committee of five people and they have to make appointments, say four or five; and these four or five appointments may not come all at one and the same time, but will come at intervals. In the matter of these appointments what generally happens is that one man in the committee has his own favourite, so also the other members of the committee have their own favourites. What they say to one another is: 'I do not object to your man and you do not object to my man.' This is what is going on in the matter of

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these appointments. If, therefore, the question of appointment is left entirely in charge of one person, it will be always good, but if a committee, consisting of some persons are going to select persons for appointment, it is not possible and they won't come to any agreement. Here, I would like to give an example from my own experience for the benefit of the House. There was a Council consisting of very respectable persons entrusted with the task of appointing about five or six people. It was a matter concerning an educational institution. I know, one of the candidates had very high academic qualifications for the post and he did not care to see the members of the Council which was a big one, because the candidate thought that his academic qualifications ought to be enough recommendation. What really happened was, that though everybody said that the particular candidate's qualifications were very good, unfortunately as things happen in this world, a particular gentleman who had a lot of influence with the Council got the place. Everyday it is happening like this. So, I believe, though it looks as if entrusting this power to a small committee may be a very good thing, in actual practice I am afraid it will lead to serious consequences. I would not mind if the whole thing is entrusted to one man, for instance the Mayor or the Executive Officer. But, since the Council wants the power of appointing officers for itself, I would rather prefer the Council to a committee. In spite of the very good reasons advanced by my hon. Friend, in actual practice, I am afraid, it would be much better to have some practical arrangement by which appointments are made. As it is, between the two proposals, I have no objection to the provision as it is in the Bill."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, my hon. Friend, Mr. Reid, told us that already there is a practice in the Corporation to appoint a small committee to go into the question of appointments. What I want in my amendment is to legalise such a practice. I never meant that the present Corporation is doing anything wrong, but I only said that it would be a good thing if they had a small committee for all practical purposes. It is on this principle that even the Government have constituted the Madras Services Commission so far as appointments under Government are concerned. Since we do not want that appointments in the Corporation should be made by the Services Commission, because it will lead to a lot of trouble, I have suggested that a committee of the Corporation be constituted for the purpose of appointing their own officers, that is, heads of departments under the Corporation. In regard to other smaller appointments, of course the Chief Executive Officer of the Corporation will do. But as the members of the Corporation who are members of this Council feel that their power of appointment will be taken away from the Corporation by this amendment, they oppose the amendment; I also see that other members of this Council are not supporting my amendment, I am prepared to withdraw my amendment, Sir."

The amendment was, by leave, withdrawn.

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* Mrs. A. RUKMANI LAKSHMIPATHI:—" Mr. President, Sir, I move
'That in clause 44, section 85, proviso (a) be omitted altogether.'

"The proviso in section 85, reads thus: 'Every such appointment shall be subject to confirmation by the Governor-in-Council.' My objection to the retention of this proviso in the Act is this, that since the Council will be in a position to know its own finances, it must have the power to make its own appointments of health officers, engineers and revenue officers and so forth. I do not see any reason why Government should interfere at every step with the autonomous powers of the Corporation of Madras. The Council of the Corporation knows how best to serve the interests of the rate-payers. A few minutes ago, there was a discussion regarding the amendment brought in by my hon. Friend, Mr. Krishnayya Choudari, to section 85, to the effect that in the place of the Council a committee might be substituted; and there was a discussion as to whether the Council or a committee should have the power to appoint officers like health officer, engineer and revenue officer, and many of the members on this side of the House spoke in favour of the Council having the power to appoint its own officers and said that the section should stand as it is. Therefore, in moving this amendment, I am of opinion that the Council should have the power to appoint its own officers and that the final authority should rest with the Council itself and that the Government should not interfere with the autonomous powers of the Council."

Mr. P. RATNAVELU THEVAR:—"I second it, Sir."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, in this clause really no change is made. At present, there is a provision that the appointments of heads of departments should be confirmed by the Governor-in-Council. We substituted 'Local Government' for the words 'Governor-in-Council.'—I may also state, if there is any misapprehension in the minds of the members of the House, that the power of appointment lies with the Council and will continue to be so and I do not see any objection to giving the ultimate power to Local Government to confirm such appointments. The hon. the Mover of the amendment, in making her speech, has not given any reasons showing that this section has not worked smoothly or that it has created any friction. I always feel in the matter of local boards, more especially when we are about to have an autonomous Government in the province, that the Local Government should have the ultimate control in certain matters and it will not be in the public interests to set up bodies independent of the Government. Therefore, I have to oppose this amendment."

Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, Sir, I have nothing to say in reply to what the Hon. the Chief Minister has stated, except that I wish to bring home to him the fact that conflicts may arise between the Government and the Corporation over the appointment of these officers."

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The amendment was put and lost.

* Diwan Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I move that in clause 44, section 85, in clause (c) (as amended by the Select Committee), for 'two hundred and fifty rupees' the words 'four hundred rupees' be substituted. Sir, when in the beginning compulsory education was instituted in the Corporation of Madras, there were only 17 schools with 465 teachers and 15,045 pupils; and the total expenditure on education was Rs. 2,54,236. Now, there are 135 schools, 34,700 pupils and 1,200 teachers. Consequently, the duty of the Educational Officer has enormously increased. So, Sir, we should pay him according to his work. Moreover, Sir, in those days we were satisfied with a Deputy Inspector of Schools for supervising the work of the department. Now, that we have got our high school departments in addition to the elementary schools, etc., there is enormous work thrown on the Educational Officer. So, we want a gentleman to supervise both the high schools and other schools and he must be above the grade of a Deputy Inspector of Schools. The present officer seems to be a very able man and if you do not give him sufficient attraction, he will revert to his original appointment under Government. So, not only to this person, but also to others who may take his place in future, in order to give some encouragement to enable them to stick on to the post and to improve the educational system in the Corporation, we ought to pay them more. When other officers of the Corporation are given sufficient pay, why not this officer also who has to develop the character of the school children and give proper education to them, be paid a decent salary. I therefore suggest that he may be paid Rs. 400 to start with and go up to Rs. 800. With these few words, I request the Council to agree to Rs. 400 as the initial pay of the Educational Officer of the Corporation of Madras."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I second the motion. I have also given notice of a similar amendment and I am glad that my hon. Friend, Dr. Natesa Mudaliyar, has moved it. That, I am sure, shows that the amendment is acceptable to the party to which he belongs. I hope that the whole House will support the amendment. The arguments advanced by the mover himself will convince hon. Members of this House that there should not be any invidious distinction between one departmental head of the Corporation and another. Sir, we have the Electrical Engineer, the Health Officer and the Educational Officer, each officer being the head of the respective department of the Corporation. But, Sir, we are starting the other officers on a salary of Rs. 400 and Rs. 500 each according to the amendment proposed by the Select Committee, whereas we are relegating the Educational Officer, each officer being the head of the respective officers in respect of pay. We have the Assistant Health Officer and the Assistant Revenue Officer who are in receipt of a pay of Rs. 250 and more. This is the point that I wish to advance in favour of my amendment."

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"The other point is that the work of the Education Officer has not only increased but, as we intend to make the Corporation schools models for the other schools run by private and local bodies both in the City and in the mufassal, the standard of education that obtains in the Corporation schools is much higher than that obtaining in other schools. Therefore it is very necessary that we should have at the head of this department a person who is not only highly qualified but also has sufficient experience in order to maintain and even improve the standard of education. It is quite possible that we may be able to get a gentleman from the Government Educational Department or an independent educationist for the salary that is proposed but a gentleman of that qualification and experience will not do for the purpose. We have had experience in the past of persons possessing degrees, both Indian and European, but they were lacking in the experience and mature judgment which are indispensable for administering the Educational Department. It is very necessary that we should have a gentleman who has attained a certain standard not only in status but also in educational acquirements generally. Only by raising the pay attached to the post of this officer, we can get officers of that standing and status which is so very essential. It is on that account also, Sir, that I support the amendment. I expect that hon. Members of this House will realize that it is necessary not only in the interests of education but also to ensure the smooth running of the administration of the Corporation."

* The Hon. the PRESIDENT:—"Mr. Krishnayya Choudari may move the amendment standing in his name, so that both the amendments may be discussed and disposed of."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I move my amendment—

'For clause (c), substitute the following:—

"(c) the monthly salary of an educational officer shall not be less than Rs. 200 and shall not exceed Rs. 500."

"The reasons for moving the amendment are these. (Mr. Abdul Hameed Khan: 'Mufassal mentality.') I shall presently explain whether it is a city or mufassal mentality. I hope he will have some patience. I am sorry that I have to oppose the amendment of my hon. Friend, representing the City, Dr. Natesa Mudaliyar. I admit that the Corporation can afford to start its officers on even Rs. 800 or Rs. 1,000; but the object of my amendment is to place the Educational Officer of the Corporation of Madras on a par with officers of the Madras Government Educational Service from which cadre he is generally drawn. After all, the Corporation Elementary Education Fund is about two lakhs. (An hon. Member: '11 lakhs.') They are spending from 10 to 11 lakhs of rupees. In some district boards, for instance in

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Guntur, we are spending an equivalent sum. The Elementary Education Fund is nearly Rs. 10 lakhs. (An hon. Member: 'It may be five lakhs.') My hon. Friend will believe me when I say that by saying that it is nearly 10 lakhs I never meant to magnify 5 lakhs to such an extent. It may be 8 or 9 lakhs. That apart, Sir, there are about 1,800 schools to be run and in addition to that he has to attend to several other things. We have got only a Deputy Inspector of Schools selected by the President from the panel. When the Government have considered that for a district such an officer will be enough, I do not know the reason why an officer of superior status is sought to be imposed on the Corporation. If, on the ground of its being a premier institution, they want to have the post on a definite scale, let them have it on the scales of pay applicable to the Madras Junior Educational Service. We were having such a service before; but Government have recently abolished the cadre and have brought them in the new scale of Rs. 200 to Rs. 500 from Rs. 500 to Rs. 700. That is the pay which the Madras Government is giving for the Educational Officers who are in charge of districts. There is also this thing. The Government Educational Officer has got the power to inspect the work of the Corporation Educational Officer. I think it will be anomalous that the inspecting officer's pay should be lower than that of the other officer. Whatever proposals the Corporation Educational Officer may make has to be approved by the Government Educational Officer.

"Another thing is that, such officer as is selected for appointment in the Corporation will gain an advantage over his confreres who are in the particular service from which he has been chosen. I may not be understood to cast any reflection on the efficiency of the present Educational Officer of the Corporation when I say that he comes from the cadre of the Deputy Inspectors of Schools and if you are suddenly going to put him on a pay of Rs. 400, it will not be desirable; for it will seem unfair that he alone should get this pay while his brother officers in that cadre are getting Rs. 200 or Rs. 300. That is why I think the Government have laid down that in such cases only 25 per cent of the pay should be the addition the individual officer selected should draw. The maximum that the Madras Government Officer can reach is Rs. 700 but there may be some who will not go beyond Rs. 500, on account of the efficiency bar. My principal objection to the amendment moved by my hon. Friend is that the amendment does not seek to bring the pay of the Educational Officer of the Corporation in conformity with the pay obtaining in Government.

"I have been referring to the new scales of pay. I hope I am right. But if there is any doubt, I will request the Hon. Minister to verify it. I do not want to be understood as standing in the way of the Corporation distributing its money in the way it pleases. My point is that there should be uniformity between the pay you are proposing for the Educational Officer and that of the other officers doing similar duties under local boards and Government." No favouritism ought to be shown

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by the Corporation in this matter and the Corporation ought not to be allowed to select a particular officer and put him on a scale of pay far higher than that of the other members of his cadre. It seems undesirable. I honestly feel that my amendment embodies a correct view of the case and I appeal to the hon. Members opposite to support it. I also expect that the Government will see that the public moneys are spent more economically and properly and are utilized in a manner productive of public good."

The motion was duly seconded.

* Mr. C. BASU DEV:—"Mr. President, Sir, if money is any measure of values of things in this world and it is a measure of most commodities, it is indeed sad to note the mentality behind the amendment which has been tabled now and the clause as it stands. From the amendment and from the clause we find what importance is being attached to the Department of Education. Other Officers, the Electrical Engineer, and the Health Officer, etc., start on a salary of Rs. 500 but the Educational Officer's minimum is Rs. 250 in other words he is half as important as the others.

"I was very much amused to hear my hon. Friend, Mr. Hameed Khan, laying the flattering unction to his heart that the quality of education in the Corporation is certainly higher than that imparted in schools in the mufassal. Whatever be the superiority that is claimed by Mr. Hameed Khan for the education in the Corporation schools, I wish to tell him and his brother corporators that it is absolutely unsatisfactory and deplorable. There is no parent and guardian who, if he can afford the fee even with the greatest difficulty, will send his child to a Corporation school. Such is the condition of Corporation education, for which my friend claims superiority. None but the poorest would send their children to these wretched institutions which are called by the dignified appellation of schools. (Interruption.) Hon. Members may question; but I am entitled to have and express my view on the quality of education, a view which is shared by 99 per cent of the parents and guardians in this City. Unless a new orientation is given to the educational activity of the Corporation, I think there is absolutely no use of spending huge sums of money on it. If you want the education of the Corporation to be effective and useful you will have to get officers with fresh ideas about education, and give them unfettered freedom to proceed with their programme. I do not know much about the present Educational Officer and what little I know is to his credit. But my point is that unless you offer good salary, men of the right type will not be attracted to the post and without the proper man, your education will not be worth anything. The amendment seeks to do some justice to the Educational Department and I have therefore great pleasure in supporting the amendment moved by my esteemed friend, Dr. Natesa Mudaliyar."

Khan Bahadur JAVAD HUSSAIN KHAN SAHIB Bahadur:—"Mr. President, I rise not to say very much about the question of the starting

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pay but to controvert the statement made by my hon. Friend, Mr. Basu Dev, and declare that the quality of education imparted by the Corporation of Madras is not in any way wretched."

Mr. P. V. KRISHNAYYA CHOUDARI:—"On a point of order, Sir. If the Expert Member is not speaking on the amendment, might I ask whether he is in order in dealing with other matters?"

* The Hon. the PRESIDENT:—"I am afraid that the enthusiasm of Mr. Krishnayya Choudari is misplaced, because the hon. Special Member is trying to answer the points raised in the debate by Mr. Basu Dev. He is therefore, perfectly in order."

Khan Bahadur JAVAD HUSSAIN KHAN SAHIB Bahadur:—"Mr. President, Sir, as I have said, the statement of Mr. Basu Dev is very deplorable. It is a serious statement to make, and the lighthearted manner in which he has made the statement calls for condemnation."

Mr. C. BASU DEV:—"On a point of explanation, Sir. It is no lighthearted statement that I made. I made it with a full sense of responsibility."

Khan Bahadur JAVAD HUSSAIN KHAN SAHIB Bahadur:—"He has made it without giving facts and figures, and that means it has been made in a lighthearted manner. I can quite understand if the hon. Member puts forward facts and figures and then compares or contrasts those facts and figures relating to the Corporation with those of some other schools. And then if he gives the opinion that the education imparted is rotten, I would be prepared to accept such a statement. On the other hand, to get up in a place like this and make a wild statement to the effect that the education imparted in the Corporation schools is rotten is a very serious matter, and I hope Mr. Basu Dev will see the impropriety of the statement made by him without any substantial reasons at all and withdraw it."

* Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, I heard with interest the remarks made by my hon. Friend from Guntur, Mr. Krishnayya Choudari. There is some point, Sir, in saying that the grades of salary of officers employed in the Corporation ought to be on the same lines as the grades of salary offered by the Government. But the analogy will have to stop there. I do not think in the existing conditions it is expedient or wise that we should carry the analogy any further. Sir, my hon. Friend insisted that the salary of the Educational Officer should be on the lower scale of Rs. 200 to Rs. 500 without the further selection grade or whatever it be, which would carry the man up to Rs. 700 or Rs. 800. Sir, the new grades of salaries that have been instituted by Government were introduced only the other day. Hardly two or three years have elapsed, and we have yet to find out what exactly would be the kind of men that would be recruited under the new grades instituted so recently. I might say, having experience of one or two big Universities and also of what I learn from the Government of the selections made by them, that we find tremendous difficulty

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in securing suitable men on such a low scale of salary. In the Annamalai University, we have reduced the scales of salaries following the Government scales instituted in 1931 or 1932. We have to our experience learnt that it is very difficult to get competent men who come up to the standard of education that we require to be imparted in the University. Similar is the case with regard to institutions maintained by the Government or by private managements. The other day the Government advertised for filling up the post of a Superintendent of a Muhammadan High School. The salary offered by the Government for the post was Rs. 200 to Rs. 500, and it was found tremendously difficult to get a competent and experienced Muhammadan woman in the Province for the post because nobody was forthcoming to accept that pittance of Rs. 200. For instance, we do not find Muslim women in this Presidency to take up those posts, on small salaries and if any competent women are available, they are just now to be found outside this Presidency. But they are not willing to come down here for this Rs. 200 leaving their own places and homes where they possess vested interests. That being the case, we have yet to gain experience as to how exactly the new grades of salary would react in the matter of recruitment to posts to which those salaries are attached. It is no use saying that these scales should be adopted blindfolded. On the other hand, there are two valid arguments advanced by the hon. Mover of the amendment, and one of them is that the duties of the Educational Officer in the Corporation are far more onerous than those of any other officer who might occupy the post of a Deputy Inspector of Schools under the Government or those of any other professor or lecturer in a Government college. The duties of the Corporation Educational Officer are certainly far more onerous and more responsible than those of officers of the same grade in Government service. Even otherwise one advantage in having a higher grade of salary rising from Rs. 400 to Rs. 800 is that we can choose for the Corporation from among the best men in Government service and especially from those persons who have put in long service and gained much experience. If we have a higher scale than what is obtaining in the Government, then alone will it facilitate our recruiting men who have experience both administrative and educational. That is one reason why we want to fix the salary at Rs. 400 instead of at Rs. 250 as has been fixed in the Amending Bill.

"Then, Sir, there is another reason which we have to bear in mind. There are other officers in the Corporation, who are heads of departments like the Revenue Officer, the Engineer and the Health Officer, all drawing decent salaries starting from Rs. 400 or Rs. 500. If we are giving those officers a starting salary of Rs. 400 or Rs. 500, it stands to reason that for a man who is in charge of all educational matters and who is of equal rank with the other officers there should be no discrimination made in salary, so as not to create any heartburning amongst the officers employed by the same management like the Corporation. On that ground also, it is but fair that we should put this officer on

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the same footing as the other officers employed by the Corporation and appointed by the Council. For these reasons, it is necessary that we ought to increase the minimum of the scale as is now proposed.

"Sir, Mr. Basu Dev went out of his way when he spoke and it was very difficult for me to find out what exactly he was aiming at. When he came to the real issue, he burked it, and went on making at random some remarks about the quality of education obtaining in the City of Madras so far as it relates to the Corporation Schools. I may at once say that Mr. Basu Dev's statement cannot be borne out by facts. If he still thinks there is any substratum of truth in it, I would challenge him to show as to on how many occasions he has reported to the Commissioner or to the Educational Officer about the 'wretchedness' of the education that is imparted to the children, or to show on how many occasions he has brought to the notice of the Corporation Mayor or Council or the head of the Executive or any other person the defects in the system of education or the quality of education that he says has been unsatisfactory. It would have been better if he had not indulged himself in such irresponsible remarks. He said those institutions were wretched ones. I must say that there is no purpose served in blurting out words in ignorance of the real state of affairs. If he has not himself taken any steps to find out whether there was anything really wrong in the quality of education, then what right has he to speak in such a strain? As a responsible man, posing to be the leader of the labouring classes whose children, boys and girls, resort to these Corporation Schools in large numbers, I am sorry that he should have made such a statement, I do not want to characterize it any further. On the other hand, I request him to be more moderate in language.

"Therefore, Sir, the demand made in the first amendment is a very reasonable one and it is expedient that we should accept it considering the position of an officer like the Educational Officer of the Corporation of Madras."

* Sir A. P. PATRO:—"Sir, I had absolutely no idea of taking part in this discussion which it seemed to me was left to the four or five Members representing the Corporation to settle the amendments among themselves. But for the remarks which have fallen from the Expert Member, the Executive Officer of the Corporation, I should not have risen to explain certain matters. I am afraid his indignation against the Hon. Member who said that elementary education in the Corporation Schools is not what it ought to be, is not quite righteous, and the matter is one which requires considerable attention. The Hon. Expert Member asked Mr. Basu Dev for facts and figures and another Hon. Member representing South Arcot (Mr. Basheer Ahmed Sayeed: South Central Muslim Constituency), some municipal constituency (laughter), asked Mr. Basu Dev, 'How many complaints have you made to the Commissioner of the Corporation that things have not been properly going on; have you inspected any school and made a report?' These

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are questions, Sir, I am accustomed to from the Treasury Benches; for instance, whenever my Hon. Friends on the Treasury Bench are answering questions, the reply comes, 'We have not received any complaints' or 'We have no information' or 'We have received no petitions.' The position sometimes taken by them is one of very great irresponsibility to this House. So also the position taken by the Hon. Member, Mr. Basheer Sayeed is a very pitiable sight to see. Except asking his hon. Colleague who wants to point out the defects in the education imparted in Corporation schools for facts and figures, he has not given any convincing answer. At the same time, if he only studies the reports of the District Educational Council and compares the statistics given there of expenditure that is incurred by the Corporation for the maintenance of schools with the grants given for grant-in-aid schools, and if he only compares the cost per pupil in the Corporation with that in the aided schools, he can at once see that no further facts or arguments are necessary to show that the vast amount of expenditure on Corporation Schools is not worth the education that is given in those schools. Moreover the standard is so low that boys from Corporation Schools are not freely taken into secondary schools. The cost per pupil in the Corporation Schools is so very high in comparison with the cost of maintaining a pupil in aided schools. He asks for facts and figures. Look into the reports of the Society of Aided institutions. These are facts. The facts and figures published in their report show that educational matters in the Corporation are not as well as they ought to be. The results of compulsion is another matter but I would refrain from going into that matter.

"Then, as regards the scale of salaries, the hon. Member from Guntur, Mr. Krishnayya Choudari, rightly laid down a principle, that the standard of salary should be as far as possible on the scale that is prevailing in Government service. The District Educational Officer who is in charge of a whole district, has got to inspect about 15 to 20 per cent of the schools in the district in addition to the work of administration and supervision over his subordinate officers; he has to cover a jurisdiction of many square miles in a district and he has got to tour and inspect and find out the nature of work that is carried on and the nature of education given in the schools. What is the salary that is prescribed for him under the Educational Rules?

"According to the Educational rules, the starting pay is Rs. 200, and with the selection grade at Rs. 500, goes up to Rs. 700. The Corporation is not so wealthy as to indulge in any extravagance. So the pay that has been suggested by the hon. Member from Guntur is quite reasonable."

12-30 P.M. Mrs. K. ALAMELUMANGATHAYARAMMAL spoke in Tamil of which the following is a summary:—

"It was rightly pointed out by some hon. Members that the pay of the Educational Officer should be on a par with that of the Health

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Officer and the Engineer. There is a difference between Madras and other mufassal districts which has to be noted. In the other districts the Educational Officer has fewer high schools to manage, and the other schools are inspected by the Deputy Inspectors and other officers. But in Madras there are 135 schools in which there are 35,000 pupils and about 1,200 teachers. Under the Elementary Education (Amendment) Act, enforcement of compulsion by the Commissioner has thrown heavy responsibilities on the Educational Officer. Over nine lakhs of rupees have been spent on various educational purposes. Moreover he has to manage a large number of schools under his control all by himself and he has to attend Council and Committee meetings. For all these things, an officer of ripe experience and sound knowledge is required with a decent salary and it is but proper that his pay should be commensurate to his responsibility and status in life. So I have to differ from my revered and learned Friend Sir Patro in this respect and I urge that the scale of salary of the Educational Officer should be fixed between Rs. 400 and Rs. 800."

Mr. R. MADANAGOPAL NAYUDU:—"I did not want to intervene in this debate till my hon. Friend Sir Patro spoke about the quality of education imparted in the Corporation schools. I was really very apprehensive when he said he would give the facts and figures required by Mr. Basheer Ahmed. When he said that in the report of the District Educational Council it was stated that the expenditure on Corporation schools was increasing abnormally, he might be right, but I ask whether there is anything said there about the quality of the education imparted therein. That is a matter on which my friend had I think supported my other friend who had spoken before—I won't say lightly—but with some emphasis in his argument. I think Sir Patro has no doubt got a case for stating that the Education Department of the Corporation is inferior in quality to that of Government, as suggested by Mr. Basu Dev, but I do not think that was a reply to Mr. Basheer Ahmed. He only stated his opinion and wanted that the Commissioner should examine the present condition. He is at liberty to state his opinion. But I think, as was rightly pointed out by some members, the education imparted in Corporation schools is as high and efficient as it is in other institutions. That is all I want to say."

* The Hon. Sir the RAJA OF BOBBILI:—"I do not propose to answer the remarks made by various members on the floor of the House, but only wish to state that I cannot really understand the object of this amendment. The section in the Bill as amended reads as follows:— 'The monthly salary of the Educational Officer shall not be less than Rs. 250 and shall not exceed Rs. 300.' I find that the amendment before the House is that the minimum should be raised to Rs. 400. I take it, Sir, that it is open to the Corporation even now, without this amendment, if they feel there is a case, to raise the salary of the present or future incumbent of this post. I do not really see the need for the amendment now being discussed."

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"As regards the amendment proposed by Mr. Krishnayya Choudari, it seeks to reduce the minimum and maximum fixed in the Bill. He has taken the new scales in the Government service. I may state that in case the Corporation decides to fill any future vacancies from the Government service there may be difficulty, because all officers in the Educational Department who are on the old scales of pay would be ruled out if Mr. Krishnayya Choudari's amendment were accepted. Moreover, in the case of Government servants there are certain rules and it will not be open either to the Corporation or any other body, as long as the officers are in Government service, to sanction them any scale of pay they may wish to sanction. Taking all things into consideration, I feel, Sir, that it is better to leave the provision as it is in the amending Bill."

"Now, coming to another point which was mentioned by my Friend, Mr. Basu Dev, because the salary of the Educational Officer has been fixed below that of the Electrical Engineer and some other appointments he wants to deduce from that, that the Educational Officer is less important than the Electrical Engineer and others drawing more pay. I am afraid there is no analogy between the two. Moreover, it must be remembered that the Corporation does not deal with all kinds of education, technical, professional, collegiate and higher education and this analogy cannot hold good. If a really competent man is available, it is open to the Corporation to appoint him and fix the pay at a point commensurate with his attainments and experience. I think the amendment gives sufficient discretion to the Corporation to meet any situation, and therefore I suggest that it will be best to leave things as they are in the amending Bill."

* Mr. C. BASU DEV:—"May I with your permission, Sir, say a few words in explanation of the statement to which objection was taken. My condemnation of the system of education in Corporation schools, though indignant and strong is only a part of my general condemnation of elementary education in this province."

(There were cries of 'Order, order' and the hon. Member resumed his seat.)

The Hon. the PRESIDENT then called upon Mr. P. V. Krishnayya Choudari to reply.

Mr. P. V. KRISHNAYYA CHoudari:—"Mr. President, Sir, if the Corporation take the loan of the services of a Government officer, they cannot give a scale of Rs. 400 or Rs. 500. There is a specific rule that he cannot get more than 25 per cent or so in addition to his pay. So there will not be any trouble. But if they fix the maximum at Rs. 400, they must try to get a senior man."

"There is another thing which I want to explain. If the Educational Officer of the Government is a junior man getting less pay and the Corporation Educational Officer is a highly paid man, the latter being subordinate to the former, there may be some clash of feelings."

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"If he writes any inspection notes against the Corporation Educational Officer, it will not be respected also. It was argued by some hon. Members that the other servants of the Corporation such as the Executive Engineer, the Electrical Engineer and so on are paid more and that therefore the Educational Officer also should be paid more. It is to meet that sort of argument that I have given notice of an amendment that no head of a department should draw anything more than the pay sanctioned for similar service under Government. If that is accepted, it will put these appointments on an equal footing with the appointments in Government service. Private service should not be made more attractive than Government service."

* Diwan Bahadur C. NATESA MUDALIYAR:—"I am extremely thankful to those hon. Gentlemen, especially my colleagues in the Corporation for their advocating the necessity to keep up the efficiency and the dignity of the Educational Officer of the Corporation of Madras. To Mr. Basu Dev also I am thankful though I do not like the criticisms he made. If, Sir, as Sir Patro says the Corporation is spending more money than the aided schools, I may say that the Government are spending more money on the Presidency College than the Mission authorities are spending on the Madras Christian College. They do so because they want to keep the Presidency College as an ideal one. Similarly, our Corporation schools in the metropolis are model schools with model teachers and model headmasters. (Loud laughter.) In fact, we are calling them 'Model Schools'." (Renewed laughter.)

* The Hon. the PRESIDENT:—"Let the hon. Member go on."

* Diwan Bahadur C. NATESA MUDALIYAR:—"The popularity of the schools may be gathered from the fact that if we want 40 boys for one class, there are 50 coming. We have therefore got to increase the staff, etc., of the schools and the 9 lakhs allotted for education is being most usefully spent. When the Hon. the Chief Minister said that it is in the power of the Corporation to increase the pay of the Educational Officer, the Corporation will consider it. Moreover, Sir, if this resolution is carried it will affect the present Educational Officer whom we all value much. He is an ideal officer. He imparts especially character to the children. I am sure my statement will be supported by a colleague of mine from Chittoor. So we will accept the Hon. the Chief Minister's suggestion that we may increase the pay of the Educational Officer of the Corporation. The other day it was suggested that Corporation can do away with the cycle-tax. I thereupon sent an urgent resolution to the Mayor of the Corporation, that the cycle-tax should be abolished. Similarly we will take up this idea that our Educational Officer must be paid a higher salary. With these words I withdraw the resolution."

The amendment was, by leave, withdrawn.

Mr. P. V. Krishnayya Choudari's amendment was then put and lost.

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Mr. ABDUL HAMEED KHAN:—"Sir, I move—

'In proviso (b) of section 85 of the Act for the words "twelve hundred rupees" the words "fifteen hundred rupees" shall be substituted.'

"Sir, when I am moving this amendment some hon. Members may take it to mean that I am increasing the salaries of officers of the Corporation. That is not the case. We have, in the amending Bill, provided that the salaries of the Electrical Engineer and the other Engineers shall not be less than Rs. 500 and shall not exceed Rs. 1,500 per month, whereas we have reduced the maximum of the salary of the Revenue Officer who is responsible for the collection of the revenues of the Corporation. As I said in connexion with the Educational Officer's salary question, we ought not to make any invidious distinction between the officers of the Corporation. Why should the maximum salary of the Engineer and the Electrical Engineer be Rs. 1,500 and not that of the Revenue Officer who is entirely responsible for the collection of all revenues of the Corporation and who has besides a very large department under him? He has got under him a section for the collection of the property-tax, another section for the company's tax, a third section for the collection of licence fees and another again for the collection of the profession-tax. Under the new Bill his work is going to be further increased. We must have a contented Revenue Officer so that the revenues of the Corporation may be collected to the maximum extent. It is only when we remove this invidious distinction that we will be affording encouragement to the Revenue Officer to collect 99 per cent of our taxes. Besides the collection of taxes, he has got to supervise the assessment and do inspection work in the mornings as other officers do. I do not see any difference between the volume of work that this officer turns out and the work turned out by the Engineer or the Electrical Engineer. It is no doubt true that the Engineer and the Electrical Engineer possess technical qualifications and are responsible for carrying on technical work. When once an officer is considered to be qualified for any particular kind of work and appointed to do it, he is expected to do it. In the same way, the Revenue Officer also has got a good deal of experience in the revenue line and has put in long service in the Corporation and elsewhere. These things entitle him to occupy the position he is occupying. Such being the case, I believe, it is very necessary that we should increase his maximum. It may be that we may not pay the maximum to him, just as we may not pay the maximum to the Engineer or the Electrical Engineer. I see therefore no harm in putting the maximum pay of all these officers on an equal basis. With these few words I commend this amendment to the acceptance of the House."

* Mr. BASHEER AHMED SAYEED:—"I rise to second the amendment. I do not think I need add any more reasons for commending

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it to the House than those advanced by the hon. Mover. One additional reason why it should be accepted is that in one and the same public body like the Corporation there should not be different grades of pay for officers of the same rank and responsibilities; for that will give rise to discontent and dissatisfaction, one officer feeling jealous of the other. Another reason why we should raise the maximum of this officer is that it is he who happens very often to hold the acting charge of the Commissionership. When that is the case, that you should put down his maximum pay as Rs. 1,200 and that of the others as Rs. 1,500 is not expedient. Further it will give rise to difficulties in appointing the Revenue Officer as acting Commissioner in temporary vacancies. It would not be possible to put a man on a lower salary in charge of the high office when there are other officers whose salary is greater than his and who will naturally be considered superior to him in grade. It has been the usual practice in the Corporation that the Revenue Officer has been chosen to be in charge of the Commissionership, whenever temporary vacancies arose. The one person, after the Commissioner, who happens to be acquainted with every department and who serves more or less as a co-ordinating factor is the Revenue Officer and not the heads of the technical departments. That being the case, there is much point in saying that the maximum salary payable to him should be raised from Rs. 1,200 to Rs. 1,500. But, if there is any proposal to reduce the maximum pay of the other heads of departments and bring it to the same level as that of the Revenue Officer, I may agree. In the absence of that, I think it is only right that we should raise the maximum pay of the Revenue Officer also to Rs. 1,500. I therefore have pleasure in supporting this amendment."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, I have to oppose the amendment moved by my hon. Friend, Mr. Hameed Khan, for this reason that I want to bring all these scales of pay to a uniform level. At least now, having passed the Educational Officer's scale of pay as Rs. 250 to Rs. 800, we may give the existing grades of pay to the present Revenue Officer and the others and bring down the scale of pay of those posts to the same level as that of the Educational Officer, viz., Rs. 250—800. That would be reasonable. For many years, I was told that a Deputy Collector used to be taken as Revenue Officer. The scale of pay of Deputy Collectors goes up to a maximum of Rs. 700 only. Even if we fix the maximum at Rs. 800 it will be reasonable for all the officers. As a matter of fact, in the Madras Engineering Service the scale of pay is only Rs. 250 to Rs. 700. Anyhow, so as to be in conformity with the scale of pay we have already fixed for the Educational Officer, I suggest that that scale, viz., Rs. 250—800 may be retained for all the heads of departments. It will be a uniform scale for all heads of departments and there will be no trouble or discontent. It will moreover be consistent with the pay allowed for the Provincial Services. For these reasons, I feel that I should oppose this motion."

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"Sir, I wonder if the Corporation has got a lot of money in its hands at all. There are proposals to increase salaries all round and there are proposals to remit bicycle tax though the Hon. Minister has pointed out that the Corporation would have to find Rs. 50,000 if it wants to exempt bicycles from being taxed. And Mr. Hameed Khan has voted for the exemption of bicycles. They want to exempt bicycles from taxation and they want also to enhance the pay of the officers. On the one hand they want to reduce their income and on the other they want to increase their establishment charges. If they go on like this, I do not know how they would have enough money for administrative purposes. I am not a person competent to advise them, I admit. But I may say that I have put in 15 years' service in local boards and I know something of local board administration. For getting cheap popularity we may move for the exemption of bicycles from taxation and enhance the salaries of the heads of departments. But we must see that the machinery of the Corporation is run well. The Corporation has power to exempt bicycles from taxation. Let them do so by getting some savings in their salary charges.

"Another reason why we should not enhance the salaries further is that if the Swaraj Government comes, they would fix the upper limit of pay at Rs. 500. My hon. Friends, Messrs. Hameed Khan and Basheer Ahmed, who are in season and out of season, in sympathy with the Congress, have themselves now come forward with motions for increasing the salaries from Rs. 1,300 to Rs. 1,500. It is really a thing which I am not able to understand. Mrs. Lakshmipathi has not taken any steps to oppose these scales of pay and is keeping quiet, and Mr. C. R. Reddi is not to be seen in his seat. (Laughter.) (Mr. C. Ramalinga Reddi: 'I am sorry, Sir.') Nobody has come to my rescue and that is why I am saying this to get their sympathy and support for my point of view. When the Madras Government are in a position to get decent and capable men for their services for lower scales of pay, I am not able to understand why the Corporation, particularly in these days of unemployment, should say that they cannot get better men and efficient men if the scales of pay are not raised.

"I am sure the Corporation will get better men and I request my hon. Friend to have this subject adjourned, if possible in consultation with the Hon. the Chief Minister, and to come to some agreement so that one uniform scale of pay may be brought about without amendments being brought forward by individual Members."

The House then adjourned for lunch to meet again at 3 p.m.

After Lunch (3 p.m.).

Clause 44—cont.

Mr. P. V. KRISHNAYYA CHOUDARI:—"I beg to move that 'in proviso (b) of section 85 of the Act for the words "the monthly salary of the Revenue Officer shall not be less than

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six hundred rupees and shall not exceed twelve hundred rupees" the following be substituted:—

• "The monthly salary of the Revenue Officer shall not be less than two hundred and fifty rupees and shall not exceed eight hundred rupees."

"If we adopt this amendment it will be in conformity with the previous amendment which we have passed in the case of other officers of the Corporation such as the Electrical Engineer and so on. If we have the same scale of salary for all officers they will be contented. The arguments put forward by other hon. Members were that the Corporation was paying Rs. 1,500 to the Electrical Engineer and Rs. 1,500 to the Health Officer and so on, and under those circumstances why should they curtail the salary of the Revenue Officer alone. If they have excess money, I feel that the low-paid clerks and others who are so very useful to the public may be given a higher pay instead of increasing the top-heavy expenditure of the Corporation. I also feel that if Government want to give any relief to the Corporation, the fixing of a lower scale of pay to all the officers will give it. I was made to understand by one of the Members of the Corporation that some years ago the Corporation sent up retrenchment proposals. By passing this legislation, the powers of the Corporation are restricted in that they have no power to reduce or increase the salary of their permanent employees. Of course if they are borrowed people there is power given to the Corporation and whenever they feel that they should send away a certain man they can do so and they can adopt the minimum of the scale of salary of Deputy Collectors. Under these circumstances I submit that the House will see their way to accept my amendment so that a uniform scale of pay may be adopted for all the officers."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"I beg to second the amendment. In doing so, may I request the Hon. the Chief Minister to let us know whether these officers are entitled to any city allowance?"

(Some hon. Members: 'No, no.')

* Mr. T. S. RAMASWAMI AYYAR:—"Mr. President, Sir, with your permission I beg to move an amendment which runs as follows:—

"In clause 44 (ii) (b) omit the word "and" before the words "the electrical engineer"; and in line 3 after the words "the electrical engineer" insert the words "and the revenue officer." In line 4 after the word "five" insert the words "and for the word 'fifteen' the word 'twelve'." And in line 5 after the word "substituted" insert the words "and all the words after the words 'fifteen hundred rupees' shall be omitted."

"There has been a feeling expressed by more than one Member that there should be a uniform scale for the salary of high grade officers. The idea seems to be that the Revenue Officer should be put on a par

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with the Engineer, the Electrical Engineer and the Health Officer and because the latter two officers are to be given Rs. 1,500 a month it is now suggested that the Revenue Officer also should be paid Rs. 1,500. That was one amendment. The other amendment moved by my hon. Friend from Guntur was to the effect that the pay of officers should be reduced so as to effect uniformity in the salaries of all the officers. While I appreciate the idea that there should be a certain amount of uniformity in the pay of these officers and while I also feel that these officers should not be under-paid, I think there is some force in the arguments of my hon. Friend from Guntur. In these days of depression when we are trying to retrench expenditure in all directions the Corporation should not undertake a heavy responsibility by offering to pay the officers much more than what they are receiving. When attempts are being made both by the Government and the Corporation to reduce the pay of the officers of the Corporation, we should not try now to increase the pay of some of the officers. At the same time I am not one of those who feel that these officers can work efficiently and well on a very low pay. The suggestion of my hon. Friend from Guntur that the pay should be from Rs. 250 to Rs. 800 is rather unfair to the officers who have heavy work and responsibility to undertake. I think a scale of Rs. 250 to Rs. 800 is not a scale of pay that will attract good officers. It has been found that when the Corporation advertise for applications for posts they do not get persons who are well qualified. I know, Sir, on the recommendation of the Child Welfare Committee of the Corporation, the qualifications that were required of the Lady Superintendent of the Child Welfare Centre and the pay that the Corporation should offer to her were fixed by the Corporation and an advertisement was put in the newspapers calling for applications. Not even one application was received from a duly qualified person. Therefore the Corporation had to appoint an officer who did not have the necessary qualifications. If we want to have an efficient officer we should not grudge giving a decent pay. At the same time the Corporation cannot afford to pay very high salaries. I, for one feel, after hearing several hon. Members of this House, that justice will be done by fixing the same scale of pay for all the officers, viz., starting with Rs. 500 and rising up to Rs. 1,200. If we do so, I think we will be meeting the wishes of some of the hon. Members of this House and at the same time making it possible for efficient men to apply for the posts."

Mr. K. A. NACHIYAPPA GOUNDER:—"I second it."

* The Hon. the PRESIDENT:—"All the three amendments are for the discussion of the House."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, I feel that I ought to oppose the amendment moved by my hon. Friend Mr. Krishnayya Choudari. After all, it is necessary to see that a sound financial condition is maintained in local boards or the Corporation. I understand that the revenue of the Corporation is about Rs. 60 lakhs, and

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the Revenue Officer for such an important body must be a really capable man. Even in my own Municipality of Ootacamund the Revenue Officer, that is before the introduction of the system of appointing Commissioners, was getting a salary of Rs. 400 and the revenue of that municipality is about Rs. 5 lakhs. I think, Sir, to keep the dignity of the office and also in the interests of efficient collection of revenue, we should not accept the salary of Rs. 250 to the Revenue Officer. Talking on this subject one of the hon. Members observed that even Deputy Collectors who are intended to be appointed as Commissioners are given ordinarily Rs. 600. If the Revenue Officer is to be taken from that cadre, I think ordinarily he is paid Rs. 600 to Rs. 800. So in the interests of good work of the Corporation and its finances, I think the amendment of Mr. Krishnayya Choudari should be opposed."

Mr. R. MADANAGOPAL NAYUDU:—"Mr. President, Sir, both the amendments of Mr. Krishnayya Choudari do not pay any attention to the actual state of affairs in the Madras Corporation at present. We have various grades of officers with different starting salaries. There are what are called assessors who go up to Rs. 250 and then there are Assistant Revenue Officers who start on Rs. 250. After them comes the Revenue Officer. The Act laid down that the Health Officer, the Engineer and the Revenue Officer should all start on Rs. 600 and while the first two officers might go up to Rs. 1,500 the Revenue Officer alone would stop at Rs. 1,200. The Select Committee amended this to the effect that the Health Officer and the Engineer should start on Rs. 500. But in the case of the Revenue Officer the Select Committee allowed him to start on Rs. 600 but fixed the maximum as in the original Act at twelve hundred rupees. But whether the maximum is fixed at twelve hundred or fifteen hundred for any of these officers, it does not matter, because the Corporation has for several years past fixed the maximum salary of several of these officers contemplated under section 85 at Rs. 1,000 only. The only exception is the present Electrical Engineer who draws Rs. 1,200. There is another officer who is about to retire. He draws Rs. 1,000 and I do not think he is going to get more. Therefore the argument of Mr. Krishnayya Choudari that if we fixed the maximum at Rs. 1,500, as a matter of course these officers would be given the maximum will not hold water. The Government fix only the maximum but it is open to the Corporation to pay less than that maximum in any case. Of course the Corporation cannot go below the minimum fixed by the Government. Taking into consideration the salaries of the several subordinate grades in the Corporation from which officers may be promoted to hold these superior posts and also taking into consideration the salary that we should offer for any able recruit from outside, we should have a decent starting salary for these officers. Otherwise we will not be able to get proper men. When the Select Committee decided to fix the minimum salary of the Revenue Officer at Rs. 600 they probably had

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in mind the argument adduced by Mr. Muniswami Pillai that the Corporation might have to recruit a Deputy Collector for the post. There was also an argument to increase the maximum salary of the Revenue Officer to Rs. 1,500 and that was this. They said that it was the Revenue Officer who usually acted for the Commissioner in his absence and therefore his salary should be increased to Rs. 1,500. But it is not the Revenue Officer who always acts for the Commissioner, it is the Senior Officer of the Corporation whoever he may be for the time being, who acts for the Commissioner. Therefore that argument did not weigh with the Select Committee which fixed the maximum at Rs. 1,200. But as I said before, whether the maximum is fixed at Rs. 1,200 or Rs. 1,500 for these officers, it does not matter so far as the Corporation are concerned, because they have for some time in the past fixed the maximum at Rs. 1,000 and in future also they are sure to retain it there.

“As regards the proposal to fix the salary of the Revenue Officer at Rs. 250 to Rs. 800, the argument is one which nobody can accept. The argument that all the services should be made equal cannot be accepted. The post of Education Officer is a recent one and the responsibilities of the post have been increased only recently. But the other officers have been there for a very long time and their salaries have been fixed by the Act of 1919. They have been drawing those salaries all these years. But as regards the Educational Officer, till recently only a Deputy Inspector of Schools on Rs. 125 or Rs. 150 was doing his duties. When I was a Councillor of the Corporation there was an officer called Supervisor of Schools drawing a salary of Rs. 125 or Rs. 150. But on account of the development of the educational activities of the Corporation, they have thought it fit to increase the emoluments of that officer. Now to come and say that the emoluments of these other officers who have been doing work of a very difficult nature all these years should be the same as those of the Educational Officer and that there should be a uniformity in all these matters is an argument which is not acceptable to me and I am sure it will not be acceptable to the House. I hope that Mr. Krishnayya Choudari's amendment will be rejected by the House.”

* Mr. C. R. PARTHASARATHI AYYANGAR:—“Mr. President, Sir, there are two schools of opinion in this House. One says that more efficiency requires more pay and the other says that the more efficient a man the less the pay he will take, at least that will be the case among Indians. If Indians want to have self-government—efficient Self-Government—the question with Indian Officers must not be: ‘What pay shall we draw; what amount of ease shall we enjoy?’ but rather ‘how much of work shall we do; what amount of efficiency can we bring to bear on our work; and what little salary can we take?’ It is only that spirit among Indians that will be a strong and stable foundation for Indian Self-Government. If, on the other hand, we imitate other people who want more money for their efficiency then the basis

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of self-government will be undermined. Please note that we are now on the eve of great constitutional changes. We will have to think for ourselves; the thinking cannot be done for us hereafter by the Indian Civil Service. Till now we have been implicitly carrying out what they said and they have been doing the thinking for us. But such a state of affairs will not continue. There is a tendency to go on increasing salaries by imitating what has been done for the Indian Civil Service. The theory that more efficiency means more salary must be given the go-by at least under the new constitution. If we do not do so, then we will find that the younger generation will come up and say, ‘The foundations of Indian Self-Government must be laid on self-sacrifice and not on self-aggrandizement.’ For this reason I welcome any suggestion made here which will have the effect of calling forth our young men to come forward and say, ‘We will do this work and that not because it will bring some salary but because it is our duty to do it for the sake of the love of our country and our fellowmen.’ The demand for high salaries shows that we are wanting in people of the proper spirit. We should set an example and unless we did it nobody else would do it for us. We see on the other side how the salaries have been increasing by leaps and bounds during the past few years. I do not congratulate any local body when it comes forward and says: ‘Please sanction higher salaries because the work will have to be done more efficiently than before.’ On the other hand I will congratulate a local body if it has been able to find men who do their duty efficiently because it is their duty to do it. How many people in other countries take less pay and do more work. The idea of pay is a devil which has caught hold of the minds of the people and the sooner it is driven out the better it will be for us. At any rate so far as Indians are concerned that idea ought to go. If, for instance, you want an Electrical Engineer or some other officer whom you cannot get here and you have to import from abroad, then you will have to pay more. But if on the other hand you are able to find men of equal calibre, capacity and honesty in our own country, what is the fun of a local body coming forward and saying, ‘We want increased rates of pay; Rs. 250 to Rs. 800 is not enough.’ That only shows that the tiger's claw is concealed inside and that it comes out to grasp and clutch at the first opportunity. At any rate I for one do not want that that grasping tendency should be embodied in a legislative enactment and placed on the statute book. I cannot understand why we should encourage greed and love for money and not love for work for the country. So, Sir, I have great pleasure in supporting the minimum salary fixed in Mr. Choudari's amendment in the hope that enough men would be forthcoming who would do the work more efficiently and with greater desire to stand by their country.”

Rao Bahadur Sir A. P. PATRO:—“Sir, we have just now been treated to a very refreshingly metaphysical discourse by the hon. Member from Chittoor. Of course it is very interesting to listen to

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him, namely, that we should do our work even at starvation wages, if we love our country we should serve it. I wish that generous feeling prevailed all over the country. My hon. Friend is a flourishing advocate at Chittoor and as such he has innumerable opportunities of putting that feeling into practice. I do not know what his income is and what scale of fees he charges his clients. Still I do not think that he is charging strictly those rates prescribed in the Legal Practitioners Act. But that is by the way.

"We have before us three proposals with regard to the salaries of these officers. One is from that experienced Councillor of the Corporation of Madras Mr. Hamid Khan, another is from Mr. Ramaswami Ayyar and the third is from the hon. Member with rural experience from Guntur. We have had a reply to these three proposals from the other side, from Mr. Madanagopal Nayudu who is also equally experienced and able to meet the three friends on this side. Sir, I regret to say that I have not been in the least convinced by the arguments advanced by Mr. Madanagopal Nayudu because there has been absolutely no argument in his speech.

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"In the matter of fixing the salary, the principle should be that persons who do work properly should be adequately paid. If we do not pay proper salary for proper work done, we cannot expect the officer to turn out proper standard of work. If we keep that principle in mind, namely, that we have to pay adequately for the services rendered, then you can have efficient officers either for the Corporation or for the Government. The Government have set the example in this matter. The Government have fixed the standard of pay for the Provincial Service. They have now revised the scales of pay for their officers, for the higher and lower grade officers of the Provincial Service. Are we not going to take the standard fixed for the Provincial Services? Are we not going to take it as our guide in fixing salaries for the officers of the Corporation? If that is taken as our basis for fixing the scales of pay for the officers of the Corporation, then our difficulties will be very much minimised. There is no use of fixing Rs. 500 or Rs. 600 to start with and to end with Rs. 1,200 or Rs. 1,500. Let us examine the scales of pay fixed by the Government. If we examine them, we find that a Deputy Collector starts with Rs. 200 and ends his career with Rs. 700. Now the selection grade is not open to all. We are asking for retrenchment of salaries in every direction. The Corporation is always asking the help of the Government for providing even ordinary amenities to the citizens of Madras. The Corporation has no money and asks for help from the Government; the Government have to give relief to the Corporation to enable the latter to provide amenities to the people in the city. Some hon. Members said the other day, the poor, middle classes, use the bicycle for their convenience and comfort, please dispense with the cycle tax, dispense with Rs. 60,000 revenue to the Corporation, give relief to the poor clerk, to the poor

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peon. But the Corporation now comes and says, fix the salary for the higher grade officers in such a high scale as to tax the poor man more and more. The Corporation will make more money from the poor man and pay its officer Rs. 500 or Rs. 700 to start with rising up to Rs. 1,200. Is this based on any principle? Where is the principle here? There is the Deputy Collector who is in charge of a revenue division; there is the District Collector who is in charge of the whole district; there is the District Health Officer who is in charge of the whole district; there is the standard of pay fixed for all of them by the Government. Mr. Muniswami Pillai stated that his municipality is paying Rs. 400 to its Revenue Officer. If his municipality is growing rich it must do better service for the people. Judged by the standard of the Government, the salary is sheer waste; the scale of pay for that officer should be very much less; Mr. Muniswami Pillai is an ardent patriot and a wise councillor; he should take up the matter and agitate that the salary of that Revenue Officer should be reduced. If there is to be a principle to be followed by the Corporation, they may follow the standard of pay fixed by the Government for their provincial service officers. After all, Corporation service is equivalent to Government service. It is not possible for you to fix any other standard. I have no objection to the Corporation fixing the minimum and maximum pay according to the qualifications of the candidate.

"Very often in the Corporation the question of fixing the salary of one officer or another is raised and discussed and all sorts of agitation take place. The idea in fixing the standard of pay once and for all is this; members of the Corporation must remember that they should not raise the question of the revision of salaries from time to time. Let the officer continue to do his work properly; let him rise to the maximum salary; in the meantime do not disturb his scale of pay and increase it and allow the rate-payer to suffer; adopt a permanent standard of pay whatever it is; adopt the standard fixed for members of the Provincial Service. I referred to the Deputy Collectors and Health Officers. The Government have provincialized the District Board Engineers also; they have done the wisest thing; their object in provincializing that service is to fix the same scale of pay to the District Board Engineers as that paid for Engineers in Government service, so that officers can be changed from one cadre to another. If one officer of the Corporation is very efficient and useful, he can be taken into Government service; if an officer serving under Government is very efficient, he can be taken into the Corporation service. In order to facilitate such transfers, there should be the same standard of pay for Corporation officers and Government officers. If this principle is kept in mind, it may be left to the discretion of the members of the Corporation to fix the scales of pay within the limit for their officers; I do not want to interfere with their discretion, or judgment."

* Diwan Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I would take the advice of Sir Patro. We are following only what he

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says. Our Madras is a district and it can be compared favourably with other districts; we have got an officer of the Deputy Collector's grade—the Assistant Revenue Officer. We start our Assistant Revenue Officers with Rs. 200 and they go up to Rs. 500. We have an officer of the Collector's grade and that is our Revenue Officer; we want to pay him what the Government pay for their Collector; so, we would follow Sir Patro's advice; we start our Assistant Revenue Officer with Rs. 200; we want our Revenue Officer to be paid what a District Collector is paid. Our annual income is Rs. 60 lakhs; (I learn South Kanara gets only Rs. 18 lakhs.) We want an officer of the Collector's grade; we want a responsible man; my hon. Friend from Chittoor said that the officer who is responsible for collecting Rs. 63 lakhs should be paid only Rs. 200. He is enunciating a principle which even the Swarajists will not accept; we want a responsible officer. His pay must be equivalent to a District Collector's pay, i.e., Rs. 1,500. We are not as a whole for increasing the scales of pay; our policy is, bring down the pay of higher officers and bring up the pay of lower grade officers. If the Reforms come, I will only say as I have said on many occasions in this House, let Rs. 500 be paid to heads of departments and Rs. 1,000 to Ministers. When we think that Madras is ours, we should do all these things. The German naval officer is paid only Rs. 250 while the English naval officer is paid Rs. 600. The German thinks first of his country; even if he is low paid he will serve his country. One question was put to Mr. Parthasarathi Ayyangar by Sir Patro. In the interest of the litigant public, let him reduce his fee to almost nothing; what I would tell him is this: according to the present conditions we cannot reduce the pay of our officers. The Government and other bodies pay an officer a certain amount now. An officer with similar qualifications will not serve us for less amount. As our friend, Mr. T. S. Ramaswami Ayyar, said we advertised for a lady doctor with all the qualifications prescribed by the *ad hoc* committee; we were not able to get such a doctor. The lady doctor whom we have appointed now seems to possess much more qualification than the people who applied for the appointment in response to the advertisement. I do not know if the Commissioner will be constrained to make the present officer permanent. What is the use of telling 'get an efficient man?' We will not get such an officer unless we pay him adequately. We are paying our Electrical Engineer Rs. 1,000 or Rs. 1,200. Once he threatened to leave us for an appointment in Government service. At one meeting we had to increase his pay. If we pay our officer less, we cannot get an efficient man. That is our fear. So I tell Mr. Parthasarathi Ayyangar there is no use under present circumstances to revise the scale of pay; let the reforms come; then I will be content with fixing the pay at Rs. 500; at present we cannot reduce the scale of pay for our officers, when the Government are paying their officers highly, and when the local boards are paying them highly. I therefore oppose Mr. Choudari's amendment. I say even the Swarajists will not, under the present circumstances, tolerate his amendment."

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Khan Bahadur JAVAD HUSSAIN KHAN SAHIB Bahadur:—"Sir, I do not want to intervene in the debate except to point out the analogy drawn between the District Officers and those serving in the Corporation. It is absolutely wrong; because, suppose in a district there is a revenue of Rs. 30 lakhs; first of all, you have a District Collector, then you have Divisional Officers, many Tahsildars, Deputy Tahsildars, Revenue Inspectors—all to collect Rs. 30 lakhs. Here the circumstances are entirely different. The Divisional Officer gets Rs. 300. The Corporation Assistant Revenue Officer also gets only Rs. 300. Apart from that, what about the worry the Corporation Officer is put to? I must therefore strongly oppose the amendment of the hon. Member from Chittoor."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I have listened to the various interesting arguments expressing both points of view. It looks as if we will take a whole day to complete this section

"As regards the general question of the scale of salaries, I do realize that it would be necessary, taking into consideration the conditions in our country, to set a different standard if we are going to pay our officers at the market value. For this purpose there must be a general scaling down of the standards of salaries in this country. We cannot pick out a few appointments here and there. If that is done, then there would be no difficulty in getting suitable officers to man these posts, nor will there be any dissatisfaction in the services. But by trying to pass this amendment, I think we will not be achieving the object underlying these proposals.

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"As regards the point urged by Sir Patro that there is no need for the Corporation to pay a higher standard of salary than in the Provincial Government services, I entirely agree with him; and I may state that in actual practice, that is what is happening. For, if a Deputy Collector is taken into the Corporation service and appointed as Revenue Officer, he will be drawing probably a small increase only over what he would be eligible to draw in Government service, and he is not given the maximum of the scale straightaway.

"As regards the Electrical Engineer, the reason why the maximum was fixed at Rs. 1,500 is that the Corporation is about to launch on a scheme of taking current in bulk and distributing it itself within the City limits. Probably, it will cost about Rs. 20 lakhs in all, and as it is about to embark upon such a big enterprise, it would be necessary to have an Electrical Engineer with sufficient status and position. It may be possible no doubt to get a suitable and qualified officer for Rs. 1,000 or Rs. 1,200, but it is difficult, when we are fixing the scale in a statute, to be able exactly to estimate what the future conditions will be. I therefore felt that we would be giving sufficient discretion to the Corporation if the maximum is fixed at Rs. 1,500. That does not and should not necessarily mean that the officer should be given the maximum scale of pay. In the case of these technical appointments, if we now reduce the scale of pay, there may be a difficulty later on in

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case suitable candidates are not forthcoming to fill these posts. However, if there is the general feeling that the maximum scale of the Electrical Engineer to the Corporation is too high, on behalf of the Government I have no objection to accept the amendment of Mr. Ramaswami Ayyar."

Mr. ABDUL HAMEED KHAN:—"I withdraw my amendment."

The amendment was, by leave, withdrawn.

* The Hon. the PRESIDENT:—"Mr. Hameed Khan having withdrawn his amendment, I shall now put Mr. Ramaswami Ayyar's amendment to the vote of the House, and if that is carried, Mr. Krishnayya Choudari's amendment will not arise."

"The question is:

'In clause 44 (ii) (b), omit the word "and" before the words "the electrical engineer"; and in line 3 after the words "the electrical engineer" insert the words "and the revenue officer." In line 4, after the word "five" insert the words "and for the word 'fifteen' the word 'twelve'." And in line 5 after the word "substituted" insert the words "and all the words after the words "fifteen hundred rupees" shall be omitted'."

The motion was carried.

* The Hon. the PRESIDENT:—"I will now put clause 44 as amended, to the vote of the House."

Clause 44, as amended, was put and carried.

Clause 45.

Clause 45 was put and carried.

New clause 45 (a) after clause 45.

* Mr. BASHEER AHMED SAYEED:—"Sir, I move—

'that in sub-section (2) of section 87 of the said Act for the word "thirty" the word "sixty" shall be substituted.'

"The object of this amendment is to make it possible for the Corporation to come to a reasonable decision with regard to the attitude of the Government. Section 87 contemplates that vacancies shall be filled up by the Corporation within three months. Then the Government's sanction has to be obtained for that appointment becoming final; but when the Government refuse to confirm the appointment so made, sub-section (2) requires that a fresh appointment should be made by the Council within thirty days. This thirty days' period was inserted in the 1919 Act when the Council consisted only of fifty members, and when things were such that it was easy enough to get a decision within thirty days. I think, Sir, we have now systematized several things; and in the making of appointments, we follow certain rules and regulations, all of which require some time to go through. If supposing after an appointment is made, the Government do not approve of it and call upon the Council to make a fresh appointment, and if the Council is

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to make an advertisement calling for fresh applications, I think in the nature of things it may not be possible for the Corporation Council to make an appointment after inviting applications within thirty days. At least two weeks will have to be given for advertisement; again, when once applications are received, they will have to be scrutinized and placed before the Council for consideration. That will take two weeks more. If, for some reason or other, the Council does not hold its meeting during that period after the scrutiny of the applications, or if it does not come to a decision at a single meeting when the matter is placed before it, thirty days' time will not be enough. In order therefore to make things practical and to give the fullest opportunity to the Corporation before the Government themselves take up the responsibility of appointing an officer, there should be some reasonable time given to the Corporation. The Government also cannot forget that the future Council of the Corporation is to consist of nearly 65 councillors, including the aldermen. The Government may no doubt make rules in order that things may be done with expedition; but thirty days' period will in no way be sufficient for making a fresh appointment in case the Government refuse to confirm an appointment once made by the Corporation. In the interests of the proper administration of the Corporation and in order to enable it to choose a better man whose appointment may be easily approved by the Government, we should be given a longer time than thirty days. Sixty days' time is not after all too long a period. I would therefore request the Government to accept this amendment."

* Mr. T. S. RAMASWAMI AYYAR:—"Mr. President, Sir, I desire to second this motion of my hon. Friend. In case the Government refuse to confirm an appointment, the matter will have to be sent back to the Corporation and it will be asked to make another appointment. It may be necessary in some cases to readvertise for the post. For example, if the Government refuse to confirm a certain appointment because the appointee has not the necessary qualifications and because the Government think that another set of qualifications is necessary, it would be incumbent on the Corporation to again advertise for the post in order to get a suitable officer. An advertisement means advertisement not only in this Presidency but in other parts of India also. And for applications to come in again, for the Corporation to consider them and for the Council to come to a decision, it will take some time. We know of what we often call the 'red tapism' of Government; and even if the Corporation does not take as much time as the Government in regard to these matters, we should expect it to take some little time, and thirty days is not at all sufficient, especially because the appointment is not one to be made by an individual such as the Commissioner. A committee, for instance, may have to sit and make recommendations which will have to go before the Council at a meeting, and the Council will have to come to a decision. It is also just likely that the matter will not be disposed of at one meeting. It looks as if this is a penal clause; for if you look at clause (3) of the section, you will find that 'in default of

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any appointment or fresh appointment being made in accordance with sub-section (1) or sub-section (3), as the case may be, the Local Government may appoint a person to hold the office and such person shall be deemed to have been appointed by the Council.' It is a case where you do not give sufficient time to the Corporation and then merely because they have not got the time to do it, you reserve the power for yourself and make the appointment; and Government will have to make that appointment even though it may be against the wishes of the Corporation. That, I think, is against the spirit underlying the clause. I therefore appeal, Sir, that 'sixty days' may be substituted for 'thirty days'."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I do not think it is exactly a penal provision as stated by my friend Mr. Ramaswami Ayyar. Sub-clause (3) says that the Government *may* make an appointment. That means that Government can either make the appointment or it is open to them to refer the matter to the Corporation. The clause does not say that the Government *shall* make the appointment. I only wish to point out, however, that if the experience of hon. Members makes them think that a longer time is necessary, I am willing to accept, say 45 days, as a compromise."

Mr. BASHEER AHMED SAYEED:—"I have no objection to accept the compromise."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I move—
'that in the amendment of Mr. Basheer Ahmed, the word "forty-five" be substituted for the word "sixty"'. "

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

The amendment was put and carried.

Mr. Basheer Ahmed's amendment, as amended, was then put and carried.

Clause 46.

p.m. Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, Sir, I move that sub-clause (ii) be omitted.

"Sir, in moving this amendment, I just wish to say this, that though the officer is in the service of the Government, still the power to grant leave to that officer should rest with the Commissioner of the Corporation. I want to know from the Hon. the Chief Minister why such a high-placed authority as the Commissioner of the Corporation should not be vested with the power of granting leave whenever such an officer applies for leave. Even in the original Act itself there is no such proviso and I find that this proviso is suggested by the Select Committee, which is unnecessary and superfluous. Therefore, Sir, with these few words I move the amendment for the acceptance of the House."

Mr. C. OBI REDDI:—"I second the amendment, Sir."

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* The Hon. Sir the RAJA OF BOBBILI:—"Sir, I do not quite understand the object of this amendment. This clause merely provides that where the officer in the service of the Corporation is a Government official, leave shall be granted by the Local Government. In the case of gazetted officers or any other Government servant, although their services are lent to the Corporation, they do not cease to be Government servants. In accordance with the rules, it is the Local Government that is competent to grant leave for such officers. Therefore, I feel that such a provision is necessary and so I have to oppose the amendment."

The amendment was put and lost.

* Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, I move that sub-clause (i) be omitted.

"Sir, the Select Committee has recommended that section 88 shall be amended so as to omit all the words occurring after the words 'Governor in Council,' which are now substituted by the words 'Local Government.' The 1919 Act had given the right to the Government as well as to the Corporation to remove any officer who is found unsuitable, either temperamentally or for any other reason, in the interests of the smooth administration of the Corporation. Now, according to the new clause, discretion is left to the Government, without being shared by anybody else, to remove any officer appointed under section 85 or 86 or under sub-section (3) of section 87, from his office and the powers that vest already in the Corporation are sought to be taken away. I think, Sir, on one or two occasions, the Council was nearly threatened, and some members were driven to the necessity of tabling resolutions of want of confidence in the chief executive and another officer to get rid of them, but fortunately for the Corporation and the officers concerned, things did not culminate in any catastrophic decision. All the same, Sir, it is a necessary and an elementary right that any public body which appoints officers or to which officers have been lent by any other body, either Government or other bodies, should be entitled either to get rid of the officers or get them recalled. We have such provisions in all local bodies and local self-governing institutions in other parts of the world and so is the case with the Government. Whenever officers are proved to be unsuitable to the place, they are recalled *suo motu* by the Government, or power is vested in the bodies with whom these officers are connected to make the Government recall those officers. I would therefore suggest that it is but meet that the power should be vested in the Corporation, by a certain proportion of the strength of the Corporation, to compel the Government recall the undesirable officer. It cannot be argued that past experience has not justified the retention of such a provision in the Bill, for that cannot be said to be real or conclusive argument. In course of time people may get to have an increasing sense and develop better ideas of administration of the City affairs and when they find incompetent men had been appointed once

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upon a time or incompetent men had been thrust upon the Corporation once upon a time, there must be some way out of the difficulty and some method to get rid of such officers. The House must concede the possibility of frictions arising and frictions not of the ordinary type but frictions which might lead to dead-lock in the administration of the Corporation. It is always wise to have legislation to provide for such contingencies. I should say that no case has been made out either at the time of the Select Committee or before that for the removal of these sentences in the section. On the other hand, conditions being what they are at present, probably it will be expedient that we do retain this clause in order to provide for certain contingencies. I therefore move that the Select Committee's recommendation be not accepted and the old clause be retained."

* Mr. T. S. RAMASWAMI AYYAR:—"Mr. President, Sir, I desire to second the amendment moved by my hon. Friend, Mr. Basheer Ahmed Sayeed. Criticisms have been levelled against this Act from various quarters and in some places it has been remarked that some of the changes are retrograde. I think, Sir, there is some force in those criticisms, at least in respect of some of the amendments. I consider, Sir, that the change which is now contemplated under the new Act will put the clock back. We are now trying to find out how far the people could be trained in the ways of self-government. The power that has been given to the Corporation to appoint its officers has been recognized in the earlier clauses. Now, the Corporation as an employer of a number of people claims the right to get rid of certain officers with whom it is not possible for the Corporation to get on. We have seen cases in other places, where local bodies have found it difficult to get on smoothly with their executive officers. I think it is unfair to say that local bodies are always in the wrong. It may be, and I do admit it, that certain local bodies are carried away by considerations other than just, in dealing with their officers. I am not unaware of that, but if you want to protect the officers from any vagaries that may arise it must be by a right of appeal to the Local Government. Apart from that, Sir, how can you deny the privilege of an employer to dispense with his employee? This morning you found that it was the Corporation councillors that were vying with one another in trying to increase the pay of the officers of the Corporation of Madras. So, it cannot be said that the Corporation, at least as it is at present constituted, is a body which consists of people who are not well disposed towards their employees. They are anxious to have an efficient and a well-paid staff. And no case has been made out by the Government why the power of dispensing with the services of an officer with whom the Corporation is not able to get on, which existed under the old Act, is now sought to be removed. I ask the Government whether the Corporation of Madras has at any time passed a resolution dispensing with the services of any of its officers during the past few years, and has any officer made a complaint that he has been badly treated? I want to know what case

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the Government has for changing the statute. Do they think that the power which normally an employer should have over his employee should not be available to the Corporation and that the Corporation should not be trusted to manage its own affairs? I am afraid, Sir, this is interfering too much with the autonomy of a local body. I find that the District Municipalities Act is the evil genius of the present Act. If there is a provision in the District Municipalities Act, it is at once inserted here. I want to ask the Government, whether they have made out a case for deleting the power that has been so long vested in the Corporation, a power which has on no occasion been abused. Now, when we are on the eve of responsible government, if you are not prepared to trust the premier Corporation of this Presidency with this power, I wonder how you are going to encourage self-government in this country. After all, this power is a power which is hedged in by a number of restrictions. You know, Sir, that the new Council has to consist of 65 councillors and all of them are not of the same persuasion. Some of them are elected from the divisions, some of them are sent in by various institutions like the commerce constituencies, and then again there are going to be representatives of the scheduled castes. It cannot be suggested that all these people are going to conspire against an officer and send him out for no fault of his.

"How can an officer be kept on if a resolution is passed by the Corporation at a special meeting of the Council called for the purpose and supported by the votes of not less than 33 councillors? If 33 councillors representing various interests and coming from various groups make it plain that they do not want an officer, I do not see the reason why the Government should still insist that that officer should be superimposed on the Corporation. I think it will only be creating unnecessary hitch and difficulties in the administration. What will happen if you are not going to give effect to the resolution? When you do not like your servant, it is good to give him a month's notice and ask him to go at the expiry of the period. If you are not going to give this power to the Corporation, human nature being what it is, the tendency will be to find fault with him and thus embarrass the officer. It is good for neither the Corporation nor the officer. Under this section if the council does not want an officer, it does not frame any charge but merely tells the Government that it does not want the particular officer. If at a special meeting called for the purpose, 33 councillors are in favour of his being sent away, the Government can certainly say to the officer 'The Corporation does not want you and you will have to go away.' If the officer's services had been lent to the Corporation, he can revert to his permanent post. His prospects are not at all marred. To fight with the Corporation, instead of its wishes being met, would result in unpleasantness both to the officer and the Corporation. As I said the Corporation would, if thwarted, begin to frame charges which may not be well-founded and thus put the officer to difficulties. I think the Government will not be helping the officer

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by not removing him. I would suggest that the Corporation may be given the power and the particular officer affected may have a right of appeal to the Government.

"We are now in days when we are appointing special officers for special posts. We appointed a special engineer for designing the drainage scheme. Similarly also, we may require the services of experts from time to time. They are all matters of contract and if the Corporation does not keep its word, it is up to the officer affected to take the case to a civil court and seek redress there. Apart from that, Government can also reserve to themselves certain powers to see that justice is done as between the Corporation and its contractual obligations with its servants. Depriving the power an ordinary employer possesses over his servant, in the case of the Corporation, is not helping the local bodies to conduct their administration efficiently."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I intended to move the amendment standing in my name, but as its adoption will involve the lessening of the number by one, I support the amendment moved by Mr. Basheer Ahmed Sayeed. My amendment was to the effect that the removal shall be effected if the resolution were passed by three-fifths of the members of the Council. As it may involve some fraction, I support this motion which suggests the round number of forty. As both the mover and seconder of the resolution have given their reasons for the amendment, I do not wish to add anything more except to emphasise the fact that in the old Act the Corporation had the power of taking initiative, when the contingency arose that an officer was recalcitrant, useless or disobedient and it was a danger both to the Corporation and to the City at large to retain him. That contingency cannot be realized by the Government, it can only be realized at the first instance by the Corporation and so it ought to be open to that body to take up that matter in the Council and by a very guaranteed majority pass a resolution against the retention of the officer. He may be an officer appointed by the Corporation itself or appointed by the Government. It is not as if the Corporation wants to have all the powers or that it wishes to utilize them at any moment in a light-hearted manner. It is only when a serious situation has arisen, when a substantial number of councillors are of the opinion that the retention of the officer is a danger to the City at large and the Corporation, that it takes up this question, deals with the pros and cons of the subject and comes to the conclusion that it is not advisable to keep the officer on. Then alone it is forwarded to the Government for action. It is not that the resolution is given effect to immediately it is passed. It is a recommendation to the Government. I do not, therefore, see any difficulty on the part of the Government to accept the amendment. After all it is not a fresh power that the Corporation wants. It only wants a retention of the existing power. We do not doubt the interest that the Government may take in the affairs of the Corporation—Government will certainly be watching our affairs with interest—but what I say is 'Why, when the number of forty is a sufficient guarantee against the misuse

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of the powers, do you insist that the powers should not be vested in us? I am sure from the experience that we have had that there has never been a case of the Corporation coming forward with a proposal of this nature. I am sure even in the future this power may be a dead letter for a long time to come. But when the contingency arises, the Corporation should have the power. We are jealous of the powers of the Corporation and we want that the power which has been enjoyed all these years should not be taken away from them."

Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, this clause appears to me to be absurd. The clause says that if a resolution is passed by the Corporation, a substantial number voting for it, and forwarded to the Government, the Government shall remove the officer. It can as well be stated that on such a resolution being passed, the Corporation may themselves give effect to it. The Government has no discretion at all in the affair and it must carry out the recommendation of the Corporation. I do not think that such a clause ought to be there. I cannot conceive how such a provision could find a place on the Statute Book. I think that my friends are not justified in pressing for the retention of this clause. As regards the first clause, the Government have got the discretion and they will exercise their power for good reasons; but according to the second clause, the Government is bound to accept the recommendation. I do not understand why the Government should do it."

* Mr. D. M. REID:—"Mr. President, my own feeling is that not very much turns on it either way. As far as I can remember, these powers have never been brought into operation or considered or thought about. It is a sort of bogey which the Council can put up to show to the Commissioner or other officers, what they can, if they chose, do. This can well be omitted without any particular harm being done."

"The next point is that it conflicts with sub-section (3) of section 87 of the Act. If Government came down on the Corporation in a case in which the Corporation had failed to appoint an officer, the Corporation can come down on the officer appointed by Government and straight-away adopt a resolution recommending his removal. That is a case which would create an *impasse*, which would be difficult for the Government to deal with. It seems to me, therefore, that it would be better that the Bill should stand as it is. From my long association with the Corporation, I am also jealous of the powers of the Corporation; but I think this is an instance in which we might fairly leave the Bill alone."

* Mr. C. BASU DEV:—"Sir, after witnessing the onslaughts of the official and non-official Members connected with the Corporation of Madras against any one who dared to criticize the alleged efficiency of the administration of the Corporation, I feel rather nervous to indulge in strong language in speaking on this amendment, though it merits strong language. Sir, Mr. Reid has pointed out a difficulty which I am sure will certainly weigh with the Members of this House. I shall not

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repeat his arguments. Sir, Members who have spoken in favour of this amendment have said that this is not a new power but a power that is already in existence. I beg very humbly and very politely to submit to the members of the Corporation who are also Members of this House that the very existence of this privilege has led to the deterioration in the efficiency of the administration of the Corporation. Sir, I would like to point out only two instances to bear me out. It is within the memory of hon. Members of this House as to how the Corporation of Madras had constituted a committee to go into the question of unauthorized encroachments. I should like to know why so many encroachments were allowed without check. Is it that the officers of the Corporation had wilfully neglected to check the encroachments and remove them or is it the officer was not free to act on account of this wonderful privilege which the Corporation of Madras has of passing resolutions of censure against officers? I submit that it is entirely due to the latter cause that encroachments have now become the nightmare of Madras. This certainly is a blot on the efficiency of the administration and is entirely and directly due to this provision which hangs like a sword of Damocles on the head of officers serving under the Corporation of Madras. Again, Sir, take for instance, the question of building of houses in the City. I have come across a very striking instance of how the officers of the Corporation are not allowed to do their duty. I understand that a certain person in the City of Madras had taken a small piece of land on lease for two years for the sole purpose of carrying on the business of a firewood depot. On that piece of land now stands a big three-storeyed building, and in spite of the efforts of the officers, engineers and others, who wanted to cancel the lease, councillors coming between the officers concerned and the lessee have prevented the officers from carrying on their duties. It is I am sure known to hon. Members who are also members of the Corporation that in the matter of putting up new buildings, at least 60 per cent of them are constructed before the plans are submitted and the permission given to construct. This is the deplorable state of affairs in the Corporation of Madras. Mr. President, let me not be understood by these remarks of mine that I am casting any reflection upon the efficiency of the officers. I am only saying that in spite of their best efforts to rectify the state of affairs in the Corporation, they are not allowed to do so. I therefore think that the deletion of these lines from sub-section (1) of section 88 is certainly calculated to give the officers that amount of freedom which is absolutely essential in the interests of efficient and pure administration of the Corporation. With these words, Mr. President, I oppose the amendment."

Mr. M. A. MUTHIAH CHETTIYAR:—"I just now noticed that the provision to remove the Commissioner by a vote of the council is still retained by the Government, and they have not amended it; section 8 (2) as slightly amended says, 'The Local Government may at any time remove the Commissioner from office and shall do so if at a special meeting of the Council called for the purpose not less than forty members

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vote for such removal.' Formerly, the number was 33 councillors, and now the number has been proportionately increased to forty. When the Government introduced this amending Bill, they did retain the provision in section 88 (1) to remove the other officers of the Corporation on the recommendation of the Council by a resolution passed at a special meeting called for the purpose by the vote of not less than forty members of the council. But now, I find that at the Select Committee stage, probably on a day when I was absent, an amendment has been made omitting the words in section 88 (1) beginning with 'and shall be so removed' and ending with the words 'thirty-three councillors.' By this they have taken away the right of the council to remove any officer if they wish it. It will be seen from section 85 of the Act that the Council is empowered to appoint those officers. No doubt it requires the approval of Government. The approval of Government is there because if there should be a case where a man not qualified has been appointed by the Corporation, the Government may not approve of it. It is only to serve such contingencies that that provision of the approval of Government has been included. When the Corporation has got the right to appoint an officer, I think it is but right the Corporation should in case of extreme emergency have the power to remove the officer, especially while they have got the power to remove the Commissioner whom they do not even appoint. The Commissioner is not appointed by the Corporation but by the Government, and the Corporation can recommend his removal by a resolution under section 8 (2). This is allowed as an extreme necessity. So I think it is only reasonable that the present provision should be continued but only the number of councillors that should vote may be increased in proportion to the strength of the future council."

* The Hon. Sir the RAJA OF BOBBILI:—"Sir, as I understand it, the reason why the Select Committee deleted this provision is not that this power was likely to be abused by the Corporation, but that as the power to remove the Commissioner who is the Chief Executive Officer of the Corporation, by a vote of forty members has been retained, it is quite unnecessary to extend the same power to other individual officers working in the Corporation. It is true advantage of this provision was not taken in the past. But I believe there are one or two cases where notices of a motion of this kind have been given though not pressed. My point is when the Corporation has control over the Chief Executive Officer, there will be no necessity to arm the Corporation with power to remove the other subordinate officers. That is the reason why it has been considered unnecessary, and I do not think the question of privilege or doing away with the privilege arises at all, in this amendment. I believe also the Corporation has power to punish its officers, and so I absolutely see no need for this provision. It is the responsibility of the Commissioner to see that all the subordinate officers do their duties, and if the Commissioner does not discharge his responsibility properly, the Corporation has got the right to recommend his removal. I believe that is a sufficient safeguard against abuse of

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power and there is no question of prestige involved in this case at all. I feel that in the interests of administration the provision recommended by the Select Committee is the best. I therefore oppose the present amendment."

* Mr. BASHEER AHMED SAYEED:—"Mr. President, I am sorry the Hon. Chief Minister has not made out any consistent case for the view which he holds. As has been pointed out in the case of the Chief Executive Officer, the Council has the power of forcing the Government to remove him if he is not acceptable to the Council. Now, Sir, the officers contemplated in section 85 are only those who are appointed by the Council subject to confirmation by Government. In that section, there is also one other class of officers, namely, officers appointed under sub-section (3) of section 87, that is officers thrust upon the Corporation by the Local Government. At least in the case of those officers who are appointed by the Council subject to the approval of Government, it is but meet and fair that the Council should have the power of removal or dismissal. The Government has unequivocally laid down in their statutory rules that the appointing authority should always be the punishing authority. Punishment always includes dismissal, not merely suspension, reduction and all that. I do not see why the Government should now plead another doctrine when this amendment is being discussed. When the Council is the judge of the work of officers, they should certainly have this power of removal as well. When the Council finds any one of them unacceptable for their purpose, or for the proper administration of the city, it must be allowed to the Council to say 'here is a man whom we do not want; let him go back or please take him back.' Then, if this power is not given, what are the powers left to the Council? If this clause is not retained in section 88, we have absolutely no powers. I beg hon. Members to peruse section 94. Section 94 of the Act is one which compels the Corporation to make contributions towards passages, leave allowances, pension, provident fund, etc., thereby throwing onerous obligations on the Corporation. Then, what are the corresponding privileges or powers? Let us see again section 96. I referred to section 94 because I want the House to consider it along with section 96. Section 96 is the only section which gives power to the Council to punish any officer, and that section is carefully worded so as to exclude the officers appointed under sections 85, 86 and sub-section (3) of section 87. In the result, there is no other section in the whole Act which enables the Corporation to get rid of an officer who has proved to be unsuitable or incompetent or inefficient. The Government may say that the recommendation must come from the Corporation, and then the Government will consider whether it is feasible to remove him or not. My answer to that argument is, we are entering into the party system of Government; in the party system it is very likely that a man whom the Corporation wants to remove, may have great influence with the party in power and he will certainly use that influence and will continue in office much against the will of the Corporation, nay, even to the detriment of the best interests of the Corporation and its smooth administration. If, in these days when

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party Government is not felt so strongly, even when well-organized party systems have not been functioning, it is possible for any single individual in the Corporation to snap his fingers at the whole Council, much more so will it be in future. Again section 96 says that the Corporation shall have power only over those officers who are not appointed under section 85, section 86 and sub-section (3) of section 87, to reduce, suspend, remove or dismiss. But Government servants, even those on Rs. 50 or Rs. 60, cannot be punished by the Corporation. For if you read section 96 further, the proviso says, 'No Government servant employed by the Corporation shall be dismissed from such employment without the consent of the Local Government or until three months' notice in writing to that effect shall have been given to the chief controlling authority of the branch of the Government service to which such servant belongs.' Such are the safeguards in the interests of Government servants. Much more safeguards are necessary in the interests of easy and smooth administration of the Corporation. After all why should Government come in at all? Those officers are appointed and paid for by the Corporation, and if it is said that these officers cannot be punished by the Corporation, is it logical or fair? The Commissioner even is not the punishing authority in the case of those officers. Thus there is no provision in the Bill to get rid of a man who is a misfit or to punish a man who misbehaves, when his appointment comes under those sections. I therefore say, Sir, that it is but reasonable that the appointing authority should have this power. Just imagine how it would be if an officer in a big corporation or commercial concern is not able to satisfy his employer and that body has no power to remove him even though they pay his salary. So, Sir, it is only logical, reasonable, fair and just that this power should be vested in the Corporation and there can be no argument against it."

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p.m.

The Hon. Sir the RAJA OF BOBBILI:—"As regards punishment, Government are prepared to consider that question when we reach section 96. The contention of the hon. Member is that the Corporation has no authority to punish servants appointed under section 86. When we come to that, we can prescribe the authority to take disciplinary action against the servants. I think this method of getting rid of servants by a resolution without showing any just or sufficient cause for it is not the proper remedy."

Mr. V. P. NARAYANAN NAMBIYAR:—"I move—

'that the further consideration of clause 46 be adjourned until clause 49 (section 96) is considered'."

Mr. K. A. NACHIYAPPA GOUNDER:—"I second it."

The motion was put and carried.

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

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Saturday, the 10th August 1935.

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 :

Reddi Nayudu, <i>Kt.</i> , The Hon. Rai Bahadur Sir K. V.	Madanagopal Nayudu, Mr. R.
Pannirselvam, The Hon. Rao Bahadur A. T.	Maharaja of Venkatagiri, The.
Souter, C.S.I., I.C.S., The Hon. Mr. C. A.	Mahboob Ali Baig Sahib Bahadur.
Bracken, C.S.I., C.I.E., I.C.S., The Hon. Mr. G. T. H.	Manikkavelu Nayakar, Mr. M. A.
Raja of Bobbili, The Hon. Sir the.	Moidoo Sahib Bahadur, Khan Bahadur T. M.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Moses, Mr. P. C.
Abdul Hameed Khan Sahib Bahadur.	Muniswami Pillai, Rao Sahib V. I.
Ahmed Meeran Sahib Bahadur, A. M.	Muthiah Chettiyar, Mr. M. A.
Alagannan Chettiyar, Rao Sahib A. S.	Muthu Chettiyar, Rao Bahadur P. C.
Alamelumangathayaramma, Mrs. K.	Nachiyappa Gounder, Mr. K. A.
Annamalai Chettiyar, Mr. S. A. A.	Nadinuthu Pillai, Mr. A. Pl. N. V.
Appadurai Pillai, Diwan Bahadur A.	Nanjappa Bahadur, Subadar-Major S. A.
Arasu, Mr. V. T.	Narasa Reddi, Mr. T.
Ari Gowder, Mr. H. B.	Narasimhaswami, Rao Sahib D. V.
Basheer Ahmed Sayeed Sahib Bahadur.	Narayanan Nambiyar, Mr. V. P.
Basu Dev, Mr. C.	Narayanaswami Pillai, Rao Bahadur T. M.
Beyabani Sahib Bahadur, S. M. K.	Natesa Mudaliyar, Diwan Bahadur C.
Bhanoji Rao, Sri A. V.	Obi Reddi, Mr. C.
Boag, C.I.E., I.C.S., Mr. G. T.	Palat, Mr. R. M.
Devadasan, Mr. M.	Patnaik Mahasayo, Sriman M. G.
Dharmalingam Pillai, Rao Sahib V.	Patro, <i>Kt.</i> , Rao Bahadur Sir A. P.
Duraiswami Reddiyar, Mr. K. M.	Pattabhiramayya, Mr. K.
Ellappa Chettiyar, Diwan Bahadur S.	Pattagar of Palayakottai, The.
Gopalaswami Mudaliyar, Diwan Bahadur M.	Pocker Sahib Bahadur, B.
Indrayya, Mr. C.	Premayya, Mr. G. R.
Iswaran Pillai, Mr. I. C.	Rajagopala Pillai, Mr. P. V.
Jagannatham, Mr. H. M.	Raja of Kallikote, The.
Jayaram Nayudu, Rao Sahib C.	Raja of Parlakimedi, The.
Jones, I.C.S., Mr. C. E.	Ramachandra Padayachi, Mr. P. K.
Kesavaramamurti Nayudu, Mr. K.	Ramakrishna Reddi, Mr. A.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ramalinga Reddi, Mr. C.
Kolanda Reddi, Rai Sahib C.	Ramalingam Chettiyar, Diwan Bahadur T. A.
Koti Reddi, Mr. K.	Ramamurti, Rao Sahib Pandit Ganala.
Krishnayya Choudari, Mr. P. V.	Raman Menon, Mr. K. P.
Krishnamurti, Rao Bahadur D.	Ramaswami Ayyar, Mr. T. S.
Krishnan, Mr. C.	Ramaswami Mudaliyar, Mr. V. M.
Krishnaswami Ayyar, <i>Kt.</i> , Diwan Bahadur Sir Alladi.	Rameswara Rao, Mr. G.
Kumararaja of Venkatagiri, The.	Ranganatha Mudaliyar, Mr. G.
Kuppuswami Choudari, Mr. J.	Ranganatha Mudaliyar, Mr. M. D. T.
	Rangaswami Reddi, Mr. M. B.
	Ratnavelu Thevar, Mr. P.
	Reid, Mr. D. M.
	Rukmani Lakshmipathi, Mrs. A.
	Russell, I.C.S., Mr. T. B.
	Scott Brown, I.C.S., Mr. W.

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PRESENT—cont.

Sesha Reddi, Rao Bahadur B. P.
 Shetty, Mr. A. B.
 Simhachalam Pantulu, Mr. G.
 Siva Raj, Rao Sahib N.
 Smith, Mr. J. M.
 Soundara Pandian, Mr. W. P. A.
 Sreshta, Mr. M. S.
 Srinivasan, Rao Bahadur R.
 Sriramulu, Mr. G.
 Subbarayan, Dr. P.
 Subrahmanya Chetti, Rao Sahib P.
 Subrahmanya Bhatt, Mr. U. C.
 Sundara Rao Nayudu, Mr. T.

Syed Tajuddin Sahib Bahadur, Khan
 Sahib.
 Thangal, Mr. P. M.
 Uzielli, C.I.E., I.C.S., Mr. H. R.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venugopal Nayudu, Rao Bahadur
 R. K.
 Wright, Sir William.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Bodinayakkanur, The.
 Zamindar of Kirlampudi, The.
 Zamindar of Mirzapuram, The.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Fisheries

Receipts and expenditure on account of the Sunkesula Fish Farm.

* 195 Q.—Mr. A. RAMAKRISHNA REDDI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) what the annual expenditure by the Government is on the Sunkesula Fish Farm; what the annual income to Government from the farm is; and

(b) what the object is with which the Fish Farm was started and is being maintained by the Government?

A.—(a) The annual expenditure and income for the last three years are—

	Expenditure.	Income.
	RS.	RS.
1931-32	3,157	963
1932-33	3,109	234
1933-34	2,766	208

(b) The objects with which the farm was started and is maintained are twofold—

- to conduct research and fish culture with indigenous and non-indigenous food fish; and
- to breed fish and stock the provincialized rivers, channels and tanks.

Mr. C. OBI REDDI:—“ I find in the statement given here that the income in 1933-34 has been appallingly low, considering the income in the two previous years. Does the Government propose to continue that farm? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It is not intended to yield any income. It is intended only for research and breeding work. The smaller income in 1933-34 shows that

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the excess over the requirements which was sold was not much. That does not show that the research undertaken was slack in that year.”

Mr. C. OBI REDDI:—“ May I know how long the Government propose to continue this farm for purposes of research and not for income? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I cannot say.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask the Hon. the Minister whether he can give any reason as to why the income that stood at Rs. 963 in 1931-32 has whittled down to Rs. 208 in 1933-34? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It is only the excess over the requirements for research and breeding that is sold. The smaller the income, the more successful should the work on this farm be considered to be.”

S. M. K. BEYABANI SAHIB Bahadur:—“ May I bring to the notice of the Hon. the Minister that this place is quite out of the way and may I know whether a better place cannot be chosen for the purpose in the district? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I can't say.”

Mr. C. OBI REDDI:—“ May I request the Government to place before the House a report so that we can know how far the research portion of the work has been satisfactory? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I think the Administration Report itself will contain all the information that my hon. Friend wants.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know how far the farm has served the purpose indicated in the answer given to clause (b)? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It is too early to say anything.”

Industry

Prospects of ceramic industry in the province.

* 196 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) for how many years the Ceramic Expert was employed and whether the expenditure incurred in employing him has resulted in any advantage to the province;

(b) what the making of the ceramic survey cost and what the resulting advantage is;

(c) whether it is intended to pursue researches to ascertain whether in the districts in which aolin and felspar have been found in abundance, as in South Kanara, these substances can be commercially utilized for making ceramic ware and distemper; and

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(d) whether any enquiries have been made from the Public Works Department as to the results of these experiments to ascertain whether distemper can be locally made, as suggested by me in my supplementary question on question No. 67 put on 2nd August 1933?

A.—(a) & (b) The Ceramic Assistant was employed for nearly three years. The results of his survey have been published. It indicates the location of raw materials suitable for the ceramic industry and generally the possibilities of starting ceramic industries in the Presidency. The expenditure incurred as pay for the Ceramic Assistant and his staff was approximately Rs. 11,385. Figures for travelling allowances and contingencies are not available as they were not separately recorded.

(c) & (d) No.

Mr. M. S. SRESHTA:—"In view of the fact that the Ceramic factory in Mysore has been a decided success, and in view of the fact that the Industries Committee has advised the establishment of a demonstration ceramic factory, may I know whether the Hon. the Minister will be pleased to consider now the starting of a demonstration factory in South Kanara, or at any rate, place the matter before that Committee?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not know anything about the factory in Mysore."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the Government are completing the report or have they ordered it to be stopped in the middle?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The report was finished some years ago, and I think it was placed on the table of the House."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not a fact, Sir, that the Special Officer stopped with the surveying of the districts?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I think he surveyed all the districts where there was a possibility of finding raw materials."

Mr. A. B. SHETTY:—"May I know whether the Government propose to take any action on the recommendations made by this Officer in his Report?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"It is for the public to take advantage of it."

Mr. V. M. RAMASWAMI MUDALIYAR:—"Are we to understand from the answer given that the Government have no intention to exploit the resources of raw materials in favourable conditions as an experimental measure?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"There is no intention of starting any factory at present."

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Mr. M. S. SRESHTA:—"May I know whether any experiment will be made now?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I do not know whether the conditions warrant it."

Mr. T. S. RAMASWAMI AYYAR:—"May I know whether it is the declared policy of the Government that in no case they themselves will start any industry but will leave it to the public to do it?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The policy of the Government is generally to demonstrate its commercial possibilities by investigation on a laboratory scale, and then leave it to private enterprise to take it up."

Co-operation

Non-production of pattas by the zamindari ryots operating as a bar to taking loans from the Land Mortgage Banks.

* 197 Q.—Rao Sahib C. KOLANDA REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Land Mortgage Bank rules require that the applicants for loans should produce pattas, and that the zamindars generally do not issue pattas;

(b) whether it is a fact that in consequence thereof loans sanctioned by the Central Bank to the extent of over Rs. 10,000 for the Gannavaram Land Mortgage Bank, Kistna, cannot be disbursed;

(c) whether it is a fact that for the self-same reason applications for loan for about Rs. 60,000 could not be considered by the said bank; and

(d) what steps the Government propose to take to remedy the evil immediately?

A.—(a) Model by-law 45 of Land Mortgage Banks requires that every application for a loan should be accompanied by the title-deeds and other documents relating to the land proposed to be mortgaged. As the Central Land Mortgage Bank and the Primary Land Mortgage Banks have to safeguard the amount lent to members, they see whether an applicant has an absolute title to the land proposed to be mortgaged and whether he is in the actual possession and enjoyment of it. The Central Land Mortgage Bank and the Primary Land Mortgage Banks, therefore, insist on the applicants registering their names in the estate accounts as holders of the lands tendered as mortgage and obtaining pattas in respect of them. Loans sanctioned by the Central Land Mortgage Bank are, however, disbursed if the borrowers at least get their names registered in the revenue accounts; they are permitted to produce pattas later. A few delays in the issue of pattas by the zamindars have come to the notice of the Registrar of Co-operative Societies.

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- (b) Definite information is not available. Rupees 9,650 sanctioned by the Central Land Mortgage Bank is pending disbursement to the Gannavaram Land Mortgage Bank; this is not due solely to failure on the part of borrowers to produce pattas; borrowers have more often to satisfy other conditions such as discharge of extra debts from out of their own resources, joint execution of mortgage deeds by interested persons, etc.
- (c) No. It is understood that applications for loans for Rupees 58,000 are in various stages of investigation.
- (d) Whenever delay in the issue of pattas was brought to the notice of the Registrar of Co-operative Societies, he requested the zamindar concerned to issue them early.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know what steps the Government are going to take to see that the zamindars produce their pattas whenever the ryots want to apply for loans from the Land Mortgage Banks? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR (for the Hon. Mr. P. T. RAJAN):—" Notice."

Mr. K. A. NACHIYAPPA GOUNDER:—" In cases where the records of rights are not complete due to want of survey in some zamindari areas, what remedy do the Government propose to give to the ryots of such areas? "

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" There is no proposal under consideration."

Local Self-Government

Publication of the rules regulating recruitment to the services under local bodies.

* 198 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Local Self-Government be pleased to state, with reference to the reply of the Hon. the Chief Minister to a supplementary question on question No. 18 made on the 1st August 1934—

(a) whether the rules for recruitment to the services of local bodies have now been issued; and

(b) if so, whether publicity will be given to them before confirmation as promised in answer to the last supplementary question on the same question No. 18 made on the 1st August 1934?

A.—(a) Yes; the rules relating to representation of communities in services under district boards have been issued. Similar rules for municipal councils will be issued in due course.

(b) The draft of the rules relating to district boards was published in the *Fort St. George Gazette*, dated the 2nd April 1935, inviting any objection or suggestion thereto and the rules were confirmed after the expiry of the

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period of six weeks from the date of such publication, usually allowed for the receipt of objections or suggestions.

Mr. M. S. SRESHTA:—" May I know whether there is any proposal to refer these appointments to the Madras Services Commission? "

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

Mr. M. S. SRESHTA:—" May I know why the procedure applicable in regard to recruitment to Government service should not be extended to the local bodies? "

The Hon. Sir the RAJA OF BOBBILI:—" On principle I don't see why it should not be extended."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know why Government want to bring in outsiders into the districts on grounds of communal representation and thrust them upon the local bodies? "

The Hon. Sir the RAJA OF BOBBILI:—" With regard to services confined to the district, local people are selected; but in the cases of services which extend throughout the Presidency, sometimes it will be necessary to select people who are not of the district."

Commissioners of Municipalities reverted or ousted from service.

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

(a) whether any of the Commissioners of Municipalities have so far been reverted or ousted after they have been once employed; and

(b) if so, who they are and for what reasons each of them has been so dealt with?

A.—(a) Yes.

(b) The names of the officers are—

- (1) M.R.Ry. L. R. Venkataraman Avargal (Deputy Collector), Commissioner, Tuticorin Municipality, and officiating Commissioner, Coimbatore Municipality.
- (2) M.R.Ry. S. Samuel Pillai Avargal (Deputy Collector), Commissioner, Madura Municipality.
- (3) M.R.Ry. C. Krishnaswami Ayyangar Avargal (Tahsildar), Commissioner, Tinnevely Municipality.
- (4) M.R.Ry. Rao Sahib S. Bhimasena Rao Garu (Tahsildar), Commissioner, Guntur Municipality.
- (5) M.R.Ry. B. Audishesayya Pantulu Garu (Tahsildar), Commissioner, Bezwada Municipality.
- (6) M.R.Ry. V. S. Krishnaswami Ayyangar Avargal (Tahsildar), Commissioner, Tanjore Municipality.
- (7) M.R.Ry. B. Krishnaswami Rao (Secretary, Anantapur District Board), Commissioner, Tadpatri Municipality.

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These officers were reverted in some cases on their own request, in one case as the result of a recommendation made by the Council under section 12-C (4) of the Madras District Municipalities Act, 1920, and in others for administrative reasons.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know how many of them in all have been reverted either wholly or partly on account of the recommendation made by the Council under section 12-C (4) of the District Municipalities Act?"

The Hon. Sir the RAJA OF BOBBILI:—"Only one. It is given in the answer here."

Mr. V. T. ARASU:—"With regard to No. 2, Mr. Samuel Pillai, may I know whether he was reverted by Government on their own initiative, or at the request of the officer himself?"

The Hon. Sir the RAJA OF BOBBILI:—"He was reverted because they wanted to appoint an I.C.S. officer."

S. M. K. BEYABANI SAHIB Bahadur:—"With reference to the Special Officer at Nandyal, may I know whether the Hon. Minister will consider the question of sending away the present man and appointing one on a lesser salary?"

The Hon. Sir the RAJA OF BOBBILI:—"Representations were received one and half years ago for appointing a man on a smaller salary. Since then the municipality has been superseded, and Government considered that a person of sufficient status is necessary for properly discharging the functions of the Commissioner and the Council."

Mr. V. T. ARASU:—"The answer says 'These officers were reverted in some cases on their own request, in one case as the result of a recommendation made by the Council under section 12-C (4) of the Madras District Municipalities Act, 1920, and in others for administrative reasons.' May I know from the Hon. the Minister how many out of the seven reverted were reverted at their own request, how many on the initiative of the Government and how many on the recommendation of the Council?"

The Hon. Sir the RAJA OF BOBBILI:—"It is stated here that one has been reverted as the result of a recommendation made by the Council; I believe Nos. 4 and 7 were reverted at their own request."

S. M. K. BEYABANI SAHIB Bahadur:—"May I know what the chief reasons are for keeping the same gentleman although representations were made to Government that a man on a less salary should be appointed and also that the present man did not know Telugu?"

The Hon. Sir the RAJA OF BOBBILI:—"The usual procedure is to make these appointments for a period of three years. Although his mother tongue is not Telugu, I believe he can read and write Telugu."

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Mr. G. RAMESWARA RAO:—"Was there any representation from the Hindupur municipality that appointment of commissioner entailed too high an expense for that small municipality?"

The Hon. Sir the RAJA OF BOBBILI:—"I remember that representations have been received, but I don't think the Commissioner of the Hindupur municipality is a highly paid man."

Mr. V. T. ARASU:—"Arising from the answer of the Hon. the Chief Minister, namely, that Mr. Samuel Pillai was reverted because Government thought that an I.C.S. officer was necessary, may I ask him, Sir, to state the reasons for appointing an I.C.S. officer for the Madura municipality?"

The Hon. Sir the RAJA OF BOBBILI:—"In the interests of better administration."

Proposals for the constitution of Rasipur into a municipality.

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

(a) whether there are any proposals before Government for constituting a municipality for the town of Rasipur in Salem;

(b) if so, at what stage they are and when they are likely to be brought into effect; and

(c) from whom such a proposal has emanated?

A.—(a) No.

(b) & (c) Does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask, Sir, whether there were any representations from the people of the town?"

The Hon. Sir the RAJA OF BOBBILI:—"As far as I can remember, Government have not received any representation."

Repairs to the bridges across the channel at Sengappalli and Palappatti, Salem district.

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

(a) from which source the expenditure on the construction and repairs to bridges across the Cauvery channels in Namakkal taluk of the Salem district is incurred; and

(b) whether it is a fact that such bridges and especially those across the Komarapalayam channel at Sengappalli and Palappatti are not properly maintained and what remedy the Government propose to adopt to keep them in proper order always?

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

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Mr. K. A. NACHIYAPPA GOUNDER:—"Will the Government be pleased to furnish the information as soon as it is available?"

The Hon. Sir the RAJA OF BOBBILI:—"I shall gladly furnish the information."

Supervision of Board Elementary Schools.

11-15 a.m. * 202 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether any representations have been made to the Government pointing out the need for adequate supervision of the Board Elementary schools; and

(b) whether the Government have under consideration any proposal for such purpose?

A.—(a) Yes.

(b) Yes.

Mr. A. B. SHETTY:—"May I ask what proposals Government have under consideration in regard to the better supervision of Board elementary schools?"

The Hon. Sir the RAJA OF BOBBILI:—"There is a proposal, but no decision has been reached."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not advisable on the part of the Boards to retain the District Educational Officer?"

The Hon. Sir the RAJA OF BOBBILI:—"I don't think it is advisable in all cases. In particular districts where his retention is justified it will be done."

Mr. BASHEER AHMED SAYEED:—"May I know whether the Government will not consider the advisability of abolishing this double agency for supervision and have one single agency for the supervision of all Board elementary schools?"

The Hon. Sir the RAJA OF BOBBILI:—"There is only one agency now. In the case of district boards it is open to the district board presidents to inspect the schools and take such action as they consider necessary."

Mr. BASHEER AHMED SAYEED:—"Will the Government consider the question of abolishing the district educational officers and hand over this supervision work to the Education department?"

The Hon. Sir the RAJA OF BOBBILI:—"I believe my hon. Friend is wrong there. The duties of the district educational officer are confined to administrative work in the office. The work of supervision is not part of his duties."

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Toll compensation paid to district boards and municipalities from the tax collected on motor vehicles.

* 203 Q.—Mr. M. S. SRESHTA: Will the Hon. the Minister for Local Self-Government be pleased to state with reference to his reply to the supplementary question on question No. 82 given on the 3rd August 1934, that he would consider how far it was possible to give effect to the suggestion of the hon. Mr. A. B. Shetty, that the amount collected in each district might be paid back to it, what conclusion has been arrived at?

A.—The matter is still under consideration.

Mr. M. S. SRESHTA:—"May I ask the Hon. the Chief Minister to say whether it has been ascertained how in the case of South Kanara alone only about one-fourth of the amount collected is paid back?"

The Hon. Sir the RAJA OF BOBBILI:—"We have answered that question more than once. The Government, in fixing the toll compensation, have taken into consideration the average income of the district boards for three years prior to the coming into force of the new Act."

Mr. A. B. SHETTY:—"May I know when the Government expect to come to a decision on this matter?"

The Hon. Sir the RAJA OF BOBBILI:—"At its last meeting, this question was referred to the Local and Municipal Advisory Committee and they recommended to the Government the abolition of the Act. They thought it unnecessary to consider this question. The Government will come to a decision on the question after the matter is referred to the Committee at its next meeting."

Mr. BASHEER AHMED SAYEED:—"Do we understand, Sir, that the Government are still considering the question of abolishing the Motor Vehicles Taxation Act?"

The Hon. Sir the RAJA OF BOBBILI:—"I do not see how that question arises now. That question has repeatedly been answered on the floor of the House."

Public Health

Exhibition of notice boards near public wells and tanks stressing their user by people without distinction of caste or creed.

* 204 Q.—Mr. P. V. RAJAGOPAL PILLAI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether as an effect of Local Boards Amendment Act XXIII of 1933, notice boards have been put up near public wells, tanks and reservoirs to the effect that they shall be open to use and enjoyment by all persons irrespective of their caste or creed; if not, whether steps will be taken now to do so; and

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(b) what instructions, if any, have been issued to local boards to give effect to the amended Act?

A.—(a) The Government have no information. They do not consider it necessary that notice boards should be put up.

(b) No instructions to the local boards are necessary.

Rao Sahib V. I. MUNISWAMI PILLAI:—"In view of the answer to clause (a) of this question, may I ask whether the Government do not consider it necessary, in the interests of the depressed classes, that such notice boards should be put up?"

The Hon. Sir the RAJA OF BOBBILI:—"We have amended the Act itself. I do not think that any such notice boards are really necessary. If any case of opposition to the exercise of these rights by the depressed classes is brought to the notice of Government they will take action."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Will the Hon. the Chief Minister ask the opinion of the local boards on this matter?"

The Hon. Sir the RAJA OF BOBBILI:—"So far, no necessity has arisen for it, and if any necessity arises we will consider the question."

Mr. A. RAMAKRISHNA REDDI:—"May I ask the Hon. Minister to obtain information as to whether the provisions of the Act as regards the use of wells and tanks by the depressed classes are being given effect to?"

The Hon. Sir the RAJA OF BOBBILI:—"The Government have made suitable provisions in the Act and if they are not worked properly, they will be prepared to take the necessary action."

Mr. A. RAMAKRISHNA REDDI:—"May I know if the provisions of the Act are given effect to in practice?"

The Hon. Sir the RAJA OF BOBBILI:—"It will be impossible to find out if the rights are being enforced. We can only interfere if representations are made to us and the matter is brought to our notice."

Mr. P. V. RAJAGOPALA PILLAI:—"Are not Government aware that there are still several tanks not accessible to the depressed classes?"

The Hon. Sir the RAJA OF BOBBILI:—"I have no official information. I shall be glad to look into the matter if the hon. Member brings any specific case to my notice."

Mr. M. S. SRESHTA:—"Will the Hon. Minister circularize the local boards and ascertain whether these provisions are being given effect to?"

The Hon. Sir the RAJA OF BOBBILI:—"The Act is there and the provisions are there. I do not see any necessity to point out to the local boards the rights of the various communities. As I have already stated, if we receive information that in particular cases there have been difficulties, we will do all that we can."

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Mr. P. V. RAJAGOPALA PILLAI:—"May I bring to the notice of the Hon. the Chief Minister the fact that the 'Showerwell' in Alandur Panchayat Board area is not accessible to the depressed classes?"

The Hon. Sir the RAJA OF BOBBILI:—"I shall call for a report and attend to the matter."

Government grants for rural water-supply schemes, conditioned by the availability of such works to the public at large irrespective of caste or class.

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

(a) whether when grants for rural water-supply are made to local bodies and municipalities the Government lay down that the wells or other works improved or newly constructed with the help of the Government grant shall be available for the use of all castes and classes;

(b) if the answer to (a) is in the affirmative, what steps have been taken to enforce this condition; and

(c) whether the Government have in any case reduced grants for water-supply when any local body or municipality failed in any particular case to fulfil this condition?

A.—(a) No. The attention of the hon. Member is invited to section 126-A of the Madras Local Boards Act, 1920, and section 227-A of the Madras District Municipalities Act, 1920.

(b) & (c) Do not arise.

Mr. A. B. SHETTY:—"May I ask whether any case has come to the notice of the Government in which any local body has failed to fulfil this condition?"

The Hon. Sir the RAJA OF BOBBILI:—"As far as I am aware there has been no such case."

Reforms

Publication of the report of the Delimitation Committee.

* 206 Q.—Mr. P. V. KRISHNAYYA CHAUDARI: Will the Hon. the Member for Finance be pleased to state—

(a) whether the Government have prepared any memorandum or minutes for consideration by the Delimitation Committee;

(b) if so, whether the Government will be pleased to lay them on the table;

(c) what progress the Committee has made with the proposals regarding the delimitation of constituencies;

(d) when the report of the Committee is expected to be ready; and

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(e) whether the report will be laid on the Council table when ready?

A.—(a) Yes.

(b) The memoranda have been placed on the table of the House.

(c) The Committee has concluded its deliberations.

(d) In a week.

(e) Yes.

Mr. P. V. KRISHNAYYA CHODARI:—"Will the Hon. the Finance Member be pleased to place the proceedings of the Delimitation Committee also on the table of the House?"

The Hon. Mr. G. T. H. BRACKEN:—"I do not know what the hon. Member means by 'proceedings'. The report will be laid on the table."

S. M. K. BEYABANI SAHIB Bahadur:—"Will the Hon. Member please state whether the Government consulted the elected representatives of the people on the question of allotting the seats?"

The Hon. Mr. G. T. H. BRACKEN:—"I am afraid I do not understand what is meant."

Mr. M. S. SRESHTA:—"May I know, Sir, whether the dissenting minutes will be printed?"

The Hon. Mr. G. T. H. BRACKEN:—"That is a matter for the committee to decide."

Famine Relief

Prevalence of acute famine conditions in certain parts of Jammalamadugu taluk, Cuddapah district.

* 207 Q.—Mr. T. NARASA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the fact that acute famine conditions are prevailing in Tallaproduddatur and Talamanchipatnam revenue firkas of Jammalamadugu taluk, Cuddapah district; and

(b) whether it is a fact that these famine conditions have been prevalent for the last five years?

A.—(a) & (b) As far as the Government are aware, it is not a fact that acute famine conditions are prevailing in the areas mentioned or have been prevalent there for the last five years. The Government have called for a report.

Irrigation

Progress of the proposals for the supply of water for irrigation from the Mettur reservoir and the Cauvery to Salem.

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

(a) at what stage the proposals made by me with regard to the supply of water from the Mettur Reservoir, and from the Cauvery for irrigation in Salem district by means of pumping by electric power are;

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(b) who the officer entrusted with the investigation of these proposals is;

(c) at what stage the investigations are;

(d) if the investigations have been completed, what the report made by the officer who was entrusted with the work is, and whether a copy of it will be placed on the table;

(e) what the remarks offered by the Chief Engineers for Irrigation and Electricity over the same are; whether copies of them will be placed on the table; and

(f) what action the Government have taken or propose to take in the matter?

A.—(a), (c), (d), (e) & (f).—A copy* of letter No. 1758-1, dated 6th August 1935, to the hon. Member, on the subject is placed on the table of the House. The Government consider that no useful purpose will be served by placing on the table copies of the reports received from officers on the subject.

(b) The investigation was done by departmental officers and no officer was placed on special duty for the purpose.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, the names of the officers who investigated into the matter?"

The Hon. Mr. C. A. SOUTER:—"I cannot remember the names. One was an officer of the Public Works Department and the other is an electrical engineer."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, if copies of the reports made by these officers will be placed on the table of the House?"

The Hon. Mr. C. A. SOUTER:—"Sir, the information given in the appendix to the answer to this question contains a full precis of all that has to be said on this question. I may assure him that the information given here is all that is available and there is nothing secret about it."

Land Revenue Administration

Reduction of the mileage allowance admissible to persons in the Revenue department employed in South Kanara.

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

(a) what the mileage allowance per mile was which the peons of the Revenue department in South Kanara were getting till recently, when they were going on circuit;

(b) whether it is a fact that the same has been reduced recently; if so, why, and under whose orders was the same reduced;

(c) whether the sanction of the Board of Revenue was obtained for the reduction, if any;

* Printed as Appendix I on pages 625-626 infra.

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(d) whether the reduction was effected only in South Kanara or in common with the rest of the Presidency;

(e) what the mileage allowance allowed in other districts of the Presidency is; and

(f) what action the Government have taken or propose to take in the matter?

A.—(a) to (f) The grant of mileage is governed by the provisions of the Madras Travelling Allowance Rules, in the Madras Manual of Special Pay and Allowances, a copy of which is available in the Secretariat Library. The Government presume that the rules are being followed in the South Kanara district and in the rest of the Presidency. They are not aware that the rate of mileage allowance has recently been reduced in the South Kanara district.

Mr. U. C. SUBRAHMANYA BHATT:—"In view of the fact that the travelling allowance of the revenue peons has been reduced, and that in consequence there is much discontent among them, will the Government consider the advisability of calling for a report on the matter?"

The Hon. Mr. C. A. SOUTER:—"I have no idea whether this is a fact or not, but I will make enquiries."

Control of Vehicles

Measures for the minimization of motor accidents.

* 210 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Home Member be pleased to state—

(a) what the numbers are of accidents of motor cars and buses (each separately) reported to the Police in each year since 1929;

(b) what the number is of casualties by such accidents reported to the Police in each year; and

(c) what steps are taken or proposed to be taken to minimize such occurrences?

A.—(a) & (b) Figures for 1929 are not available. A statement * giving the information for the years 1930–34 is laid on the table.

(c) The attention of the hon. Member is invited to the answer to clause (a) of question No. 260 answered on the 24th October 1934.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, what actual steps the Government have taken to minimize accidents?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"The steps taken were already given in the answer to question No. 260 on the 24th October 1934."

* Printed as Appendix II on page 626 infra.

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Mr. K. A. NACHIYAPPA GOUNDER:—"As far as I could remember, the answer did not contain detailed information. That is why I put this question."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"All that is possible to give has been already given."

Mr. ABDUL HAMEED KHAN:—"The figures show that motor car accidents are more numerous than bus accidents. What are the steps the Government are taking to prevent that?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"No special steps are taken with respect to motor cars as distinct from motor buses. Steps are being taken to reduce accidents in the traffic as a whole."

Mr. ABDUL HAMEED KHAN:—"May I ask whether any steps are taken to prevent accidents taking place as a result of motor cars being driven very fast? There is no speed-limit for private cars."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"There is no speed-limit to private cars, but I believe action can be taken against anybody driving his car recklessly."

Mr. V. M. RAMASWAMI MUDALIYAR:—"Have the Government considered the question of compulsory insurance on third party risks in the case of motor cars and buses?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Notice."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether it is not desirable that some steps should be taken in that direction in our country as in other countries?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"Insurance in respect of motor cars or buses?"

Mr. V. M. RAMASWAMI MUDALIYAR:—"In respect of both."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I want notice."

Mr. T. S. RAMASWAMI AYYAR:—"May I ask whether the Government do not consider it desirable to introduce a speed-limit in built-up areas as is done in London?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I will consider the matter."

Police

Alleged false prosecution by the police of Tallaprodatur, Cuddapah district, of nine persons on a charge of alleged murder.

* 211 Q.—Mr. T. NARASA REDDI: Will the Hon. the Home Member be pleased to state—

(a) whether the police of Tallaprodatur police station, Jammalamadugu taluk, Cuddapah district, have charge-sheeted one Bhumi Reddi and eight others for the alleged murder of one Pedda Bali Reddi;

(b) how long the case was enquired into by the Sub-Magistrate of Jammalamadugu;

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(c) whether during the enquiry when almost the case was finished, the alleged deceased appeared in court; and

(d) who was responsible for this false case and harassment of the accused?

A.—(a) Bhumi Reddi and eleven others were charged with the alleged murder of one Pedda Bali Reddi.

(b) The case was charged on 13th October 1934 and heard on various dates between 17th February 1935 and 16th May 1935.

(c) Yes.

(d) The matter is under investigation.

Mr. G. RAMESWARA RAO:—"Sir, from this one instance it appears that the police are more anxious about convictions than about justice. Will the Hon. Member take steps to remedy this state of affairs?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I should deprecate the hon. Member drawing that conclusion from a single instance."

Mr. G. RAMESWARA RAO:—"This is not a solitary case. There have been similar cases in Salem and Coimbatore."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I am not aware of any other recent case in which the man alleged to be murdered has turned up."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"The question was that the body was said to be that of the man alleged to have been murdered?"

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—"I do not know the facts of the case sufficiently well to know whether there was such a thing as *corpus delicti* in this case at all."

Provincial Legislature

Proposals, if any, for the appointment of a fourth Minister.

* 212 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state whether there are or were any proposals for appointment of a fourth Minister, and if so, at what stage they are or up to which stage they have progressed?

A.—The answer to the first part of the question is in the negative. The latter part does not arise.

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, whether there was any consideration at least of such a proposal?"

The Hon. Sir K. V. REDDI NAYUDU:—"I have nothing to add to the answer."

Mr. V. T. ARASU:—"Is the Hon. Member in a position to categorically state that there is no truth in the news items which appeared in the local papers that Government were considering the appointment of a fourth Minister?"

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The Hon. Sir K. V. REDDI NAYUDU:—"I do not know what appeared in the newspapers. Some things did appear, no doubt, but how they appeared and what they are, I do not know."

Proposals, if any, for the appointment of a fourth Minister.

* 213 Q.—Mrs. A. RUKMANI LAKSHMIPATHI: Will the Hon. the Law Member be pleased to state—

(a) whether there is any proposal to appoint a fourth Minister;

(b) whether the Government have come to any decision on the question;

(c) if so, what the reasons are for such an appointment;

(d) when the appointment is to be made;

(e) what the salary of the Minister is;

(f) whether the total amount of salary paid to the present three Ministers will be distributed among the four or whether there will be an extra allotment towards his salary; and

(g) whether there will be any transfer of new subjects from the Reserved side to the fourth Minister on account of his appointment?

A.—(a) No.

(b) to (g) Do not arise.

Mrs. A. RUKMANI LAKSHMIPATHI:—"Is it not a fact that consultations did take place at Ootacamund with regard to the appointment of a fourth Minister three months back?"

The Hon. Sir K. V. REDDI NAYUDU:—"In newspapers. There were no consultations with me so far as I know."

Mr. A. B. SHETTY:—"May I know how, as the answer says that there was no proposal for the appointment of a fourth Minister, this matter got into the Madras dailies?"

The Hon. Sir K. V. REDDI NAYUDU:—"I think the resourceful reporters of the newspapers are responsible for that and not I."

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend, the Chief Minister, whether he has got anything to say on the subject?"

The Hon. Sir the RAJA OF BOBBILI:—"I can say that Government have never considered the proposal."

Provincial Finance

Proposal for the capitalization of the annuity due by the Government of India on account of the levy of extra duty on motor spirit.

* 214 Q.—Mr. C. RAMALINGA REDDI: Will the Hon. the Member for Finance be pleased to state—

(a) (i) whether the annuity of 16 lakhs or so due from the Government of India (or agreed to to be paid by them) as our share of the proceeds from petrol tax is guaranteed to be given for ever;

(ii) if not, for how many years it has been guaranteed;

(b) (i) whether this annuity or contribution is an unconditional commitment on the part of the Government of India; or

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(ii) whether it depends on the condition of the petrol industry or trade; and also on the general condition of the finances of the Government of India;

(c) whether the Government have considered the question of moving the Government of India to capitalize the value of this annuity and place the amount at their disposal or ascertaining the maximum amount they would lend on this security; and

(d) whether Government have considered schemes for increasing our independent financial resources by—

- (i) retrenchment of expenditure or
- (ii) measures for increasing revenue?

A.—(a) (i) & (ii) The extra duty of two annas per gallon on petrol, from the proceeds of which the contribution to the Madras Government is made, is an item of revenue of the Government of India. That Government set apart a certain portion for grants in aid of civil aviation and retain 15 per cent of the balance as a central reserve. The remainder is distributed among British areas and Indian States in the ratio which the consumption of motor spirit in such area bears to the total consumption. The Madras Government's share is about Rs. 14 lakhs a year. The contribution has not been guaranteed for any definite period of time. Whether it will be continued under the new constitution will presumably depend upon the vote of the Federal Legislature.

(b) (i) The contribution is contingent on the continuance of the levy of the extra duty on petrol by the Government of India.

(ii) The amount allotted to a Province will depend upon the consumption of motor spirit in that Province. The Government of India have not stated that the amount will depend on the general condition of their finances, so far as this Government are aware.

(c) The contribution is not a fixed or guaranteed annuity and the question of its capitalization cannot therefore arise. The question of taking a loan for road development and utilizing this contribution in whole or in part, so long as it lasts, towards payment of interest on and amortization of the loan is under examination.

(d) (i) The Retrenchment Committee of 1931-32 which, with the exception of the Hon. the Finance Member, was composed wholly of non-official members of the Legislative Council, made an exhaustive enquiry into the possible avenues of retrenchment and the large majority of its recommendations have been accepted by the Government and given effect to. Other measures of retrenchment were

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adopted independently of the recommendations of the Retrenchment Committee.

(ii) Measures for increasing revenue are under examination, and such of them as require the sanction of the Legislative Council will be placed before the Council in due course.

Mr. C. RAMALINGA REDDI:—"With your permission, I thank the Hon. the Finance Member for the very copious replies that he has given. With reference to clause (c) of the answer, may I ask him how when the subvention of 14 lakhs is on somewhat uncertain foundation, he proposes to meet the interest and sinking fund charges on any loan that he may raise, on the whole of it or any part of it, when this subvention is either cut down or discontinued altogether?"

The Hon. Mr. G. T. H. BRACKEN:—"The interest charges would, in any case, be charged to Provincial revenues if the subvention comes to an end."

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend whether in such a contingency the Government propose to revise the toll gate fees without abolishing the motor licence fees?"

The Hon. Mr. G. T. H. BRACKEN:—"Notice, Sir."

Mr. C. RAMALINGA REDDI:—"May I ask my Hon. Friend, with reference to next paragraph, in the whole scheme of Provincial finances generally, what fund he proposes to institute on a sufficient and adequate scale to meet the charges arising out of the Debt Conciliation Bill or any other scheme to be adopted for ameliorating the condition of the rural classes at the present time?"

The Hon. Mr. G. T. H. BRACKEN:—"It is proposed to ask for a supplementary grant in October regarding this matter when the whole financial implications will be explained."

Mr. C. RAMALINGA REDDI:—"May I know in contemplating the sanction of a supplementary grant, what amount they are going to apply for?"

The Hon. Mr. G. T. H. BRACKEN:—"We are awaiting the report of Mr. Satyanathan before any decision could be arrived at."

Mr. C. RAMALINGA REDDI:—"May I at least know whether the Government propose to meet the charge from current revenues or from a loan to be raised?"

The Hon. Mr. G. T. H. BRACKEN:—"Nothing has been settled on that."

Mr. C. RAMALINGA REDDI:—"There are so many things to be settled. So do they propose to raise another loan to carry out the Hon. Minister's all round ten-year development plan?"

The Hon. Mr. G. T. H. BRACKEN:—"It does not arise."

Mr. V. M. RAMASWAMI MUDALIYAR:—"Arising from the answer given to clause (d), may I ask the Hon. the Finance Member what

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proposals the Government have for examining their revenues when such revenues consist mostly of two items, viz., land revenue and excise?"

The Hon. Mr. G. T. H. BRACKEN:—"The proposals will be put forward in due course. I must ask the hon. Member to wait and see."

Mr. C. RAMALINGA REDDI:—"With reference to the answer given in clause (d) (ii), may I request my Hon. Friend to tell us whether the increases in revenue are going to be effected purely by administrative action or partly by administrative action and partly by legislation and if by administrative action, under what heads he proposes to increase the revenue?"

The Hon. Mr. G. T. H. BRACKEN:—"I have already answered a similar question. My hon. Friend must wait and see."

Reforms

Estimated expenditure on account of the inauguration of the New Constitution in the Province.

* 215 Q.—Mr. C. RAMALINGA REDDI: Will the Hon. the Member for Finance be pleased to state—

(a) whether Government have calculated the additional expenditure involved in inaugurating the New Constitution in our Presidency;

(b) if so, what the estimate is; and

(c) how they have arranged to meet the extra expenditure?

A.—(a) & (b) It is not possible to say exactly what the additional expenditure will be. It has however been roughly estimated that, including the cost of the first elections and the provision of a suitable building for the two Houses of the Legislature, the non-recurring extra expenditure in connexion with the inauguration of the New Constitution may be about Rs. 19,00,000. The additional expenditure under recurring items may be about Rs. 5,50,000.

(c) It is intended to meet the extra expenditure from the current revenues of the Province.

Mr. C. RAMALINGA REDDI:—"I will not deal with capital charges of 19 lakhs. But with regard to current expenditure, may I ask my Hon. Friend, how he proposes to meet it, whether by new taxation or by further retrenchment and general adjustment of expenditure or both ways?"

The Hon. Mr. G. T. H. BRACKEN:—"I am afraid I cannot anticipate the budget estimate to be made in due course."

Mr. C. RAMALINGA REDDI:—"Does not my Hon. Friend, in taking all these facts into consideration, think that the finances of this Presidency are not just now in a very satisfactory condition and that he must be very careful in embarking on large schemes of expenditure especially when he sees that sufficient revenues will not be forthcoming?"

The Hon. Mr. G. T. H. BRACKEN:—"I am quite prepared to agree that our finances are not altogether satisfactory."

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Mr. K. KOTI REDDI:—"May I know what the Government propose to do in order to improve the acoustic properties of the hall?"

The Hon. Mr. G. T. H. BRACKEN:—"There is a proposal to alter the seating arrangements of Members and with that alteration, I hope the acoustic properties will be better."

Irrigation

Allotment of irrigation grants to the West Coast and the Nilgiris.

* 216 Q.—Mr. P. M. THANGAL: Will the Hon. the Member for Revenue be pleased to state whether the districts of Malabar, South Kanara and the Nilgiris will be given any portion out of the grant of 50 lakhs of rupees for irrigation in the Presidency, and if so, what the respective amounts will be?

A.—No.

Mr. V. P. NARAYANAN NAMBIYAR:—"With reference to the answer given to this question, may I know why these districts have been so completely ignored?"

The Hon. Mr. C. A. SOUTER:—"Because these districts are not in urgent need of such grants as other districts of the Presidency."

Mr. V. P. NARAYANAN NAMBIYAR:—"May I know whether the Hon. Member is aware of the view of the Government in March 1933, expressed on the floor of the House by Sir Archibald Campbell, as follows:—

'I have here a note showing that in recent years five schemes have been investigated and given up on financial or other grounds or are waiting until the requirements of the Ceded districts have been met. (Volume LXVI, Proceedings of the Legislative Council, page 197).'

May I ask whether the view expressed was correct and if so, why?"

The Hon. Mr. C. A. SOUTER:—"Because these two districts are not in so urgent need as others."

Mr. A. B. SHETTY:—"May I know whether the Collectors of these three districts were asked to send up their proposals for the utilization of such grants in these districts also?"

The Hon. Mr. C. A. SOUTER:—"Notice, Sir."

Mr. A. B. SHETTY:—"May I ask whether the Collector of South Kanara has sent up any proposal?"

The Hon. Mr. C. A. SOUTER:—"Notice, Sir."

B. POCKER SAHIB Bahadur:—"Are the Government aware that owing to lateness of monsoon and also due to droughts at times very often agriculture suffers in Malabar?"

The Hon. Mr. C. A. SOUTER:—"I am quite prepared to admit that statement. But that does not affect the reply that I gave, viz., that the other districts are in more urgent need than these districts."

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Mr. M. S. SRESHTA:—"Do not the Government consider it desirable to construct certain works to store up water in South Kanara and Malabar in view of the fact that the crops there suffer at times owing to very heavy rains and at other times owing to severe droughts?"

The Hon. Mr. C. A. SOUTER:—"That is a very big question. But this grant is for repairs of existing works. We are not embarking on any new schemes of works."

Mr. M. S. SRESHTA:—"Are the Government prepared to consider the claims of South Kanara and Malabar in view of the fact that they do not get any portion of the irrigation funds and is it not desirable and equitable that those two districts should be given help in some form or other?"

The Hon. Mr. C. A. SOUTER:—"Malabar and South Kanara are not in such urgent need as other districts."

Land Revenue Administration

Inapplicability of increment remission to lands reassigned after resettlement.

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

(a) whether any order has been passed in the matter of introduction of resettlement in the southern taluks of Salem district and 26 villages of Trichinopoly district to the effect that if the whole or any portion of the land held by a registered holder at resettlement is alienated or relinquished and reassigned, the full resettlement rate will be levied from the new holder with effect from the fasli in which the transfer takes place;

(b) if so, on what principle such an order was passed when incremental remission is allowed to all other lands in that area; and

(c) whether such an order is being enforced now?

A.—(a) Yes, the attention of the hon. Member is invited to paragraph 30 of the notification appended to G.O. No. 258, Revenue, dated 1st February 1935, which has been placed on the table of the House.

(b) When a portion of a holding is alienated, or relinquished and reassigned subsequent to the introduction of the resettlement rates the new holder takes over the land with the knowledge that the assessment has been raised. There is no reason for the grant of increment remission in such cases.

(c) The Government have no reason to believe that the order is not being enforced.

Mr. K. A. NACHIYAPPA GOUNDER:—"Arising out of the answer given to this question, may I know whether it is the policy of the Government to levy tax for the land or for the person holding it?"

The Hon. Mr. C. A. SOUTER:—"The whole basis of our settlement is that there should be tax on the land."

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Mr. K. A. NACHIYAPPA GOUNDER:—"If that is so, what difficulty is there for the Government to grant the incremental remission in the case of lands which have been alienated or relinquished and reassigned?"

The Hon. Mr. C. A. SOUTER:—"In answer to clause (b) it is stated that the 'new holder takes over the land with the knowledge that the assessment has been raised'."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask, Sir, whether it is not against the policy of the Government which they have just now enunciated?"

The Hon. Mr. C. A. SOUTER:—"I do not think so, Sir."

Mr. T. S. RAMASWAMI AYYAR:—"May I know whether the equities that are available to the original holder are not passed on to the assignee?"

The Hon. Mr. C. A. SOUTER:—"The Government considered that they should not be passed on in this case."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I ask the Hon. Member whether it is not a fact that the collection of such increased amount has not yet been made and that the karnams of a number of villages are asked to be at their respective taluk offices for preparing and submitting such lists?"

The Hon. Mr. C. A. SOUTER:—"I am not aware of that fact."

The Hon. the PRESIDENT:—"There is a short notice question which could not be circulated yesterday because the answer had not been received in the office yesterday. Now the question will be put by Sir William Wright and the answer will be given by the Hon. Minister in charge of Education."

* 217-A Q.—Sir WILLIAM WRIGHT: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether Government is aware that of the six factories manufacturing white sugar from palmyra jaggery, three (viz., Tachanallur, Alwartirunagari and Thackalay) depend entirely upon Tinnevely district and neighbouring parts of Travancore for their supplies of raw materials;

(b) whether Government is aware that supplies of palmyra jaggery are insufficient for the existing factories equipped to turn this jaggery into white sugar; and

(c) whether Government wishes to encourage in Tinnevely a system of production of white sugar known to be uneconomic when the tappers can find a market in the form of jaggery for all the juice which they produce?

A.—(a) They draw their supplies mainly from the Tinnevely district and the adjacent parts of Travancore. It is understood that they get supplies from other parts of the Presidency also occasionally.

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- (b) The Government have no information.
 (c) The Government have sanctioned the conduct of experiment on the manufacture of white sugar at the request of the ryots of the district. The final report on the result of the experiments has not been received.

Sir WILLIAM WRIGHT:—"Does the definition of 'ryot' in paragraph (c) of the Hon. Minister's reply include tree-tappers?"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I cannot say."

The Hon. the PRESIDENT:—"May I know whether the Hon. the Chief Minister is ready with his answer to the short notice question given notice of by Mr. C. Ramalinga Reddi?"

The Hon. Sir the RAJA OF BOBBILI:—"All the information is not ready. I shall be able to give the information to the hon. Member in the course of the day."

Mr. S. M. K. BEYABANI SAHIB:—"I have also given notice of a short notice question?"

The Hon. the PRESIDENT:—"Order, order. It is not every short notice question that is answered now; it is only such questions for which the answers have been got ready that are answered. The hon. Member will please resume his seat."

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

II.—ADJOURNMENT MOTION RE TREATMENT OF COCANADA CONSPIRACY CASE PRISONER.

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, Sir, I rise to ask for leave to move that the business of the House do stand adjourned for the purpose of discussing a definite matter of urgent public importance, to wit, the treatment that is being meted out to the prisoner convicted in the Cocanada Conspiracy case as a result of which the said prisoner Mr. C. Narasimhachari who is lying in the General Hospital, Madras, is in a very precarious condition."

* The Hon. Sir K. V. REDDI NAYUDU:—"I have no objection for the discussion of this motion. Government will be pleased to place such information before the House as they have."

* The Hon. the PRESIDENT:—"The motion is in order and it will be taken up at 4 p.m. to-day."

III.—A BILL TO AMEND THE MADRAS DEBTORS' PROTECTION ACT, 1934, FOR A CERTAIN PURPOSE (BILL No. 13 OF 1935).

11-45 a.m. * The Hon. Sir K. V. REDDI NAYUDU:—"Mr. President, Sir, I beg to introduce the Bill * to amend the Madras Debtors' Protection Act, 1934, for a certain purpose, (Bill No. 13 of 1935) and move that the Bill be taken into consideration at once. The Bill consists of only one

* Published in the Fort St. George Gazette Extraordinary, dated 3rd August 1935.

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section with an Explanation. The section prescribes the maximum rates of interest beyond which the Courts will presume that the transaction came within the purview of the Usurious Loans Act. Hon. Members will remember that when the original Debtors' Protection Bill was under discussion, it contained a provision fixing the maximum rates of interest on secured and unsecured loans. The Government opposed that clause, because at that time they had been informed by the Government of India that they themselves would introduce a Bill applicable to the whole of India. Later on, however, we were informed that the Government of India had dropped the idea of introducing a Bill applicable to all the Provinces and they allowed us to introduce a Bill in this Council suitable to the conditions in the Province. I accordingly introduce this Bill and move that it be taken into consideration."

The Hon. Mr. C. A. SOUTER:—"I second it."

Mr. C. BASU DEV:—"May I speak on the motion, Sir?"

* The Hon. the PRESIDENT:—"Yes."

* Mr. C. BASU DEV:—"Mr. President, as the sponsor of the Madras Money-lenders' Bill which was finally passed as the Madras Debtors' Protection Act, this amendment comes as a great relief to me. The House will remember how on the occasion of the third reading of the Madras Debtors' Protection Bill, I was subjected to very severe criticism—I may also call it merciless criticism—because I consented to drop the clause that is now being reintroduced by the Hon. the Law Member. The criticism was as unjustified as it was ungenerous and I can now on this occasion have my vengeance upon those who criticized me. But, Sir, I have decided to be generous to those ungenerous critics of mine who indulged in very strong language and characterized me as an irresponsible Member of the House wasting the time of the House. I would like to tell them that the Government . . ."

* The Hon. the PRESIDENT:—"If the hon. Member has got anything to say on the Bill itself, he may proceed."

* Mr. C. BASU DEV:—"Mr. President, Sir, in welcoming the provisions of the Bill, I am explaining the circumstances under which this provision was dropped at the time of the third reading of the original Madras Debtors' Protection Bill. If I am not irrelevant, I would say a few more words in this connexion. Sir, I was criticized for my faith in the Government. I did not believe and I refuse to believe now that the Government is here mainly to contrive ways and means by which they could bring about the misery of the people of this Province. They are here as a sincere body to advance the interests and promote the happiness of the people. This Bill which the Hon. the Law Member has introduced in fulfilment of the pledge he gave is proof positive that any criticism of the sincerity of purpose of the Government is unjustified. With these words, I welcome the Bill."

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* Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Mr. President, Sir, I am not going to take up much of the time of the House. I would only point out that the Government in bringing forward this Bill might have taken the opportunity to rectify another defect. That is this. The original Act applies only to debts up to Rs. 500. But relief is required even in cases of debts over Rs. 500. So I thought that Government would have taken this opportunity to rectify that defect. When the Bill was discussed here, I objected to the maximum rates of interest fixed by the Select Committee, because even at that time the courts were fixing lower rates of interest under the Usurious Loans Act and under the powers given to them under the Civil Procedure Code. The Government are now proposing rates which are lower. To that extent my objection is minimized. There are amendments on the paper to fix lower rates of maximum interest and it is for this Council to decide the rates. Unless the original Act is amended by deleting the maximum of Rs. 500 and making the Act applicable to all loans, the maximum rates fixed under the Act will not be strictly adhered to and various devices will be resorted to in the case of small loans to circumvent the provisions of the Act with regard to the maximum rates of interest. For instance pro-notes will be taken for larger amounts; regular entries will not be made on the back of the pro-notes whenever any part of the principal or interest is repaid. They will be entered in a diary. By such and similar means the provisions of the Bill would be got round. The next point is this. Hon. Members will see that the prescribed maximum rates of interest could be enforced only in those cases which go to the courts and cases which go to the courts are only a very small percentage of the actual transactions which are very many. We have therefore to see that the maximum rate of interest which Government think fair is enforced in all cases. With reference to these two defects that I have pointed out, if the Government would bring forward some legislation early, the difficulty would be met. Otherwise not. With these words, I welcome the Bill."

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

Clause 1 was put and carried.

Clause 2.

* Mr. C. BASU DEV:—" I beg to move the following amendment—
'In section 6-A, line 2, after the word "loan" omit the words
"advanced after the commencement of the Madras Debtors'
Protection (Amendment) Act, 1935".'

"Sir, I think that this amendment does not make a serious departure. What is sought to be done here is to impose a limit to the discretion which the courts may exercise under sections 3 and 4 of the Usurious Loans Act. Even if this amendment is not accepted by the House, I am sure that the very fact that the Legislature has laid down certain maximum rates which could be considered as reasonable, would

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compel the courts to keep to those maximum rates. My amendment does not in any way violate the sanctity of contracts. The Usurious Loans Act itself does to some extent violate contracts which have been brought about by coercion or under undue pressure of circumstances. With these words I hope that the Government will have no objection to accept my amendment."

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

* The Hon. Sir K. V. REDDI NAYUDU:—"Mr. President, Sir, I regret I am unable to accept the amendment. The object of the hon. Mover is apparently to give retrospective effect to this law. Sir, it is very rare for a Legislature to agree to give retrospective effect to a law. Exceptions there may be, of course. Occasionally there may be cases where an evil has gone on to such an extent that unless retrospective effect is given to the law intended to check it, great public injury will be caused. In such cases, no doubt, retrospective effect may be given to the laws. But in the present case this matter refers only to the City of Madras and as has been pointed out by Mr. Ramalingam Chettiyar, the existing law applies only to debts up to Rs. 500. In the case of these small debts, agreements having been already entered into, the Government feel that it is not fair and just to violate the sanctity of the contract by giving retrospective effect to the law. I hope the hon. Member who moved this amendment will see the justice of the Government's position and withdraw his amendment."

* Mr. C. BASU DEV:—" Mr. President, Sir, in moving my amendment I made it clear that even though it is not accepted by the Government, the courts would be bound to accept the maximum rates of interest which this section lays down. This amendment, though a necessary one, in the opinion of the Hon. the Law Member, is one which is not proper. He thinks that at this time of the day, we ought not to make further departures and restrain the courts in the discretion they exercise under the Usurious Loans Act. I do not want to press the amendment. I feel convinced that though this amendment is not passed the Court will be certainly bound by the maximum rates of interest we are going to fix now."

The amendment was by leave withdrawn.

* Mr. C. OBI REDDI:—" Mr. President, Sir, I beg to move the following amendment—

'In clause 2 for the words "twelve" and "eighteen" wherever they occur substitute the words "nine" and "twelve" respectively.'

"The amendment proposed in the Bill to section 6-A of the original Act enunciates a rule of evidence that in cases where it is found that the rate of interest stipulated was above 12 per cent in the case of secured debts and above 18 per cent in the case of unsecured debts, a presumption will be drawn to the effect that the transaction was unfair or unconscionable.

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12 noon. "I believe that these figures have been fixed on the presumption that the prevailing rate of interest in rural areas is 12 per cent on mortgaged debts and 18 per cent in the case of unsecured debts. I submit, Sir, that the mamool rate that is offered for unsecured debts in the villages is 12 per cent. Even in these days of depression the village money-lender, except where he is dishonest or wants to exploit the sad and needy condition of the ryots for unsecured debts, usually charges 12 per cent. When the debt is secured by way of land being mortgaged, the rural money-lender accepts a lower rate of interest, say 9 per cent. As one acquainted with the dealings of the ryots and money-lenders in villages, I very often see that when matters go before arbitrators for settlement between the creditor and the debtor, the creditor is often-times willing to accept the rate of 9 per cent in the case of mortgaged debts, secured debts, and the rate of 12 per cent in the case of unsecured debts. In view of the fact that this is Debtors' Protection Bill and it is intended to protect the debtor to a considerable extent, I submit that the rate of interest at 9 per cent in the case of secured debts and 12 per cent in the case of unsecured debts would be reasonable. I should submit that the rates of interest at 9 and 12 per cent will go a longer way in the matter of protecting debtors. I submit that I am not moving any extraordinary figures; I think these figures will be approved by all sections of the House. The kaidah rate or the mamool rate of 12 per cent for unsecured debts has been recognized in all parts of rural areas; particularly in the Ceded districts even in these days of depression, the mamool rate has not exceeded 12 per cent. I commend my amendment for the acceptance of the House and I request hon. Members to pass it."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I was the first person to give notice of the amendment; somehow or other my hon. Friend got the privilege of moving it; it is due to some mistake in the Legislative Council Office . . ."

* The Hon. the PRESIDENT:—"It is left to the Chair to call upon any hon. Member who has given notice of the amendment; if the hon. Member is trying to make any insinuation, I take strong objection to it."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I did not mean anything against the Chair. I thought it was a mistake of the Office. I have no objection to withdraw my remarks if the Hon. the President thinks they are objectionable or that I said anything against the Chair."

"I feel that the interest of 9 per cent on secured debts proposed in this amendment is pretty high, compared with the interest charged by the Imperial Bank, etc., for secured loans. When a person has got jewels and if he pledges them in the Imperial Bank of India or any Fund, loans will be available to him at the rate of 5 or 6 per cent interest. When there is security for a loan, much interest will not be charged, especially when the Government of India are floating their loans at 8 per cent. If people are going to pledge gold for their loans, they

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will get loans at reasonable rates. That is the reason why we say that the rate of interest on secured loans should be 9 per cent; this rate of interest is not small. For unsecured loans, 18 per cent is proposed in the Bill; we say it should be 12 per cent. Even the co-operative banks in the rural parts do not charge more than 9 per cent for unsecured loans. Judges and munsifs are using the discretion vested in them by the Usurious Loans Act for the benefit of the debtors. When the legislature approves of a certain rate of interest, this will be taken as the standard. For these reasons I feel that the rates of interest should not be 12 and 18, but 9 and 12. There are many money-lenders in the mufassal especially among the agricultural community who advance very large sums at 8 or 9 per cent as unsecured loans. Since this Act relates only to loans for Rs. 500 and less, we have raised the percentage to 12 per cent. I hope the Hon. the Law Member who has brought forward this measure for the benefit of the ryot population will accept the rates of interest proposed, namely, 9 and 12. On this occasion I wish also to request him to bring in a separate Bill which will apply to loans above Rs. 500 so that the middle classes might be benefited. A loan up to Rs. 500 will not be sufficient for a middle class man. I wish to make another request to the Hon. Member—though it may not be pertinent to the amendment under discussion now—and that is to extend this Act to the whole Presidency. With these observations I second the amendment and request the Hon. the Law Member to accept it."

* Mr. C. BASU DEV:—"Sir, I rise to accord my support to the amendment to reduce the rates of interest from 12 and 18 to 9 and 12 on secured and unsecured loans respectively. I wish to support the amendment with some reservation. If the Government think that they cannot accept this amendment, I will advise my friends to drop it, for the very simple reason that it is bound to retard the Act coming into force. If the Government should oppose this amendment and if the House should pass it, certainly it is bound to delay the coming into force of this Act. Perhaps it may be that His Excellency the Governor will think twice before giving assent to the Bill; he may even withhold his assent and prevent this necessary measure coming into force. My hon. Friends who moved and seconded this amendment have obviously forgotten that this Bill relates to loans of Rs. 500 and below. I am very anxious—as my hon. Friends—that the limit of Rs. 500 fixed in the Bill should very soon be removed and that the provisions of this Bill should be applicable to all loans, even above Rs. 500. This Bill relates to loans up to Rs. 500; therefore my hon. Friends must remember that the persons who borrow money up to this extent are drawn from the lower middle classes and the working classes."

"At the present moment it has become the policy of the Co-operative department not to promote or register any credit societies for the benefit of workers; especially so when there is legislation on the anvil of the Indian Legislative Assembly to amend the Civil Procedure Code,

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so as to make salaries below Rs. 100 not liable for attachment for decrees-debts. For these reasons the Registrar and the whole of the Co-operative department have been very reluctant to promote and register any new co-operative societies. If co-operative societies grow in sufficient numbers, I will be the first person to say that the rate of interest should be so limited as to prevent a person with money to live in ease and idleness. I feel and maintain that money by itself ought not to be the source of livelihood and laziness of any human being. My hon. Friend from Guntur, Mr. Krishnayya Choudari, has made constant reference to the Bank rate. He must remember that the class of person who gives these loans below Rs. 500 is a petty marwari or petty money-lender who has himself to borrow from some big money-lender who in turn gets money from the bank. There must be some provision made for a small margin of profit for all these middlemen, for money to reach from the bank to the poor and needy worker. For these reasons I think 9 and 12 per cent rates of interest are very reasonable. If the Government will accept this amendment, I will be very glad. If for any reason the Government do not accept it, I would urge upon my Friends not to press it."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I have great pleasure in supporting the amendment now before the House. We find that the Land Mortgage Banks are lending at the rate of $6\frac{1}{2}$ per cent and the co-operative banks are lending money at a rate between $7\frac{1}{2}$ and 9 per cent. In all these cases the interest charged is not high. Therefore it is not desirable to have 12 and 18 per cent. But now owing to economic depression and since it is difficult to recover money when once lent out, people do not come forward to lend money easily.

12-15 p.m. "When they find that there are satisfactory securities forthcoming, and the money can be realized easily the money-lenders are quite prepared to take low rates of interest. Even now, in the rural areas, the rates are only between 9 and 12 per cent and not more; though in some cases the rate put in the document is as high as 18 or 24, yet, the actual rate realized in the end will be only between 9 and 12 per cent. I therefore request hon. Members to consider whether it is not desirable to fix the maximum rates of interest at 9 and 12, in the case of secured and unsecured loans respectively. As has been pointed out by my Friend, Mr. Ramalingam Chettiyar, there may no doubt be some difficulties, but it is the duty of the Government to see that they are got over. If these rates are fixed, the courts may be enabled to allow a fair rate easily as agreed upon by the creditor and the debtor at the beginning of the transaction; the courts will also be saved the botheration of deciding this question. In these circumstances, Sir, I have much pleasure in supporting the amendment, and I hope it will be accepted by the House."

* Mr. BASHEER AHMED SAYEED:—"Sir, I rise to support the amendment moved by the Member from Anantapur. Sir, at the time the Debtors' Protection Act was enacted, the select committee went into

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an elaborate investigation and it was the general opinion of the committee that the prevailing rate was somewhere between 9 and 12. The evidence disclosed more or less that the rate was between 9 and 12, and only in very extraordinary cases it went up to 36 and more. Those cases, however, cannot really be a guide to legislation of this kind. We ought to take as our basis the rate prevailing in the generality of cases. This amendment is certainly very desirable; but I can't understand the attitude of the author of the measure which is already law, when he makes certain observations with 'certain reservations.' At that time, Sir, it was he who proposed 18 per cent and wanted to lower it as much as possible; but now he advises the hon. Member from Anantapur to leave the measure as it is and withdraw his amendment. I do not think, Sir, that should be the kind of advice which the author of the Bill who espouses the cause of the poor borrower should now come forward and give. He ought to give us his definite view whether he is for 12 and 18 per cent or any less rates.

"I do not think, Sir, any argument is required in these hard days to prove that 9 and 12 per cent cannot be unreasonable. The capacity of the people who borrow such small amounts as Rs. 500 and less has now become worse and there is no knowing what it would be like in the years to come. After all, the Debtors' Protection Act is mainly intended to give relief to the small borrowers; and if you are going to say that you will fix 12 and 18 per cent in order to give them relief under the Usurious Loans Act, you will in fact give them no relief at all. We ought to fix as low a rate as possible. In fact, I would have myself given an amendment fixing the rates at 6 and 9 per cent, but now that the amendment before us is for 9 and 12 per cent, and as I have not given notice of an amendment myself, I think the House will be well advised in carrying this amendment moved by my friend from Anantapur. The largest number of transactions in the City of Madras and in the big towns of the Province are for amounts under Rs. 500 and Rs. 1,000 and persons who borrow more than Rs. 500 or Rs. 1,000 generally pay not more than 5 or 6 per cent. There are also several Marwaris and big money-lenders who lend at 9 per cent and even less. If this Bill is really going to serve the purpose for which it is intended, viz., that the small borrowers should be given some relief, the Government ought to accept the amendment. Sir, it may be said that we should consider the case of the money-lenders who advance money, who undergo a risk in recovering the amount, bear the cost of litigation, etc., and the risk of insolvency proceedings which are also frequently resorted to by the borrowers. I do not want that we should shut our eyes to all these contingencies; but still there are ways and methods by which clever money-lenders would try to evade the law, and minimize the loss. In fact, there have been cases where on the document the rate stipulated was at 6 per cent, while the actual rate came to 20, 40 and even 60 per cent. Those cases, however can never be avoided by legislation; so far as the law aims at honest dealings, it is reasonable

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that we ought to have a maximum fixed, taking into account the capacity of the borrower, the risk involved and the loss entailed in the transaction on the money-lender. I therefore strongly urge that this House ought to accept the amendment moved by the member from Anantapur."

* Mr. T. S. RAMASWAMI AYYAR:—"Mr. President, Sir, I beg to move an amendment, namely:—

'that in clause 2 for the words "twelve" and "eighteen," wherever they occur, the words "nine" and "fifteen" respectively be substituted.'

"Personally, I would agree to the amendment proposed by my hon. Friend that 9 and 12 per cent be fixed, but as I understand that the Government are not likely to accept it, and as I feel that in a matter like this it is better to come to an agreed arrangement, I venture to propose that the rate of interest may be fixed at 9 per cent in the case of secured loans and 15 per cent in the case of unsecured loans. I do realize that in the case of unsecured loans 15 per cent is too high a figure, but if we agree to it now, it may be possible, after gaining some experience, to bring in an amending Bill to reduce the rate."

Rao Bahadur T. M. NARAYANASWAMI PILLAI seconded it.

* The Hon. Mr. C. A. SOUTER:—"Sir, I had not proposed to intervene in this debate. I only do so because it seems to me there is one point which has not been mentioned by any of the speakers so far; and that is this: we must remember that legislation of this kind must be for the benefit of the borrower. There are a great many cases where borrowers who have not got sufficient security and yet are in urgent need of money might find themselves faced with difficulties in getting short-term loans from money-lenders, if you greatly cut down the rate of interest. You must remember that although this legislation is for the purpose of curtailing excessive rates of interest being charged, if we go too far, we shall probably be interfering with the borrower's powers of getting money. That is a very important point; and if you are going to fix your maximum too low, you may be doing so not in the interests of those borrowers who can borrow short-term loans although their security is not altogether good and who are quite able to repay the loans within the time during which they run. It seems to me that the margin which was proposed, i.e., between 9 and 12, was a little too small to cover such a contingency. I think myself that the proposal of Mr. Ramaswami Ayyar that the rates should be 9 and 15, would probably approximate more closely to what will be convenient both to the creditor and the debtor. I therefore strongly recommend to the House not to accept 9 and 12; that margin is too small; and as I said, even in the interest of the borrowers themselves, I would recommend to the House to accept the rates of 9 and 15 per cent. That seems to me to be a much more reasonable margin."

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Mr. M. A. MUTHIAH CHETTIYAR:—"It is stated in the Statement of Objects and Reasons 'after consulting the High Court and the Board of Revenue.' May I know if both of them were consulted, and if so, what their opinions are?"

* The Hon. Mr. C. A. SOUTER:—"I do not think that is necessary."

Mr. ABDUL HAMEED KHAN:—"I am glad, Sir, that the Government of Madras have brought forward this legislation which is long overdue. The people of this country, especially borrowers of small amounts, have been suffering on account of the fact that no maximum rate has been fixed for secured and unsecured loans. There has been a good deal of agitation in the mufassal on this account and there are a good many champions for their case, while we find no champions for the borrowers in the City of Madras. It is here, Sir, that the small borrowers, particularly the labouring classes, are open to the attacks of the money-lenders, whether they are Marwaris or others, who not only fix very high and exorbitant rates of interest but also resort to methods which are certainly not desirable, by means of which they realize a larger rate of interest than what is actually put on paper. For the matter of that, even when this Bill becomes law, the money-lender will adopt some means or other to get more interest from the borrower than what was already agreed upon. I do not know if it will be possible for the Government to come forward with legislation to prevent such attempts on the part of money-lenders to circumvent the Acts of the Legislature. I know the difficulties of the Government to give effect to such legislation. I am sure a legislation of that character will give a reality to the legislation that is now being sought to be passed. 12-30 P.M.

"The other thing is, that even the courts of law, at any rate in the City of Madras, are inclined to favour the money-lender rather than the borrower. My experience has shown that the judges have accepted much higher rates of interest than they ought to have done. If this amendment is accepted, it will be a sort of guide to the judges to sympathize with the borrowers, who are generally the labourers."

* The Hon. Sir K. V. REDDI NAYUDU:—"Mr. President, Sir, I think the subject has been so very well discussed that many words are not necessary from me to point out that the proposition that the interest should be 9 per cent in the case of secured debts and 12 per cent in the case of unsecured debts, is not a sound one. But before I make my proposals, I should like to remove one or two misapprehensions to which expression has been given by some members; for instance, the remark that district munsifs and judges are apt to take this as a standard and therefore, instead of treating this as the maximum, they might treat it as the minimum. I should think, Sir, that our judges are entitled to better treatment than that. Occasionally a case may arise when the circumstances thereof may compel the judge to fix the rate of interest at a certain figure, because the facts of the case might make it impossible for the judge to take any other decision."

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But to say that our judges would treat this as the standard, I should certainly think, Sir, is doing injustice to our judges.

"Then, Sir, it is stated that the creditors might circumvent this legislation. For instance, a man may borrow Rs. 100 from a money-lender who may actually pay him only Rs. 80; the real interest received by the money-lender is 20 per cent because the borrower actually gets only Rs. 80 and the Rs. 20 goes into the pocket of the creditor, whatever may be the rate of interest stated in the promissory note or other document conveying valuable security which might be placed in the hands of the money-lender by the borrower. I am afraid, Sir, it is true, but we can never prevent it; and human ingenuity is so great that whatever be the caution and whatever be the care which the legislators and the legislative bodies may take, it will find loop-holes; and we must depend only on the honour of those concerned. If, on the other hand, in order to counteract or prevent such practices, we should legislate, the result will be this. For instance, if it be found that the figure mentioned in the document is not the correct figure and that the full amount is not actually received by the borrower, there will be the difficulty that false defences on the part of the debtor might equally be made and though he had received Rs. 100 in full yet he might say that the amount was not actually given to him in spite of the promissory note executed by him. How are we to detect such cases and how can we say that the defence is reliable? On the one hand, creditors will be very often strengthened on the basis of the document and will be in a better position, while the debtor will be in a weaker position. Therefore, we will have, to some extent, to depend upon the custom of the business, the market and the good intentions and character of both the creditors and the borrowers. Therefore, Sir, this apprehension about circumventing this law is a matter on which we need not spend much time.

"There is another point on which I should like to make my position clear. My hon. Friend, Mr. Krishnayya Choudari, and one or two others have told us that the rate of interest charged by the co-operative societies and the banks is very low and therefore for unsecured debts we may come down to 12 per cent—I am not referring to the 9 per cent for secured debts about which I shall presently make a statement. Well, Sir, if the banks and co-operative societies in the City of Madras—and let us remember that this Bill applies only to the City of Madras and to debts below Rs. 500—offer such low rates of interest, these borrowers can certainly join such co-operative societies and get money at that rate. In fact, this Bill is intended to protect only such people who borrow small sums of money. Take for instance, the case of the pedlars and hawkers and other small shop-keepers who sell betels, etc., who get only Rs. 30 or Rs. 40. They may ask a money-lender for a small loan of Rs. 30 at 12 per cent per annum and the interest will come to about Rs. 3 for the whole year; and

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if the debtor does not return the amount, there is every risk of the lender losing the amount"

Mr. P. V. KRISHNAYYA CHOUDARI:—"On a point of explanation; Mr. President. May I correct the Hon. the Law Member that the Bill extends to the whole of the Presidency and is not confined to the City of Madras alone?"

* The Hon. Sir K. V. REDDI NAYUDU:—"There is nothing to be corrected and there is no point of order; the hon. Member may sit down."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I may point out, Sir, that the Bill applies to the whole Presidency."

* The Hon. Sir K. V. REDDI NAYUDU:—"It is only for the City of Madras."

Mr. P. V. KRISHNAYYA CHOUDARI:—"That is why I want to correct the Hon. Member, Sir. The Act extends to the whole Presidency."

* The Hon. Sir K. V. REDDI NAYUDU:—"That is so, Sir, I am sorry. Whatever it is, it is only the small man in the villages that is going to derive benefit. Even there, the ryots, for their agricultural purposes, can go to the co-operative societies; and there is greater security for the debtor, for there is no possibility of cheating men, because the co-operative society is the lender and it consists of men belonging to the village, and practically there is much less chance of cheating than in other places."

Mr. C. BASU DEV:—"May I inform the Hon. the Law Member that the loans never reach the borrowers from the co-operative societies?"

* The Hon. Sir K. V. REDDI NAYUDU:—"Now, Sir, I respectfully submit that this reduction to 12 per cent will dry up credit. I was telling, Sir, that men like pedlars, hawkers and small shop-keepers who want small sums of money for the nonce to purchase goods, sell them and get back the amount to pay the creditor, will be inconvenienced if money is not given to them. If once, credit is dried up we will be doing harm to the poor borrowers instead of doing them good. I would therefore suggest that so far as the unsecured debts are concerned, as stated by my hon. Friend, Government are prepared to accept 15 per cent. There must be certainly a margin of more than 3 per cent between the rate of interest for secured and unsecured loans; but if the rates are to be twelve and nine, the difference will not be sufficient to induce creditors to lend money without security. I am therefore willing to accept the amendment proposed by my hon. Friend, Mr. Ramaswami Ayyar, if the others are willing; and if they are not willing I must oppose 12 per cent in the case of unsecured debts."

* Mr. C. ONI REDDI:—"Mr. President, Sir, the Hon. the Law Member was pleased to say that between the interest charged for secured debts and the interest charged for unsecured debts, there must be a margin of more than 3 per cent. I submit, Sir, it is an argument

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which I have not been able to appreciate. All sides of the House excepting the Treasury Bench have been able to appreciate that any interest more than 12 per cent will be an exorbitant rate of interest. Co-operative societies are willing to lend money to their members at the rate of 7 per cent and the land mortgage banks are beginning to lend at a lower rate and under the Land Improvements Act Government are prepared to lend at 6 per cent to clear off prior debts. When such is the case I do not really understand why the Hon. the Law Member wants a percentage of more than 12 on unsecured debts. I therefore press my amendment."

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" May I suggest to the Hon. the President that he may put to vote first the amendment for 9 per cent and then the other amendment for 12 per cent? Otherwise we will be in a difficult position if the first amendment is put and lost. I do not know whether putting the 9 per cent again to the Council will be in order."

* The Hon. Sir K. V. REDDI NAYUDU:—" I object to that. The idea seems to be, if Government are prepared to come down to 9 per cent, they will accept it safely; and when we are coming down from 18 to 15 they are not prepared to accept it. I therefore suggest that the amendment of Mr. Ramaswami Ayyar be put first."

* Mr. C. BASU DEV:—" Mr. President, Sir, the Hon. the Law Member advanced arguments in favour of Mr. Ramaswami Ayyar's amendment. He stated in the course of his reply that he would deal with the rate of interest on secured loans later on in his speech but he has not said anything about it."

* The Hon. the PRESIDENT:—" Probably the hon. Member was not prepared to make a statement on that."

" I will first put Mr. Ramaswami Ayyar's amendment to the vote of the House. The question is:

' In clause 2, for the words " twelve " and " eighteen " wherever they occur, substitute the words " nine " and " fifteen " respectively. ' "

The amendment was carried.

Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, Sir, I move the amendment standing in my name, namely:—

' Add the following proviso to section 6-A:—

" Provided further that if in any suit or proceeding relating to a loan advanced after the commencement of the Madras Debtors' Protection (Amendment) Act, 1935, it is found that the lender has taken or appropriated any commission or discount from the loan advanced, the Court shall cause such amount or amounts to be credited towards the aggregate interest that the Court may award to the creditor. ' "

" Sir, my object in moving this amendment is this: I think the Hon. the Law Member has dealt with this amendment also in a way

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when he spoke on the other amendment. My point is that when once you have fixed the rate of interest at 9 and 15, the creditor may give Rs. 80 and take Rs. 100; and if it is proved to the satisfaction of the court, the court should take note of it and credit that portion of the amount towards the interest that is due from the borrower. I think my amendment is a harmless one. If it is not proved, there is no question about it, but when once it is proved to the satisfaction of the court that the whole amount was not paid to the debtor, I do not find any reason for not taking account of it. Such things are done in showing accounts to income-tax officers, by which the creditor when he deducts a certain percentage he puts it in the name of some member of his family. Of course, there may be cases where the debtor can prove that the creditor has collected a certain percentage of commission. I know there are some people who collect a certain percentage of commission openly.

" The Commercial Corporation, Madras, for example, collect some 12-15 commission of, say, 2 per cent from the total value of the car. When P.M. there are such firms openly collecting commissions, I am sure I shall be justified in moving this amendment. My object is to see that such commissions are credited towards the aggregate interest that the court may award to the creditor. I appeal to the Hon. the Law Member to accept the motion as it is a very harmless and reasonable one."

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

Mr. M. A. MUTHIAH CHETTIYAR:—" Mr. President, Sir, I do not think it is necessary to deal elaborately with the point at issue except to read out the definition of the word ' interest ' in the Act:—

*" * * includes any amount, by whatsoever name called, in excess of the principal, paid or payable to a creditor in consideration of or otherwise in respect of a loan. ' "*

" I think it covers the point that has now been raised and I hope Mr. Krishnayya Choudari will not press his amendment."

* The Hon. Sir K. V. REDDI NAYUDU:—" I think I must oppose this amendment not only for the reason that has been given but also for the fact that it is always open to the debtor to plead, when the full amount mentioned in the document has not been received, want of full consideration before the court and the court is always at liberty, if convinced of the evidence, to admit the plea. I think, therefore, that this amendment is unnecessary."

Mr. P. V. KRISHNAYYA CHOUDARI:—" I know, Mr. President, that we have to close this debate as early as possible. I wanted to point out one difficulty. I am not a lawyer. But I know that in Madras there are certain institutions which collect a certain percentage of the amounts advanced as loans. I do not know how the definition of the word ' interest ' in the Act will cover such cases. I want to explain my case in more detail and I would therefore suggest that, on account of the address of His Excellency which is to be delivered shortly, the debate may be postponed till after lunch. As a matter of fact, I want to press the amendment if the explanation is not satisfactory."

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* The Hon. the PRESIDENT:—"Even now the hon. Member can explain his object more thoroughly."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, the reason why I want to move my amendment is that the Hon. the Law Member has not met my point. It is true that, under the Civil Procedure Code, we have got the right of proving before the court that an amount less than that mentioned in the document has been received. For example, the Commercial Credit Corporation lends money on motor cars. When any person borrows money, he has to pay a commission of 2 per cent of the value of the car though the amount of loan applied for may be only Rs. 400 or Rs. 500. If the value of the car is assessed at Rs. 3 or 4 thousand, he will have to pay down from the money borrowed, Rs. 60 or Rs. 80. By this amendment I want to safeguard the interests of the debtors. In the case of bona fide firms, the payment of these amounts will certainly be entered in the registers so that it is not possible for them to say that they have not received the amount. If the amendment proposed is accepted such amounts will be adjusted towards the interest. It is just to safeguard the interests of the debtor that I move this amendment and I hope the Hon. the Law Member will accept it."

Sriman M. G. PATNAIK Mahasayo:—"Mr. President, I consider this to be a very salutary provision. When the rate of interest is to be reduced, the money-lenders will be unwilling to pay the full amount of the document but will pay only a smaller amount. It is difficult to estop the payment of a sum smaller than that mentioned in the document except by a provision of this nature. All the same there should be a provision to enable the court to go into the question. I do think the Hon. the Law Member cannot deny that there are such underhand dealings and the only way to defeat such machinations is to include this provision and to give powers to the courts to go into the case."

The amendment was put and lost.

Clause 2 as amended was put and carried.

The preamble was put and carried.

* The Hon. Sir K. V. REDDI NAYUDU:—"Mr. President, I beg to move that the Bill be passed into law."

The Hon. Mr. C. A. SOUTER:—"I second it."

Mr. V. T. ARASU:—"Mr. President, Sir, I rise at this stage to remove certain exaggerated notions that exist in the minds of certain hon. Members who have moved certain amendments or have spoken generally on this Bill. As was rightly pointed out by the Hon. the Law Member as also by the Hon. the Revenue Member, I believe we will have to be very careful in piloting a legislation of this kind. Instead of helping, we might on the other hand put an end to all the credit facilities which now exist for the poor. I can lay claim to an intimate knowledge of this problem, for I have carried out some investigation into the matter of the indebtedness of the lower middle and the

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poor classes. Therefore, with a certain amount of confidence, I can say that this measure will result in the contraction of the credit facilities of these classes.

"In the course of the debate, expression was given to a feeling that pawn-brokers and money-lenders are making enormous profits. The absurdity of this notion can be explained if we analyse a concrete case. Let us take the case of a pawn-broker in a village. He usually starts with a capital of Rs. 500 or Rs. 1,000. If the rate of interest on secured loans is to be 9 per cent as we have decided just now, the total amount earned on his capital would amount to Rs. 7-8-0. It must be remembered that, if this money had been invested in a bank, he will get about Rs. 5 or Rs. 4. Therefore, the gross profit of the pawn-broker is only Rs. 2-8-0. And out of this, as reasonable men we have to set apart a portion as insurance against risks. Certain risks have to be run in any business and money-lending is no exception. Perhaps, in money-lending, the risks are greater. It may turn out that the security on which the loan had been given, is stolen property. In that case, the money-lender loses his money. Instances are not lacking of cases where valuables taken on pawn have been found to be stolen property. A certain percentage of the gross profits will therefore have to be set off against risks of this kind. The second point we have to consider is the personal labour of the money-lender. He has to be a very shrewd person with a keen knowledge of men and matters. If he serves in a factory or a firm, he will be getting some salary. Therefore, from out of the gross profits mentioned above, we have to set apart a portion for his labours. Without taking all these into consideration, it has been pointed out that, because the bank rate of interest is only $3\frac{1}{2}$ or 4 per cent, the money-lender can well afford to lend out at 9 per cent."

* The Hon. the PRESIDENT:—"I am afraid the hon. Member is discussing the whole Bill which ought to have been done at the time the motion for consideration of the Bill was made. I think the hon. Member is too elaborate in his remarks."

Mr. V. T. ARASU:—"Sir, the Bill is going to be passed into law, and at this stage, belated though it may be, I want to point out what an injustice we are doing to that section of our community which is engaged in the business of money-lending."

* The Hon. the PRESIDENT:—"The hon. Member did not indicate his intention in the beginning."

Mr. V. T. ARASU:—"Mr. President, I wanted to do so even in the early stages of the Bill; but I am sorry I did not catch your eye."

* The Hon. the PRESIDENT:—"The hon. Member was anxious to speak only on the amendment and not on the Bill as far as I could see."

Mr. V. T. ARASU:—"I shall be very brief, Sir. I was saying that this measure is going to contract to a very great extent the credit facilities now available for the lower middle and the poor classes, whose

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welfare seems to have prompted Government to introduce this Bill. What would happen is this: If a man goes to a money-lender and asks for a loan with or without security for the purpose of agricultural operations, the money-lender will turn round and say: 'It no longer pays me to lend money at the rates fixed by Government. Therefore, I cannot lend you money.' Agriculture will thus suffer, and agricultural commodities cannot be easily moved from the village to the town for being sold. I submit that thus, instead of helping the poorer classes, this measure is going to affect them adversely. For these reasons, I oppose the passing of this Bill into law."

* The Hon. the PRESIDENT:—"The discussion will continue after His Excellency's address to the Council."

1 p.m. IV.—HIS EXCELLENCY THE GOVERNOR'S ADDRESS.

His Excellency the Governor then entered the Council Chamber and addressed the House as follows:—

"Mr. President and Members of the Madras Legislative Council,—The life of this Council will be extended for twelve months from November next.

"Quite apart from the many and forcible arguments that can be advanced as to the unnecessary expense and trouble that the holding of fresh elections for a body that can only remain in existence for so short a period would entail, there is now a new feature in the situation which renders the holding of a general election most inappropriate at this juncture.

"The Government of India Bill received the Royal assent on August the 2nd and is now Law. This measure, as is well known, enacts a much wider franchise than now exists, and it therefore follows that the present electorate has already, in effect, been superseded by the new one laid down in the Act. But owing to the administrative impossibility of immediately producing a new register, and to the time that must inevitably be taken in delimiting the new constituencies and working out the other great changes connected with the Reforms, this new electorate will not be able to function for some time.

"It would obviously be most inappropriate to have a new Council chosen by an electorate that has in fact, if not in actual law, ceased to exist, and there is therefore, in my opinion, no option but to extend the life of the present Council until such time as the first elections under the reformed Constitution can be held.

"I am aware that this present Council has already far exceeded its normal term, and, had it been realized, when the first extension of its life was ordered, that so long a period would elapse before the new Constitution could begin to function, no doubt that extension would not have been made. However, the reasons for the original decision were obvious and weighty, nor do I see how those in authority at that

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time could have acted otherwise. The fault, if fault there be, lies in the unexpected length of time that the preliminary constitutional discussions and the passage of the new Act have taken.

"Turning to other subjects, I am very happy to learn that there has lately been evidence of steadily improving co-operation between the public and the Police, and there seems to be a better appreciation on the part of the public of the utility of the Police Service. Indeed, the maintenance of law and order is the first requisite of civilisation, and the duties of the Police in maintaining that essential are obviously in the interest of all the inhabitants of the Presidency. But the work of the Police force is arduous and difficult, nor is it possible for them to fulfil their functions efficiently unless they receive the hearty co-operation of the people in the performance of their duties.

"In regard to the amendment of the Agriculturists' Loans Act, passed by the Council in the present session, I desire to make it plain that it is the firm intention of the Government that full advantage shall be taken of this legislation, in order that ryot's indebtedness may be relieved to the greatest extent that the resources of the Presidency will admit; and for this purpose a supplementary grant will be brought forward next October.

"Turning to Labour, the Government have under consideration the question of bearing half the cost of acquiring house-sites for landless labourers and of extending these facilities to all labourers irrespective of caste instead of applying them to the depressed classes alone as hitherto. With a view to extending the work of the Labour Department in ameliorating the condition of the depressed classes, it is proposed to undertake an extensive survey and for that purpose the Commissioner of Labour has issued a circular to Collectors of all districts.

"Good progress has been and is being made in regard to dam construction and hydro-electric development. The rapidly growing load on the Pykara plant and the exceptionally low rainfall of 1934 combined to make the provision of water storage a matter of urgency, and the construction of the Mukurti dam was therefore sanctioned at the end of 1934. It is hoped to complete the dam by the end of December next in order that all requirements for 1936 may be met. To carry out this programme, it was necessary to complete the foundations before the monsoon, and a great deal of other work was also entailed including the construction of an approach road over difficult country. This road which is 6½ miles long was opened to traffic in the surprisingly short time of one month and three days from its commencement—an achievement which reflects the greatest credit on all those concerned. Further developments have also been made in the Mettur Hydro-electric scheme. The transmission lines from Mettur eastward to Vellore and Tiruvannamalai are now being surveyed and tenders for the various works will be called for in October. The

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transmission line between Tanjore and Negapatam is being completed, and the length between Trichinopoly and Tanjore will be finished by the end of August.

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p.m.

"I am happy to say that in the first quarter of the present official year, the trend of agricultural commodity prices has shown a distinct and encouraging rise which will be of considerable benefit to the ryot. Unfortunately this improvement is not yet reflected in our revenues. The figures for the first quarter are disappointing. Compared with last year, the revenue has shrunk while expenditure shows no signs of contraction. On this basis we are faced with the likelihood of a deficit at the end of the year instead of the small surplus which was originally anticipated. There is therefore, as always, a continuing need for rigid economy in expenditure, and if in future large sums of money are to be found for fresh nation-building services, new sources of revenue will have to be explored.

"I do not intend, at this time, to say anything further in amplification of the remarks I made in January in regard to the Government of India Act, and I would only add that a great deal of detailed work remains to be done in advance of the new Constitution, including a certain amount of legislation to ensure that the new machine will be in proper working order on the date that it will be called upon to function. It is with great confidence therefore that I ask for the hearty co-operation of this Council in finishing the last stage of these prolonged proceedings in order that the new Constitution may operate as soon and as smoothly as possible. And I would like to take this opportunity of expressing my appreciation of the valuable services rendered by the Chairman and Members of the Delimitation Committee, whose report will be published shortly." (Cheers.)

His Excellency then left the Chamber.

III.—A BILL TO AMEND THE MADRAS DEBTORS' PROTECTION ACT, 1934, FOR A CERTAIN PURPOSE (BILL No. 13 OF 1935)—cont.

The Hon. the PRESIDENT:—"The discussion on the motion before the House will continue."

* Mr. C. BASU DEV:—"Mr. President, when my hon. Friend Mr. Arasu got up to speak, I was pleasantly surprised to find myself in agreement with the first few observations of his: it is so seldom that he and I agreed. I am in entire agreement with Mr. Arasu when he says that facilities for credit to the poor workers will be restricted on account of passing this amending Bill. But that very restriction is to be welcomed, so that co-operative societies may be started and promoted for the benefit of the poor working classes. When I said earlier this day that in the rural parts most of the money would not reach the borrowers in the co-operative societies I meant what I said and I knew it was correct. But it was only in the rural parts that the co-operative movement is not working as satisfactorily as it should. The

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whole Co-operative department has now become a company of liquidators. Their main concern is with the liquidating of co-operative societies and not with the starting of any new societies or for the promotion and improvement of the existing institutions. Sir, when I spoke on the amendment with regard to restricting the rate of interest, I am afraid I was misunderstood as not being in entire sympathy with the idea of restricting the rates of interest to as low a rate as possible. I suppose the hon. lady Member from the city of Madras was trying to restrict the maximum rate to 4 and 6 per cent. If I were only actuated with any desire to play to the gallery or to impose upon the judgment of the people, I would have given notice of amendments for still lower rates of interest. But my concern is to see that something definite is done and that as early as possible. I know how great are the difficulties in promoting any social legislation in this House composed as it is of conflicting interests with the conservative and selfish elements predominating. Hon. Members have pointed out that there are hundreds of ways and means by which even the provisions of this Bill can be evaded. For that very reason, I included in the original Money-lenders' Bill provisions which have now been passed into law. The provisions in my Bill by which the money-lenders would be forced to maintain and keep proper accounts, to some extent, minimized the methods by which unscrupulous money-lenders can evade the provisions of law with regard to the rate of interest and the amounts lent. I wish only on this occasion to repeat that I am second to none in my anxiety to provide the poorer classes with credit and that at very cheap rate. In the present circumstances, where money-lenders can carry on their unscrupulous practices unchecked in spite of the legislation and where the classes have not sufficiently come forward to understand and sympathize with the needs and aspirations of the poorer working classes, I think it is not safe to force or to rush legislation to the utmost possible extent. It is in that view and in my anxiety to see this amending provision incorporated once more in my Bill that I did not support that amendment unreservedly. I do not want that even this measure to the limited extent it affords protection should be delayed on account of opposition from the Government. I was anxious that whatever may be the measure of protection that is considered feasible at present, that measure of protection should be afforded to the people at the earliest possible opportunity. Sir, with these words, I beg to offer my sincere thanks to the Hon. the Law Member and the Government for having come forward to complete my Money-lenders' Act by adding the provision which was left out on the last occasion when the Bill was passed into law."

* The Hon. the PRESIDENT:—"The question is that the Bill be passed into law."

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

The House then rose for lunch.

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After Lunch (2-30 p.m.).

V.—REPORT OF THE MADRAS SERVICES COMMISSION FOR 1933-34.

* The Hon. Mr. C. A. SOUTER:—"Mr. President, Sir, I beg to move—

'that the report of the Madras Services Commission for the year 1933-34, submitted with reference to section 20 of the Madras Services Commission Act, 1929 (Madras Act XI of 1929), be taken into consideration.'

"I think, Sir, that perhaps it may assist in the debate on this motion if I could make a few preliminary observations. In the first place, I think hon. Members will realize that most of the discussion must of necessity be rather academic. I fear that there has been some delay in the discussion of this report for 1933-34, the next report of the Services Commission will be received very shortly by Government—because hon. Members all know that owing to the extreme rush of business during our previous sessions we could not find convenient time to take the matter up. I trust therefore that hon. Members, with that consideration before them, will curtail their remarks as much as they can. I do not want in any way to give cause to think that I want to muzzle the debate; that is not my intention. It is merely to point out that a great deal anyhow of the amendments which have been put in as amendments to the main motion must of necessity be academic.

"There is another point which we have to remember, and that is, that our present Act is in many respects *ultra vires* of the Act which has just been passed by the British Parliament, and therefore that many of the rules under it may, when the new Constitution comes into being, be also *ultra vires*. And for this reason, I have recently asked all heads of departments to let Government know in what respects they have found the statutory rules inconvenient and can be improved. The reports that are coming in now will entail revision of our statutory rules not only in the light of past experience as to the working of them but also in view of the necessity for repealing our present Act and placing it on a footing which will be in consonance with the Government of India Act just passed by Parliament. I can assure hon. Members that any ideas put forward as to the inconvenience of statutory rules as affecting one community or another will be taken into consideration when we revise these statutory rules. Therefore, I trust that it will not be necessary for hon. Members to expatiate at great length on this point.

"Sir, with these remarks, I beg to move my motion."

The Hon. Sir K. V. REDDI NAYUDU:—"I second it."

* The Hon. the PRESIDENT:—"As usual, I will first put the motion to the House and when it is carried, take up amendment after amendment for discussion."

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The motion that the Report of the Madras Services Commission for 1933-34 be taken into consideration, was put and carried.

* The Hon. the PRESIDENT:—"I have to remind the House that at 4 o'clock we have to take up the adjournment motion, and therefore we have only an hour and a half left for the discussion of this report. I hope hon. Members will be brief in their remarks."

* Mr. BASHEER AHMED SATEED:—"I have given notice of a number of amendments and they are in two sets: in the first set there are six amendments and in the second set there are three. The Hon. the Revenue Member has stated that the discussion of this report at this late stage will be purely academic. It is rather unfortunate that the discussion of a report like this should be made purely academic on account of the delay that has been caused in its being taken up for consideration. I would only point out that it must have been within the possibility of things, particularly it must have been possible for Government, to have had this business disposed of at the earliest meeting of the Council, after its publication. It is certainly of no use in having a discussion post-mortem, particularly on a report so interesting as that of the Madras Services Commission.

"There has been prevailing for some time an attitude either of indifference or hostility towards the commission in certain quarters. I do not hope that that attitude is the cause for having brought up this motion so late as this. I would only say that the impression prevails in certain quarters that this motion ought not to be treated with that amount of regard and consideration due to an important motion. I hope that is not the case with the Government and the Hon. the Revenue Member assures me that it is not so. My only suggestion on this point is that at least hereafter Government will so arrange their business as to have a discussion of this report at the earliest opportunity after its publication. We have had similar experience in the case of the report of the Public Accounts Committee. Of course, in the very nature of things we cannot but have a post-mortem examination of that report. But in this case, I do not think we need follow the same practice. Let us have in future a real and useful discussion of the report.

"The Hon. the Revenue Member has pointed out that several of the sections of the existing Act plus the statutory rules that have been made are *ultra vires* of the legislation that has just now been passed by the British Parliament. I think, Sir, that the Hon. the Revenue Member may be right in that: for I have had no opportunities to examine the Services Commission Act in relation to the Act that has newly become law after the Royal assent. That apart, if it was discovered at any time that this existing Commission Act was to any extent *ultra vires* of the existing Government of India Act, it was open to the Government to have come forward with amendments to the existing Commission Act and also to have the statutory rules amended in that light. I do not know, but I would like to hear from

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the Hon. the Revenue Member, when he discovered that some of the sections of the Act and statutory rules were *ultra vires* of the existing Government of India Act. Is it after the Indian Constitution Act has been passed by the British Parliament or even before it was passed? If it was *ultra vires* of the existing Government of India Act, then, Sir, it was time enough that he should have come forward with an amending measure. I do not know, Sir, how far that argument can help us. Again, Sir, it will have to be examined further as to whether there is really a case for amending the existing Act so as to bring it in line with the new Government of India Act.

1-45 p.m. "The Revenue Member has assured us that he is taking up that matter, and he might possibly be coming before this Council with proposals to have a thorough overhaul. I might assure him, Sir, that the whole object of my motion is only aimed towards the achievement of that object."

(At this moment the Revenue Member handed over a Government Order to the speaker.)

Mr. P. V. KRISHNAYYA CHOUDARI:—"Why not the Hon. Member read out the whole memorandum for the benefit of the House?"

* Mr. BASHEER AHMED SAYEED:—"Sir, the Revenue Member has been kind enough to hand over to me Memorandum No. 274-O/1935-1, dated 28th May 1935, relating to Provincial Services in consequence of the Reforms. It reads as follows:—'The provisions contained in the Government of India Bill relating to public services may necessitate a considerable revision of the Statutory Service Rules issued by Government. That opportunity may well be availed of for removing, as far as possible, difficulties and administrative inconveniences experienced in the working of the present rules. Government will be glad if departments of the Secretariat and heads of departments will point out before 31st July 1935 such difficulties and inconveniences, if any, as may have been experienced by them.' Sir, this circular is no doubt very helpful in disposing of several of the items in my amendment. One point on which I wish to lay stress in my amendment is this: 'that is amendment (b) that an investigation should be made into the working of the statutory rules in all their aspects for the past few years and a report placed before the Council for consideration at an early date together with the views and suggestions of the Government thereon, and amendment (c) that effective steps should be taken to prevent any recurrence of irregularities on the part of the Government or administrative heads in carrying out the statutory rules and orders in future.' I may say, Sir, that in a way, the notification placed in my hands by the Hon. the Revenue Member, has taken away some at least of the wind out of my sails. That is a handicap that I feel now. All the same I would confine myself to a few points, not touched by the notification. This very circular which has been issued presumes that there have been certain difficulties in the matter of the administration of the rules, particularly those special and general rules which have

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become so complicated and highly involved as not to allow the ordinary heads of the departments like the Sub-Registrar, the District Registrar, the Sub-Magistrate and the Sub-Collector and so on to understand them. The rules certainly require a thorough overhaul. I find from the report of the Services Commission that references to them as regards the interpretation and the proper application of the rules have been on the increase for some years past. They give a very large number of such references at page 2 of their report. They say: the Commission dealt with 30,482 references as against 31,900 in the previous year. There was no doubt a fall. Then there were a number of enquiries from candidates and references from heads of departments for advice in connexion with the application of the statutory rules and also references from the Government about disciplinary cases, promotions, etc., and amendments of such rules. I say, Sir, that one of the important items of references to the Commission related to advice in connexion with the application of the statutory rules. This could very well be avoided if the rules were made simple and easy of understanding. That is why I have mentioned in my amendment that the statutory rules and orders so far framed by the Government for all the services are very complicated, highly involved and even unintelligible in several particulars, and therefore they, especially the special rules and orders, should be recast so as to make them easily understandable to the persons charged with the function of carrying them out. Not only had the Commission to deal with references from heads of departments, but the rules, etc., are so complicated that the tahsildars, magistrates and other officers are unable to interpret them in the matter of promotions, probations and the like. Even the heads of departments seem to have committed awful mistakes as they were not sure as to what exactly the implications and the meaning of those rules were. Even in the Public Secretariat—I do not think I will be contradicted—the Services section must have been bothered with several references in connexion with the interpretation and detailed application of these rules. All this difficulty in the Public Department and the difficulty felt by others who have charge of the administration of the services could be avoided if these rules are revised with a view to make them more simple and easy for every-day work.

"Then, Sir, there are certain aspects in which I want that an investigation of the rules which the Hon. the Revenue Member has already undertaken should be completed and a report placed before this House. I apprehend, Sir, that the Government may have some objection to place the result of their investigation of the working of these rules on the table of the House for consideration. When the Council is charged ultimately with the function of reviewing the work of the Services Commission and also the way in which the Government have acted up to the recommendation and advice of the Services Commission, I do not see any inconsistency or unreasonableness in my demand that the result of the investigation mentioned in my amendment and already set on foot by the Hon. the Revenue Member should be placed before

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the House for its consideration. On the other hand, it will be in the interests of the proposal for suitably amending the rules that the Legislature should know what the defects in them now are. The Government should therefore not feel any diffidence in placing on the table, the report of the investigation of the working of this Act and the rules and the opinions of the various heads of departments thereon, and obtain the opinion of the Legislature as well. There is another thing mentioned in my amendment which I just now read out and that is that effective steps should be taken to prevent a recurrence of irregularities on the part of the Government or administrative heads in carrying out the statutory rules and orders in future. I have already suggested that these rules should be made simple and easy of understanding. It is also necessary that definite instructions and orders should be issued to the heads of departments to strictly apply the rules. Some heads of departments are averse to these rules framed by the Government; some are feeling that they are seriously handicapped by the existence of the Commission; some treat it as a nuisance to be dealt with in a peculiar way; some do not want to comply with the rules or the spirit of the rules; and there are some others who want to comply with the rules in their own way though they are bound to adhere to them as they are. The Government ought to be very strict and take very serious notice of those heads of departments who go beyond the scope of the rules in administering certain service matters under their charge. I would therefore urge, Sir, that in addition to what has already been done, it is necessary, to enforce a strict observance of rules in order to prevent a recurrence of the kind of things which the Services Commission has pointed out in its report. I do not see why there should be any departure from the strict observance of the rules already framed for the purpose of the security of the services and for their easy administration.

“ Then, Sir, on the part of the Government themselves there have been very many variations from the recommendations of the Commission. All that I urge in this connexion is this. The Government have, rightly or wrongly, in pursuance of instructions and reports issued by the Joint Select Committee and in pursuance of the recommendations of the Islington Commission brought into existence the Services Commission in order to deal with service questions. When once that body has been created with albeit limited powers there is no reason why the Government should deviate from the recommendations made by it. Unless and until they have reasons to show that the recommendations of the Commission are perverse or unacceptable on other valid grounds, they should respect those recommendations and adhere to the rules they themselves have framed. Unless and until the whole Act is remodelled and brought into line with the new Act, they should make an honest effort to respect the rules at least by way of setting an example to the heads of departments. There have been cases where the Government have themselves ignored the rules to suit certain individual cases. I would have no objection to their amending the

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rules to get over some difficulty in a category of cases. But that is not what they have done. There have been certain instances in which the Government have thought it fit to amend the rules to suit certain individual cases. That is not a satisfactory thing for the Government to do. They ought to set their face against such practices. Unless and until the Services Commission is going to be respected and made an independent judicial authority, autonomous in itself so far as its functions are concerned, there is no use of having that body at all. In future there is greater need and greater necessity for a strong and well-constituted Services Commission functioning as a judicial or quasi-judicial body. The future Government is going to be a party Government and in a party Government, the security of the services is the most important matter. Permanent services ought not to be allowed to be swayed by political influences and such a thing should never happen. Keeping that in view, the Services Commission ought to be made a more independent and autonomous body with full powers and full authority over the limited sphere of activity assigned to it.

“ Then, Sir, I come to particular grievances which have been noticed in respect of particular matters. I refer to one or two things which seem to be very necessary and to which the Government ought to devote its attention before they take up the thorough overhauling of the present Act and the rules. So long as these rules are being worked and are being enforced, it is necessary that the Government ought to remove the grievances and hardships now existing. My first point is that the Government should, for the purpose of recruitment to non-clerical and non-ministerial posts, fix the statutory age-limit in the case of Muslims and backward communities at 27. The existing rules and orders on the subject should be immediately modified. The Government have fixed various ages now for various services. I have already had occasion to point out this to the Revenue Member and he was pleased to issue orders amending the rules with regard to certain services. His predecessor issued an order that in the recruitment of Deputy Superintendents of Police, the age in the case of Muslims should be fixed at 24 and not 23. I urged for 25 and the Muslim community wants that it should be fixed at 25. That is reasonable. I have got many reasons to urge in support of this change and, as I have hardly time for it, I shall mention only one or two important grounds. One ground is that it will serve to widen the range of choice if the age is fixed at a higher limit than 23. I hope the Hon. Member will accept the age-limit suggested by me for all services. He has accepted only 24 in the case of Deputy Collectors. At any rate I hope he will accept at least 25 for all the other services.

“ There is another reason why I want a higher age-limit for the Muslims. Good families always insist upon a certain amount of religious instruction and moral instruction being given to their boys. Unless and until that is given to the boys, the community considers that the boys' education is not complete. Families with good traditions and upbringing consider it very essential that their children should

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undergo a course of religious instruction for a number of years. This takes them to the ninth or tenth year. After this, if boys are to go for secular education, you cannot expect them to become university graduates and satisfy the requirements laid down in the Statutory Rules within the age of 25. In some cases it happens to be 27 and in a few others it may be 21 or 23. From all points of view, it cannot be said to be very desirable in the interest of the community or the service to limit the age to 23 or 24 in the case of Muslims. If you want good candidates for the public services, candidates who have good family traditions, good schooling and upbringing, good character and good aptitude, you should have a higher age-limit than the 23 years now prescribed. Already the Government have fixed the age of 27 for clerical and ministerial services, in the case of Muslims and backward communities.

3 p.m. "But they have prescribed it for a limited period. I would say that the Government ought to extend it for all time. They should not prescribe it merely for two or three years. Conditions of any community or nation do not change within such a short period. It is not enough time for any change to take place. It is not even enough time to have experience of the results of the working of any system. I would therefore invite the attention of the Hon. Member to the desirability of continuing the present age-limit of 27 for some more years and not fix it for a particular period of time. The age of 27, I urge, should be continued to be the age-limit for the entry into service of ministerial servants and clerks for some more years. In the case of other services such as non-ministerial and non-clerical, subordinate as well as superior, the age should be at least 25, if not 27. I trust that the Hon. the Revenue Member will agree with this suggestion of mine, and pass early orders in the matter.

"Referring to the particular portion of the Services Commission's Report dealing with the punishment that has been meted out to some of those examinees who were found to have had recourse to malpractices in answering the question papers, I find that the punishment meted out to them is very severe. Out of the nine candidates who had been found guilty of this malpractice, seven were debarred from attending the examination for ever and in the case of the other two their answer papers were invalidated. After all, Sir, one cannot forget that in many cases aged people are made to attend these examinations and are required to pass them. If they do not pass, their increments and promotions are stopped. Their anxiety to pass the examination can be easily realised. But we do not know what is the nature of malpractice that has been referred to in the report. If it was a mere copying, to debar and disqualify them on that account is a very severe punishment. These men must have, by their long service, earned some of their promotions and by their seniority, good and honest work must have risen to their positions in the service and they must be expecting to rise to the next stage and to debar them completely at such a stage from appearing for the examination is a great hardship to them. They may be stopped

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from appearing for some time but to completely debar them from appearing for all time is a serious matter to them. I would therefore submit that such a punishment should not be inflicted on them. The Commission may be told that the punishment that they recommend shall not be so severe but shall be moderate and considerate.

"The third point that I wish to refer to is that until such time as the unrepresented communities get their due share in the services, the rule of communal proportion should be applied without the principle of communal rotation. Government have introduced the principle of communal representation rightly or wrongly. Some people believe that it is wrong and others believe that it is right. Whatever the ethics of that may be, the Government have introduced the principle of communal representation and in the actual application of that principle they have brought in two further principles. One is that of communal rotation and the other communal proportion. So far as the interests of the Muslims are concerned, I have urged and the whole body of Muslim Members in this House have also urged upon His Excellency the Governor, that the rule of communal rotation is not in the interests of the Muslim community, and what is sought to be achieved will not be achieved as long as the principle of communal rotation is going to be adhered to. On the other hand, in the case of the minority communities and the Muslims, if only their due proportion is to be reached within a reasonable period of time, it is all the more necessary that the rule of proportion should be applied and not the rule of rotation. The rule of rotation is helpful in the case of communities who are already well represented in the services, but in the case of those communities who are in a minority and under-represented in the services, the rule of rotation is not very helpful. If recruitment is by the application of the rule of proportion then alone it would be very helpful. So, on the whole, if the due proportion of minority communities is to be reached, a legitimate and a reasonable object, the rule of rotation should be given the go-bye, and it must be replaced by the rule of proportion. In the case of Muslims and other minority communities who are unrepresented in the services the rule of communal proportion is very essential. Of course the Hon. the Revenue Member may contend that if this principle is applied, other communities will be up against us. I see no reason why other communities should raise any hue and cry against this. If the services are already over-manned by members of other communities, and their proportion is more than their due share, I see no reason, and no logic in their saying that the rule of communal rotation should be strictly followed. In the case of appointments that are going to be filled up from time to time, for the next ten or fifteen years at least the rule of communal proportion should be observed and the rule of rotation should be kept in the background. As an alternative I may say that in the case of new recruitments direct or by promotion for 50 per cent of the posts recruitment may be made by applying the rule of communal proportion and for the other half it may be made by the rule of communal rotation. Unless and until this is done there is

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no use in applying the rule of communal representation. I say if there has been any earnestness about the rule of communal representation, the injustice that is being done by the present application of rotation rule should be redressed at the earliest moment. The rule of communal proportion should be extended to such services as electrical engineering, and other technical services also. The Services Commission in their report has pointed out that the rule of communal proportion has not been extended to such technical services as electrical engineering and other services. I do not think that, when once the Government have prescribed the minimum qualification any candidate should possess, there should be any difficulty in making appointments according to the rule of communal proportion. Any Christian or Muslim or Adi-Dravida who would satisfy the condition of possessing the minimum qualification which makes him eligible for selection ought to be selected on the principle of communal representation or communal proportion. The excuse 'of the services being technical, the rule of communal proportion should not be applied,' cannot hold water. I think at the time of classifying the services under various categories, the Government have prescribed the minimum qualification for the Electrical Engineering Service. So there can be no difficulty in taking a man from a minority community who satisfies such qualifications. For instance, take the medical services or the educational services. You have got the communal rule there working. You have got the Chemistry Professors, Professors in Medicine and Surgery, the Mathematics Professors, the Botany Professors and so on, who are as much specialists as an electrical engineer or a factory inspector. In all the cases I have mentioned above you have applied the communal rule and I do not see why the same rule should not be applied in electrical engineering and other technical services. Therefore the hardships experienced by the candidates of minority communities in the case of these services ought to be removed.

"There is another point to which I would like to refer. There has been a longstanding complaint that in the case of some of the Government Press employees whose salaries are Rs. 35 and over, they have not been treated in the same way as those in other Government services. Government have sent a long and elaborate reply to the Services Commission's reference and the latter has commented upon it. I must say that the reply the Government have sent to the Commission, is most unconvincing. Simply because the work done in the Government Press is somewhat of a commercial nature, it does not mean that their work is in any way inferior to the work done by other class of Government servants. The employees there are doing as much good work as any others in the other departments of Government and they should not be left to the sweet will and caprice of the head of this department. There have been many complaints about the administration of the service in the Government Press. If you look at the proceedings of the Legislative Council and the interpellations put by hon. Members to the Government Members regarding the difficulties and hardships

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experienced by Government Press employees, you will find them far more numerous than the interpellations on any other subject. I would therefore say that every logic points to the fact that the Government should extend the benefit of their service rules to the subordinates in the Press also. There are subordinates in the Government Press whose salaries extend to Rs. 60, Rs. 100 and Rs. 150 and it does stand to reason that they should be excluded from the purview of these rules. These rules confer certain rights and they also bring them under disciplinary control. The statement of the Government that they find difficulty in extending these rules to them is really not tenable. The Government ought to revise their decision. I hope the Hon. the Home Member will take steps to make these rules applicable to these services as well, in the interests of the service as also in the interests of the individuals concerned.

"The last point which I wish to touch upon is that the typewriting qualification shall not be insisted upon until after 1940 and in any event it shall not be insisted upon in the case of Muslims and scheduled classes. At a weak moment, and I should think on the ill-advice of some, the Government thought it fit to impose this qualification on every applicant for a clerk's post. There is no reason or justification for insisting upon the possession of typewriting qualification by every clerk employed by the Government. There are very few candidates who know typewriting. If you expect them all to do the typewriting work they may not be able to do so. Eighty or ninety per cent of the clerks now employed in Government are not engaged in typewriting work and it is not possible either to engage them all in typewriting work. So to insist universally that every clerk employed in the Government should have this qualification is very hard and, as has been pointed out by the Public Services Commission, this has led to practical difficulties. They have not been able to find candidates whenever they advertise that candidates should possess the typewriting qualification also. As the Services Commission have pointed out 'it requires other factors to combine to produce the required result.' These factors are at present absent. The Government has not been encouraging technical education and they have abolished the Commercial college. As such there has been a dearth of clerks who know typewriting. In the first place it is not necessary, nor is there need, to insist upon the clerks to know typewriting also. You cannot get people with this qualification even if you wait for ten years. Moreover the examinations also are so hard that the candidates find it very difficult to pass them. Moreover the typewriting qualification is really not always useful. It is an unnecessary burden and trouble to those who are otherwise deserving to be employed. I would therefore urge that this typewriting qualification should not be insisted upon in every case of a clerk. In the case of Muslims there are very few who really care to qualify themselves in typewriting though there are very many willing to come forward to be employed as clerks. In such a case it is very likely that the candidates from the Muslim community may not be available if you insist upon the possession of typewriting qualification. In that

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case are you going to deny them employment on the ground that 'no candidates with typewriting qualification are available'? If you are going to insist upon this qualification it will be really difficult for the Muslim community to attain their due proportion in that grade of service. Therefore to insist upon typewriting qualification, at any rate in the case of backward communities who cannot and do not qualify themselves and in whose case it is not possible for some time to qualify themselves, would be a great hardship. As has already been pointed out there are various factors which have to operate to bring about the result which the Government want. So are the Government going to shape their policy and course of action according to exigencies as they stand to-day or are they going to adopt their impractical policy and insist upon such a condition? I submit that Government will consider this aspect of the matter and before the next report is discussed, I hope they will be able to tell us what they have been able to do in the matter of redressing the grievances and the removal of the difficulties that I have pointed out above."

3-15 P.M. * The Hon. the PRESIDENT:—"I take it that the hon. Member has formally moved his amendment."

Mr. BASHEER AHMED SAYEED:—"Yes, Sir, I move the following amendment standing in my name:—

'Add the following at the end:—

"and on such consideration this Council is of opinion—

- (1) that for purposes of recruitment in all the non-clerical and non-ministerial services of the Government the statutory age-limit in the case of the Muslim and other backward communities should be fixed at 27 and that the existing rules and orders should be amended accordingly;
- (2) that the punishment inflicted on examinees in special test examinations for malpractice is too severe and out of proportion to the offence and that the same should be liberalized;
- (3) that until such time as the unrepresented communities reach their due share in the services, the rule of communal representation alone should be enforced without the principle of rotation being applied in the matter of recruitment to the services;
- (4) that the communal principle should be extended and made applicable to the Electrical Engineering, Jail and Port Services also;
- (5) that all the posts carrying a salary of Rs. 35 and above in the Government Press Subordinate Service should be brought under the Statutory Rules applicable for other Subordinate Services;
- (6) that the typewriting qualification for clerks shall not be insisted upon until after 1st January 1940 and in any event the same shall not be insisted upon in the case of Muslims, Christians and the scheduled classes;

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- (7) that the statutory rules and orders so far framed by the Government for all the services are very complicated highly involved and even unintelligible in several particulars giving rise to difficulties in the actual working thereof, and that the said rules and orders should be recast and simplified so as to make them easily intelligible and understood by everyone concerned and charged with the function of carrying them out;
- (8) that an investigation should be made into the working of the statutory rules in all their aspects for the past few years and a report placed before the Council for consideration at an early date together with the views and suggestions of the Government thereon; and
- (9) that effective steps should be taken to prevent any recurrence of irregularities on the part of the Government or administrative heads in carrying out the statutory rules and orders in future."

Mr. M. S. SRESHTA:—"Sir, I beg to second the amendment moved by my hon. Friend and dealt with by him very exhaustively. I do not propose to go over every item of the amendment because I do not want to stand in the way of other speakers. It has been said by a learned advocate that the main characteristic of the British administration is the reign of law. It is not possible in all administrative matters to introduce the system of law and there must be a certain amount of uncertainty in the various branches of the administration. But there are certain matters in which you can introduce the certainty of law and those are as regards recruitment, promotion, punishment, etc., of Government servants. We can also extend the principle of certainty and equity to various other branches of administration. In these days one of the best safeguards against the abuses of democracy is the establishment of a Services Commission. Whatever may have been the opinion as regards the Madras Services Commission some years ago, I think it is now more and more realized by the public that it is a very useful institution and must stay. The only complaint that I personally have against the Commission is that it has not extended its work to all the branches of the services. I have asked several questions in this Council and spoken several times here urging that the scope of the Commission's work should be extended. Till recently very few appointments came within the purview of the Commission, but now practically all the services have been brought within the purview of the Commission. Still, a large number of appointments have not brought under the control of the Commission and we hope that no time will be lost in bringing all the services and all the appointments in the services within the scope of the Commission. Sir, we have very great confidence in the Commission, because it is a judicial tribunal not controlled by the Parties. I think, in the United States it is the custom that while a Party goes out of power all the services also go out of office. The one thing to be said in favour of it is that it is a straightforward

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practice. Here, it is said that when a Party comes into power many people come into office along with it. I think this abuse must be put an end to. I suggest that recruitment, promotion, punishment, etc., of the large body of municipal and local board servants should be brought within the scope of the Madras Services Commission just in the same way as in the case of Government servants. I am unable to understand why the principle which has been found suitable in the case of Government servants should not be found equally suitable in the case of the servants of local bodies and municipalities. There is considerable abuse now in that field. It is often said—I am not referring to my own district; I am referring to other persons and other districts—that the officers appointed in local bodies are the relations of those in power. That is a great abuse and it can be put an end to only by bringing these appointments within the scope of a Services Commission for local bodies. Of course, it may be very expensive to do so but I think the load of work for the present Madras Services Commission is not very great and it should be possible to transfer to their control the recruitment of the servants of the local bodies also. With this idea in mind I put a question this morning to the Hon. Chief Minister why it was not thought necessary to introduce the principle of recruitment by a Services Commission in the case of appointments under local bodies also. He was unable to give any reason as to why it should not be done. His inability to give any reason shows that there is no reason to give. I therefore trust that appointments under local bodies will also be brought within the purview of the Madras Services Commission. Such a step, if adopted, will be in the interests of both the employees and of the local bodies themselves; otherwise it will be impossible to meet the aspersions often made that those in charge of such appointments are guided by motives other than those of efficiency.

“The other day an Act was passed vesting certain appointments in a Committee of three. In another Act the power of appointment was given to the whole Council. I cannot understand why in one case three persons are considered suitable for making appointments while in the other case the whole body is considered necessary. I am afraid we are not realizing the drawback of democracy and while concentrating our attention on the Constitution are not paying sufficient attention to these subsidiary so-called minor matters which are very necessary for the successful working of the Constitution. No Constitution, not even the British Constitution which is very much praised all over the world, however good it may be, will be able to work unless these minor details are attended to.

“I shall now come to the report itself. There are 100 candidates who are selected as a result of a competitive examination, but all of them do not get appointments because by the time selection for appointment is made many of them get age-barred. I am afraid, Sir, that having regard to the manner in which retrenchment is effected and having regard to the manner in which the poorer classes of clerks are thrown out of employment, many people who are now selected will not

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only get age-barred but will not also be in the land of the living by the time appointments are made. I should say, Sir, that once a candidate is selected, he should be appointed whatever his age may be, even though he is 55 years old. I hope, however, that that will not be the case. The next point is this: selections should be made in a judicious manner. Only as many persons as are necessary should be selected. But as a matter of fact as many as 300 and 400 persons are selected and they wait for appointments for years together. Ultimately they are told that they have become age-barred. This is not humane. I think that that practice should be given up.

“My hon. Friend, Mr. Basheer Ahmed, referred to the necessity of having a book of rules showing clearly all the principles followed. I have found great difficulty to know what the rules are with reference to any particular matter. We have quite a large number of books on the subject. The other day I thought I would be able to find out the exact situation by looking into a certain book. I asked for that book but was told that it was a confidential document and that it could not be given to me. I think, Sir, there should be nothing confidential in these matters. All the rules governing the services should be in print and should be available to everybody. There should be nothing which has not come to the notice of the public. In this connexion, I should like to draw attention to the question of confidential reports. Confidential reports which are unfavourable to the person concerned should be shown to him and should be signed by him. But that is not done although it is a very salutary rule. There is also the rule that in the case of promotions from one grade to another a person should not be kept away from promotion only on general grounds. Charges must be framed against him and they should be proved. Only then promotion should be stopped. But I may say that that is not being done. I brought to the notice of the Government a specific case where this was not done. The Government considered the matter and gave the person concerned the promotion that was his due. That was no doubt a very fair treatment of the man, but there are a large number of cases like that and they should also be rectified.

“The powers of the Madras Services Commission should be increased. They should see that the statutory rules are followed in every case. I should also propose that in very difficult cases the Madras Services Commission may authorize any person to be represented by an advocate so that his case may be fully argued and discussed. It may seem to be a lengthy procedure, but when it is a case of life and death to the person concerned—a man with a large family and over the age of 40 is thrown out of employment and his pension is cut away—it is but fair that he should be given the benefits of a judicial enquiry.

“Then, Sir, there is the question of bringing appointments in the Judicial Service within the scope of the Madras Services Commission. It has been pending for a long time. I do not see, Sir, why there

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should be any delay in this matter. It looks as though the Government are afraid that they would be considered to be encroaching on the privileges of the judiciary. I do not know whether they are afraid of any such thing or not. But I am sure, if the case is properly put, the High Court will approve of the proposal to recruit all the officers of the High Court through the medium of the Services Commission.

“One more point, Sir, and I will have done. I would like to say much more but I shall finish with this. Remarks have been made by the Madras Services Commission with regard to the low standard of examinees. Either the Ministerial Service Examination is too strict or the examinations are based on wrong principles. In matters of general knowledge and every-day science, apparently the examinees do not show sufficient capacity. I think this is a matter in which some steps should be taken with a view either to amend the syllabus of the S.S.L.C. Examination or give a little more time to these candidates to get themselves coached up in these things before they appear for competitive examinations for ministerial service. What I find in all these schools and colleges is the students go in for extra curricula studies. One great educationist has remarked that these extra curricula studies are more important than curricula studies. The students are not encouraged to go in for sports and hobbies, because if they go in for these, they cannot get sufficient marks in their studies. I would suggest to the Hon. the Minister for Education to consider the desirability of having marks given for these extra curricula studies so that young men may find it to their advantage to go in for extra curricula studies so that they might be prepared for examinations for appointments in Government service.

“I shall now come back for a moment to municipal appointments. In England even for the highest appointments in local bodies candidates are recruited through the medium of the examinations by which Indian Civil Service Officers and Home Civil Service Officers are recruited. Persons who do not come sufficiently high up in these examinations to entitle them to be appointed to these Civil Services, are given appointments in Birmingham or some other local bodies, because it is thought that a very high degree of intelligence is required for certain classes of appointments in local bodies. I would like to suggest to the Hon. Member concerned the desirability of having the same principle applied in this country also so that we may increase the standard of efficiency in these services and at the same time bring about a security of service which is one of the things to which clerks and officers attach the greatest importance.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“Sir, I beg to move the following amendment:—

‘Add the following at the end:—

(1) “and on such consideration this Council is of opinion that the Government should instruct the Madras Services Commis-

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sion that in making appointments, it should show special consideration to backward communities which are not now adequately represented in the public services;

- (2) “and on such consideration this Council is of opinion—
 - (i) that all clerical appointments in the mufassal including the judicial courts should be made by the Commission; and
 - (ii) that in making clerical appointments in a district, the natives of the district should be given preference to outsiders”.

I feel that adequate representation is not given to the backward communities. There are many backward communities among non-Brahmans. Candidates belonging to such backward communities, with required qualifications, come up for appointments. I wish to impress on the Government that adequate representation in the services should be given to such communities. The Government need not fix the number of appointments to be given to such minority communities; at the time of appointment, the Services Commission should bear this point in mind, and give adequate representation to them. Most of the agricultural communities—particularly the community to which I belong, the Kamma community—are not having enough representation in the services. The same is the case with Gounders and Nayakars in the southern districts and Reddis. Though they are backward, they are not having proportionate representation in the services. A question was answered the other day and some information was given to the House. Many of the agricultural communities are not represented in the cadre of agricultural demonstrators. The following statement gives the rank in the University Examination obtained by each of the non-Brahman Hindu candidates selected in the last selection for the Agricultural Subordinate Service and the community to which each of them belongs:—

Community.	Rank.
Non-Brahmans (Chetti)	8
“ (Kapu)	28
“ (Vellala)	25
“ (Telega)	46
“ (Mudaliyar)	38
“ (Mogvera fisherman)	16
“ (Nayar)	17
“ (Adi-Velama)	3

The Kamma community is one of the predominant agricultural communities and not even one member of this community got the agricultural demonstrator's post. The same is the case with the Gounder community. I appeal to the Government to bring to the notice of the Services Commission that adequate representation should be given to all backward communities.

“Then I come to Andhras. Adequate representation for Andhras should be given in various services. This point must be taken to the notice of the Services Commission. Though we have brought it to the

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notice of the Government on several occasions, adequate representation for Andhras has not been given in the Secretariat. The Hon. Members of Government, both the Ministers and the Executive Council Members, have not done anything in this matter so far. . . ."

The Hon. Mr. C. A. SOUTER:—"Will the hon. Member kindly read the note in his hand?"

Mr. P. V. KRISHNAYYA CHOUDARI:—"The note says that the Government after consideration have ordered that reasonable representation to all linguistic areas should be given in the ministerial establishments by the various heads of departments. The Madras Ministerial Rules will be amended accordingly. The following offices have been mentioned in the note:—Board of Revenue, Surgeon-General's office, offices of the Director of Public Instruction, Inspector-General of Police, Director of Public Health, Director of Industries and the Commissioner of Excise. I am very glad that the Hon. the Revenue Member has taken some interest in the matter. He said some time back that he is an Andhra. Though he is an European, as long as he is safeguarding the interests of the Andhras, he may be called an Andhra.

"Another point, Sir. I do not know why ministerial appointments in the Judicial department are not made with the help of the Services Commission. . . ."

The Hon. Mr. C. A. SOUTER:—"The High Court has agreed recently that ministerial appointments in the Judicial departments in the districts shall be made by the Services Commission, under the rule of communal rotation."

Mr. P. V. KRISHNAYYA CHOUDARI:—"In the appointment of ordinary clerks, representation is not given to candidates belonging to the district. I wish to bring to the notice of the Services Commission that ordinarily the candidates in the districts may be selected except in extraordinary circumstances where suitable applicants are not available in the districts. There is no use of importing into Nellore and Guntur districts, people from southern districts, who do not know Telugu at all. Several Tamilians are brought in for ordinary clerical appointments in the Andhra districts. I think the Government should take necessary steps in the matter.

"Another point, Sir. Even the Services Commission is not being treated with ordinary consideration. The Chairman's post should have gone to Mr. Ruthnaswami who is the seniormost member of the Commission and his claims were overlooked; in this way the Government themselves set a bad example of overlooking the claims of people. Unless the Services Commission is treated well, we cannot expect the Commission to treat others well. I request the Hon. the Member in charge to take it to the notice of His Excellency that even in the matter of appointments to the Services Commission the question of seniority should be taken into consideration. If one member of the Commission

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has put in more service than others, his claim should be considered at the proper time. With these observations, I beg to move my amendment."

Mr. ABDUL HAMEED KHAN:—"Sir, I beg to second the amendment moved by my hon. Friend, Mr. Krishnayya Choudari. I do not wish to take up much time of the House since previous speakers have to a very large extent dealt with the points that should be taken into consideration. With regard to the war that has been carried on between the Services Commission on the one side and the Government on the other I think the less said the better. When once the Commission has been brought into existence for carrying an independent kind of work, I think it is the bounden duty of the Government to allow it to carry on its work independently, unfettered and without any undue interference on the part of the Government from time to time. I wish to point out that the Commission has always been complaining that there has been too much interference by the Government. The rules relating to the various services are changed now and then. Because of the interference of the Government from time to time, the Commission have not been able to give full effect to the communal Government Orders. The departments of Government are devising ways and means to put obstacles in the way of the free working of the Commission. Every time there is need for the Commission making appointments, the Government departments have been coming forward to see that the appointments are made by themselves and not by the Commission; the reason given is that these appointments need not go before the Commission. This is done with a view to prevent the minority communities getting their due share in the various departments of Government. The communities which are now enjoying the privilege of monopolising the services will be interested in seeing that their strength is not affected in any way. But what are the Government doing? Should they not see that undesirable methods by which the real object for which the Commission was brought into existence is frustrated, are put a stop to? We have seen that the Commission has not been able to give effect to the communal Government Order in its entirety on account of these obstacles being put in the way of the working of the Commission from time to time.

"Another point, Sir. The Government have been insisting on the applicants for ministerial posts possessing a knowledge of typewriting. This has been working as a handicap in the case of certain communities getting their proper share of these appointments. From one of the answers given by the Hon. the Revenue Member some time ago, we came to know that as many as 250 ministerial clerks could not be appointed on account of the fact that the typewriting qualification was insisted upon. This point has been exhaustively dealt with by my hon. Friend, Mr. Basheer Ahmed and others. I do not know whether there is any need for every clerk in the Government service to possess a knowledge of typewriting. It is no doubt necessary that some of the clerks in every office should know typewriting. To insist upon every

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clerk possessing this knowledge is not understandable. Owing to this fact the Government have not been able to secure as many hands as are necessary. The Muslim community has suffered on this account. A very large number of young people—very diligent and intelligent Muslims—are going about in the streets of Madras and of other cities in this Presidency on account of this disability. Insisting upon everybody entering Government service getting a knowledge of typewriting all on a sudden, has been working great hardship in the case of some minority communities. Not only the Muslim community but also other backward communities have suffered on this account. Some of us have drawn the attention of the Government to this disability. I am afraid that the Government have not realised the gravity of the situation. They have not yet thought fit to so revise the rules as to enable a large number of the minority communities for whom, according to the communal Government Order, places have been allotted, to get into the services. If this disability is removed, I am sure a very large number of posts which have not been filled up on account of this disability, will be filled immediately after the next examination which will be held, I think, in September next.

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p.m.

“Sir, I do not wish to take up any more time of the House except to point out that—I do not know whether the Commission has anything to do with it—the Muslim community is not happy over the appointment made recently to the Commission in filling up a vacancy that was caused by the retirement of a Muslim gentleman.”

* The Hon. the PRESIDENT:—“Since there is no time left for allowing the other amendments to be moved, I will ask the Hon. the Revenue Member to immediately reply to the two amendments that have been moved and then pass on to the adjournment motion at 4 o'clock.”

* The Hon. Mr. C. A. SOUTER:—“Mr. President, Sir, I think one or two of the remarks I made when I moved this motion would cover a considerable portion at least of the speech of Mr. Basheer Ahmed. I may assure him that in presenting this report for the discussion of this House, I had no other motives which he seemed to attribute to me. I should have been only too glad if I had got over this rather tedious affair last January; but we were so much pressed with business—I think I may say more important business—that we had not the time to have the discussion even then.

“He referred to certain alleged breaches of rules on the part of the heads of departments, and I think he said that Government were breaking their own rules. I may assure him that in every case in which the head of a department or another officer in trying to administer the rules, has departed from them, Government always reverse his decision and tell him what should necessarily be done under the rules. I may tell him also that Government are just as much bound by the rules as he has made as the heads of departments. When a department of

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the Secretariat, for instance, breaks one of the rules, he may be certain that the Public (Services) department jumps upon the other department like a ton of bricks.

“He also said, Sir, that Government had departed in some instances from the recommendations of the Public Services Commission. That is perfectly true and such cases have been exhibited in the report of the Service Commission. But I would like to point out to this hon. House that the Public Services Commission primarily is an advisory body and Government are not bound in any way to accept its advice, if they think it is against public policy or for any other sufficient reason. If hon. Members would only read the Government of India Act which has just been passed—there is a chapter there relating to Public Service Commissions—they will see that the way in which we have treated our Public Services Commission here is very much more rigid in the matter of accepting its recommendations than apparently is the case in England. And I see that under the Government of India Act it is practically left to the Governor personally to say what shall and what shall not be a subject on which the Public Services Commission shall advise. That apparently is the rule obtaining in England; so that, so far as the Madras Government are concerned, they have gone what apparently is far beyond the practice which obtains in England. After all, what are the cases in which Government have departed from the advice of the Commission? Very few. They themselves say that they are glad to see that the cases have been few; but that they would like no such cases at all. They would like the Government to accept their advice in all cases invariably. No Government, I submit, can possibly accept this view, because there may be cases in which the Commission has obviously gone wrong. Why should not Government be in a position in such cases to set the matter right? In the large majority of cases, as the Commission admits, Government have accepted their advice, and they are going to do so.

“Mr. Basheer Ahmed referred to a case in which certain examinees committed very serious malpractices in the examination. The Services Commission barred them from appearing for any examination again. The Government accepted their advice, but Mr. Basheer Ahmed would not! There you have an example of the difficulty in which Government are placed in accepting the advice of the Commission.

“Then as regards those other points which were raised, such as the communal proportion, the question of technical qualifications, the age-limit and so on, as I said when I began my speech, these are all matters which will be examined in the course of our revision of these very involved and, I am afraid, in many cases, inconvenient statutory rules. There is no question about it that they will have to be thoroughly overhauled, and in that connexion we propose to take up the various points mentioned by the various speakers to-day and see how far we can meet reasonable representations which have been made to us.

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"One thing I certainly should not fail to refer to is the question of advocates appearing in departmental enquiries. That seems to me entirely unnecessary.

"As regards confidential reports to which Mr. Sreshta referred, I may say that in most cases the substance of the confidential reports which are adverse is being communicated to the officers concerned, and that is more or less a standing rule. And I do not see that anything else is necessary.

"As regards the High Court, I have just told you that the High Court has recently agreed that the Service Commission shall select candidates for appointments in the mufassal to the ministerial service. That, Sir, I think, is all that is necessary for me to say, and I trust that in view of what I have said—that all representations will be properly considered when we are overhauling the statutory rules—it is unnecessary to press any of these amendments to the motion I have made."

Mr. BASHEER AHMED SAYEED:—"Sir, in view of the assurance that the Hon. the Revenue Member has given and in view of the steps that he and his department have already taken, I think my purpose is served, and I do not propose to press the amendment."

Mr. Basheer Ahmed Sayeed's amendment was, by leave, withdrawn.

Mr. P. V. KRISHNAYYA CHOUDARI:—"I also withdraw my amendment."

The amendment was, by leave, withdrawn.

VI.—ANNOUNCEMENT RE ELECTION TO THE ANNAMALAI UNIVERSITY SENATE.

* The Hon. the PRESIDENT:—"I have to announce to the House that as a result of the voting for the election of five members to the Senate of the Annamalai University by the Members of the Madras Legislative Council, the following Members have been declared duly elected:—

- (1) Diwan Bahadur S. Ellappa Chettiyar.
- (2) Mr. P. Madhusoodhanan Thangal.
- (3) ,, P. V. Rajagopala Pillai.
- (4) ,, Mr. V. T. Arasu.
- (5) Rao Sahib V. I. Muniswami Pillai."

4 p.m II.—ADJOURNMENT MOTION RE TREATMENT OF COCANADA CONSPIRACY CASE PRISONER—cont.

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, Sir, I hope I would not be considered presumptuous if I move an adjournment motion this afternoon to discuss a definite matter of urgent public importance, to wit, the treatment that is being meted out to the prisoner convicted in the Cocanada Conspiracy Case as a result of which the said prisoner, Mr. C. Narasimhachari is lying in the General Hospital, Madras, in a very precarious condition.

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"Sir, I feel I can speak with a certain amount of authority on the treatment meted out to political prisoners and prisoners convicted in conspiracy cases; because I have had some personal experience of the treatment meted out to political prisoners in the jails, as I was myself in the Women's Jail at Vellore on two occasions as a civil disobedience prisoner.

"Sir, with reference to the said prisoner Mr. Narasimhachari, I wish to bring to the notice of this House that not only Narasimhachari but other prisoners along with him who were convicted in the Cocanada and Madras conspiracy cases are confined in solitary cells and I have no hesitation to say that this solitary confinement has told heavily on their health.

"Further, Sir, not only these prisoners have been confined to solitary cells, but they have been segregated and have been put away from one another so that they might not associate with and tell one another of the hardships or the particular difficulties to which they are being put. Though Mr. Narasimhachari was given B class by the Magistrate, I understand that C class was given to him as a punishment."

The Hon. Sir K. V. REDDI NAYUDU:—"May I correct the hon. Member that it is absolutely incorrect. He has always been in the C class."

Mrs. A. RUKMANI LAKSHMIPATHI:—"I beg to be corrected, Sir."

Mr. C. RAMALINGA REDDI:—"Was it not B class to which he was recommended by the trying magistrate?"

The Hon. Sir K. V. REDDI NAYUDU:—"No, Sir."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"I think, I said that I understood he was first put into the B class and I did not assert that he was put in the B class. Sir, because of the bad treatment or the unsatisfactory condition in which these political prisoners are to-day Mr. Narasimhachari's health has deteriorated and he was brought recently to the General Hospital and he is now undergoing treatment for the past fortnight or a little over a fortnight. I believe, Sir, that since feeding through the mouth has become a very difficult matter, feeding through the rectum is being resorted to and that also has proved unsatisfactory. Therefore, what I wish to bring to the notice of the House is that after all, these prisoners though they have been convicted of political offences, yet they should be given human treatment and not treated as mere brutes or undesirables. In this connexion, I wish to refer to other prisoners like Mr. Narasimhachari who are treated worse than criminals. Mr. Mukunda Lal Sirkar is one; Mr. Devarajaya who was convicted in the Tinnevely Sedition case is another instance. This day last week, one Mr. V. K. Gopala Sastri of the Madras Conspiracy Case died in the General Hospital, after an operation was performed on him. Though he was suffering from some stomach trouble, no heed was paid to his complaint; and when the

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disease had taken a serious turn, he was brought down to the Madras General Hospital. How? Because he was suspected of suffering from appendicitis, he was operated upon and he died a day or two after the operation was conducted.

"Similarly, Sir, Mr. Mukunda Lal Sirkar, who is now a prisoner in the Salem jail, is looking miserable and wretched because of the bad food that is being given to him. He is a Bengali who is accustomed to wheat diet and to eating fish; and the climate also does not agree with him. Though Mr. Sirkar had asked for wheat instead of rice, rice is still being given to him. Then again, another prisoner, one Mr. . . ."

* The Hon. Sir K. V. REDDI NAYUDU:—"On a point of order, Mr. President. The resolution is confined to one prisoner and that is Mr. Narasimhachari, and the hon. the Lady Member is giving the case of almost every political prisoner, as she calls them; and it would be impossible in the nature of things for me to reply to all these cases, because I am only prepared with the case of Mr. Narasimhachari. If there is anything as regards the others, and if the hon. the Lady Member writes to me or speaks to me I shall tell her what I know about them. To-day I think she should confine herself to the case of Mr. Narasimhachari."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"Well, Sir, the Hon. the Law Member in giving his reply might confine himself to the particular case of Mr. Narasimhachari, but I feel that I am not irrelevant if I quote other instances just to illustrate to this House the general treatment given to political prisoners. If I may be allowed to continue, Sir, I wish to tell the House that one Mr. Ramananda Choudari was flogged in the jail. I believe, his father is also a personal friend of the Hon. the Law Member, who had interviewed him in connexion with his son's ill-health.

"Then, Sir, the Government should sympathetically consider the case of such prisoners—of course I do not expect any sympathy from such a Government as this. However, I would request the Government to show some kind of consideration and some kind of sympathy to all these political prisoners or prisoners convicted of sedition or conspiracy, or whatever it might be, and treat them as ordinary human beings. Therefore, Sir, having taken into consideration all the points that I have been able to place before this House in respect of the general treatment given to political prisoners and with particular reference to Mr. Narasimhachari, I would request this House to consider my adjournment motion favourably."

Mr. U. C. SUBRAHMANYA BHATT:—"I second the motion, Sir."

The Hon. Sir K. V. REDDI NAYUDU:—"Sir, seeing that there is no member wishing to speak on the motion . . ."

Mr. BASHEER AHMED SAYEED:—"No, they are waiting."

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The Hon. Sir K. V. REDDI NAYUDU:—"Then I must have the last word."

Dr. P. SUBBARAYAN:—"I do not think the Hon. Member can ask for the last word."

The Hon. Sir K. V. REDDI NAYUDU:—"Government has got the right."

* The Hon. the PRESIDENT:—"A Government Member may have the second chance of speaking. When there is no other member willing to speak, I will have to call upon the Law Member."

Mr. C. RAMALINGA REDDI:—"I suggest that the Hon. the Law Member may speak now and if any of us controvert his reasoning he can reply later on."

* The Hon. Sir K. V. REDDI NAYUDU:—"All that I am claiming is that the last word must be with the Government and that is in consonance with Parliamentary practice."

"Sir, I have taken the trouble, this day to ascertain the state of affairs concerning this prisoner, Narasimhachari. It would appear that he was convicted on the 21st April 1934, the charges against him being—

- (1) conspiracy with attempt to undermine the Government established by law in British India and the collecting of unlicensed fire arms, the manufacturing of bombs, the committing of dacoities and robberies, the assassination of Government officials, punishable under section 120-B of the Indian Penal Code;
- (2) possession of explosive substances with intent to endanger life or cause injury to property in British India or to enable others by means thereof to endanger life or cause serious injury to property, punishable under section 4-B of the Explosive Substances Act VI of 1908; and
- (3) aiding and abetting each other in the commission of offences or making, or being in possession of, or having under their control explosive substances with intent to endanger life or cause serious injury to life and property, an offence punishable under section 6 of the Explosive Substances Act VI of 1908.

"Now, Sir, I mention these things to show that he is to be regarded more as a terrorist prisoner and not as a political prisoner as we understand it . . ."

Mr. C. RAMALINGA REDDI:—"May I ask my hon. Friend, whether what he has now read out were not the charges against this prisoner?"

The Hon. Sir K. V. REDDI NAYUDU:—"He was found guilty under all the three charges."

Mr. C. RAMALINGA REDDI:—"Was he found guilty under all these three charges?"

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The Hon. Sir K. V. REDDI NAYUDU:—"Whatever it is, the hon. Member who moved the adjournment motion is at liberty to describe these prisoners as she likes, but the Government have got certain rules and they do not make any distinction between one prisoner and another of the same class; whether he is a political prisoner or a terrorist prisoner he is treated as any other prisoner of that class. All that I want to place before the House is that no distinction is made between one prisoner and another, so far as this class of prisoners is concerned; and in the case of this individual, certainly he has not been treated in any bad manner or in any manner contrary to law or in any manner unknown to the rules. He has been treated just as any other prisoner convicted for an offence like that would be treated and no distinction of any kind whatsoever has been made in his case.

"Having said that, I wish to state some more facts for the information of the House. The hon. the Mover said that this particular prisoner was confined in a cell and a solitary cell. I must correct that again, because solitary punishment has not been given to him. The fact is that these prisoners move about along with other prisoners during day time and at night each prisoner is given a cell and he would be sleeping in that room. That surely cannot be said to be solitary punishment; and solitary punishment according to law is altogether a different thing, and that is, he will be put in a separate place and will not be allowed to speak and that too for certain offences committed in jail. No such thing has happened in the case of this prisoner. He is treated as well as any other prisoner of his class.

"Next, Sir, as regards B class, I corrected the hon. Member at the time she was speaking on the motion. He was never put in or recommended for the B class. What happened was, he was placed in the C class from the beginning. At one time a petition was received from the prisoner and that petition was sent for the remarks of the Sessions Judge of Godavari, but the Judge who tried him was away from that place at the time; and the permanent District and Sessions Judge of the place remarked that there was no reason why he should be placed in B class, and naturally the Government would accept the recommendation of the Sessions Judge. The prisoner happened to remain in Cannanore from almost the time of his sentence up to the 14th May 1935.

4-15 P.m. "Then he complained to the authorities that there was pain in the region of the intestines and the Superintendent thought it wise to send him to Coimbatore where there is a headquarters hospital fully equipped with all modern apparatus for treating such cases. He was accordingly received there on the 15th May for special treatment. On the 8th June, he was sent back to Cannanore, the District Medical Officer, making the following report:—

"After constant observation and examination by Bismuth enema and meal and Skiagram of the urinary tract, examination of stools and urine, I am unable to make any diagnosis, except the possibility of tuberculosis and plastic peritonitis."

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"To establish this diagnosis, laparotomy is necessary; that means I suppose the opening of the region of the stomach or the intestines.

"And at the time of operation any adhesion could be broken down and an unobstructed bowel ensured. The appendix could be removed at the same time, for all symptoms are suggestive of chronic intestinal obstruction.

"Patient, however, refused to undergo operation outside Madras and so strongly reiterates his desire to go to Madras in order to make out a defense for his case."

"I believe the appeal has been going on during the last two or three days.

"that he wishes me to write to say that the operation can only be performed in Madras. This I refuse to do as laparotomy can be easily performed here. As he refused to heed the advice given to him and as his condition is not apparently serious for he does not lose weight, I am sending him back to Cannanore."

"There, his stomach trouble seemed to have appeared again and the Superintendent thought it necessary that he should be sent back to Coimbatore in order that some treatment might be given to him. Accordingly, on the 8th July 1935, he was received in the hospital at Coimbatore; but on arrival at that place, he refused to submit to an operation unless his brother was sent for. The Superintendent, Central Jail, wired for his brother—and here the hon. the Mover of the motion will see that the officers of Government in charge of the jails are really not so unsympathetic as she believes them to be—and interviewed him the next day, i.e., on the 16th July. His brother tried to persuade him to submit to any form of treatment considered necessary, by operation or otherwise. Still the prisoner refused.

"On the 19th of last month an advocate came to me at Ootacamund—just a day before I left that place for Madras—and handed over a petition to me urging that the prisoner should be sent to Madras. I promised to do my utmost and arrived at Madras on the 20th morning; on that very day his brother came to my office room in the Fort. I took another petition from him. I at once sent it to my office and the Secretary of the department without even consulting the Inspector-General of Prisons, because that officer did not happen to be at Madras at the time, took upon himself the entire responsibility of sending a telegram or telephone to Coimbatore hospital directing the prisoner to be brought down to Madras. The hon. the Mover of the motion will admit that here again the officer concerned or the authorities concerned are not so unsympathetic as she seems to have believed them to be.

"Taking advantage of this decision, an uncle of another prisoner, Ramanand Choudari, who is not a Bengalee please, but a Kamma of the Kistna district (Mrs. Rukmani Lakshmipathi: I did not say that he was a Bengalee)—it is possible that from his name, hon. Members may think that he is a Bengalee and I want to remove that misapprehension—represented to me that the young man was not listening to him and—that he had gone on hunger strike. I sent him immediately with directions to the Superintendent—again an out of the way procedure, because

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the ordinary procedure would have been to instruct the Inspector-General of Prisons, when we found that the young man was not taking food and was going down in weight every day and the urgency of the case demanded that we should act promptly—in order that he may induce the young man to take food. For some time the young man refused; but eventually he yielded to his uncle. His uncle came to me once again and requested that the prisoner may be sent from that jail to some other jail. I immediately gave an order for his transfer—I do not exactly remember the particulars in this case for I am speaking from memory—and the uncle not only came to me and thanked me profusely but he even wrote to several of his friends here to say that he was able to get a transfer because there was an Andhra Law Member. (Laughter.)

“ I was just illustrating how such cases are treated. Now, to turn back to the case of Narasimhachari, I was saying that he was removed to Madras on the ground of illness. The hon. Mover of the motion will be glad to learn that he is much better to-day than when he arrived on the 22nd of July. I sent for the doctor in charge of the prisoner this afternoon, Captain Dr. Sheppard, who was with me a little while ago. He said that the prisoner was not suffering from peritonitis but that he is a chronic tubercular patient, the tuberculosis being intestinal. But the disease is not active at present; the result of the X-ray examination has shown that the apex of the left lung is affected. But as I told the House, Sir, the disease is not active at present. What is more important is that this patient has had fever when he came down and for the first three days, the 26th, 27th and the 28th, the temperature was much above normal and the House would be glad to learn that during the last 12 days, his temperature has been normal and quite legitimately the doctors claim that this is due to their treatment. Vomiting has stopped. In the former reports which we received from Coimbatore, one of the complaints of this prisoner was that he was vomiting to such an extent that it was not possible for him to take any food and that fact has been relied upon by the hon. the Mover in the statement she made ‘ that solid food could not be administered to him.’ which was never the case in respect of this patient. I do not know the details of the other cases, but so far as this case is concerned, so far as the records show, until he left Coimbatore on the 24th or the 25th of last month, food was never administered to him through the rectum. At present, he is taking only liquid food in small quantities, sugar and water for instance, because nothing else could be retained and it has been maintaining him and according to the doctors this is the only treatment that could be given to him for some time until the stage is reached when solid or semi-solid food could be given. The doctors are trying their very best to improve the condition of the prisoner. He is no doubt seriously ill; but doctors assure us that he is not dangerously ill. These are the words used by the doctor. I take it that the case is no doubt a serious one but not dangerous.”

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Mr. C. RAMALINGA REDDI:—“ May I ask my Hon. Friend, in view of the fact that the patient is suffering from tuberculosis in more than one organ of his body and the case is a serious one though not actually dangerous, whether the Government will not consider the desirability of releasing him so that a sense of freedom may act as a tonic? ”

The Hon. Sir K. V. REDDI NAYUDU:—“ That question has not been considered by the Government.”

Mr. C. RAMALINGA REDDI:—“ I am only requesting the Hon. Member whether he could consider his release seeing that the case is such a serious one.”

The Hon. Sir K. V. REDDI NAYUDU:—“ Where the seriousness of the illness or the dangerous nature of the illness is such as to call for the release of the prisoner, it will be considered. If this case can come under that, the question will be considered.”

“ Now, the prisoner is undergoing treatment in the hospital, with his temperature gone down and for all practical purposes he has improved appreciably, though not to a very great extent. I should say therefore that so far as the officers of Government are concerned, whether they be superintendents or higher authorities, it cannot seriously be contended and it is unfair to say, that they were not sympathetic or that they were in any way not carrying out their duties properly or that they were doing anything unjust or unfair to the prisoners. That I am sure, after my reply, will be conceded by the hon. Mover of the adjournment motion.”

* Mrs. A. RUKMANI LAKSHMIPATHI:—“ Mr. President, Sir, I thank the Hon. the Law Member for having put before the House every bit of information available in connexion with this prisoner, Mr. Narasimhachari, and, further I thank him for having said that the jail officials are not after all very unsympathetic towards political prisoners or terrorist prisoners and that they are being given every kind of sympathetic consideration and treated in a humane fashion. Well, Sir, from what the Hon. the Law Member said, if I have understood him rightly, Mr. Narasimhachari was charged under three sections, and he considers that in his opinion he is a dangerous man to society. If Mr. Narasimhachari had been considered a very dangerous person, a terrorist to boot, why should the Government think of keeping him here? He could easily have been sent to the Andamans.” 4-30 p.m.

* The Hon. Sir K. V. REDDI NAYUDU:—“ Again a matter of sympathy, the hon. Member will realize. (Laughter.) ”

* Mrs. A. RUKMANI LAKSHMIPATHI:—“ I am glad that the Government have shown this much sympathy at least and I am thankful to the Hon. the Law Member for it. But I should like to ascertain from him whether such prisoners are confined to solitary cells during the day. It is true no doubt that prisoners are put into separate cells during night time. That is usual I take it. But I know it for a fact that,

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though it may not be in the case of Mr. Narasimhachari, in the case of other prisoners they were confined, during the day to single cells; sometimes these prisoners were put even in condemned cells.

"Well, again, Sir, the Hon. Law Member said, that Mr. Narasimhachari's condition is very serious though not dangerous. I am glad to hear that Mr. Narasimhachari is on the road to recovery and that he is getting better day by day. Is it not a fact, Sir, that Mr. Narasimhachari's health has become so utterly deteriorated in the hospital with the result that feeding through the mouth has become difficult and he cannot assimilate even liquid food? Then again, the Hon. the Law Member said that Mr. Narasimhachari is suffering from consumption which is a very nasty disease indeed, but that the disease is not in an acute stage."

The Hon. Sir K. V. REDDI NAYUDU:—"The tuberculous bacilli are not active, I said."

Mrs. A. RUKMANI LAKSHMIPATHI:—"Anyway, the tuberculosis bacilli are still in the blood of Mr. Narasimhachari. If so, considering the fact that he is a tuberculous patient, though the disease may not be very active in his case, I should like to know why the Government do not consider it desirable to send him to some sanatorium where he can recoup his health. Again, Sir, as my hon. Friend, Mr. Ramalinga Reddi prompted me (laughter), I should like to make a request to the Government that Mr. Narasimhachari should be released at the earliest possible moment. I am not, however, bothered in the least about the treatment that is given to these prisoners, political or otherwise, conspiracy case prisoners or terrorist prisoners, but what I wish to emphasize is that the Government may be less vindictive . . ."

The Hon. Sir K. V. REDDI NAYUDU:—"I resent that word, Sir. The hon. Member is perfectly at liberty to have any opinion that she likes of the Government. But to say that the Government is vindictive is certainly unfair."

* Mrs. A. RUKMANI LAKSHMIPATHI:—"It may be, unfair, Sir. But I have the liberty to pass my own remarks on the Government or the attitude they take towards these prisoners as a whole."

"Sir, having heard the Hon. Law Member and the fairly satisfactory reply (laughter) he has given about Mr. Narasimhachari and a few others I withdraw my motion. (Cheers.)"

The motion was, by leave, withdrawn.

* The Hon. the PRESIDENT:—"The House will now adjourn and meet again at 11 a.m. on the 29th October."

D. K. V. RAGHAVA VARMA,
Acting Secretary to the Legislative Council.

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APPENDIX I.

[Vide answer to question No. 208 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 10th August 1935, page 565 supra.]

Letter from W. SCOTT BROWN, Esq., I.C.S., Secretary to Government, Public Works and Labour Department, to M.R.Ry. K. A. NACHIYAPPA GOUNDER Avargal, M.L.C., dated 6th August 1935, Ms. No. 1758-I.

[Irrigation—Salem—Pumping water by electricity from Mettur Reservoir and from the Cauvery lower down: *Reference*.—Correspondence ending with your Memorandum to the Hon. the Revenue Member, dated 12th June 1935.]

I am directed to state that the two proposals in your memoranda, dated 21st March 1934 and 6th August 1934, were carefully considered by Government after they had been investigated by the Chief Engineers for Irrigation and Electricity.

One of your proposals is to pump water from the Mettur Reservoir by electricity to irrigate about 15,000 acres in the Omalur taluk, and to feed tanks, channels, streams and small rivers in Tiruchengodu, Salem and Namakkal taluks. This scheme involves pumping the water to the height of the Nangavalli ridge. The distance between the Mettur Reservoir and the Nangavalli ridge being about 7 miles, the total lift and head necessary to pump the water over this distance will be about 600 feet against 450 feet estimated by you. The water would have to be lifted in four stages of 150 feet each and the cost of the installations and pumping mains necessary is estimated at about Rs. 42.75 lakhs. You have assumed that power will be supplied at 0.1 anna per unit; it is likely to be nearer 6 pies per unit but even assuming that power could be supplied at 3 pies per unit, the working expenses would be Rs. 63 per acre excluding interest on the capital cost of the works. The scheme is therefore impracticable on account of its prohibitive cost.

Your other proposal is to pump water at convenient points on the Cauvery to irrigate blocks of land with a total area of about 40,000 acres in Tiruchengodu and Namakkal taluks. As the first stage of development of such a pumping scheme the question of pumping water (with a lift of about 15 feet) to extents of 5,100 acres, 2,000 acres, 4,000 acres and 2,000 acres in the Tiruchengodu and Namakkal taluks was investigated in consultation with the Chief Engineer for Electricity. The cost of the installations, channels, etc., was estimated to be Rs. 82 per acre on the average and the current charges Rs. 6-8-0 per acre. Taking into account other factors such as maintenance and depreciation of plant, maintenance of channels, interest on a share of the capital cost of the dam, etc., the water rate to be charged, treating the scheme only as *protective*, would be Rs. 22-8-0 per acre for the Tiruchengodu

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taluk and Rs. 23-8-0 for the Namakkal taluk. It is therefore obvious that the rates to be charged would be prohibitive and that water would not be taken under these conditions.

I am to state, in this connexion, that the full ayacut of the Mettur system is available in the Tanjore district itself, that the works on the Grand Anicut Canal system are nearing completion and that it is not now possible to cut out any appreciable area from that system. If any such cutting out is done in favour of the Salem district the return on the Cauvery-Mettur Project will be reduced by the loss sustained on channels, etc., now under excavation; and if there is to be no diminution of return under the Cauvery-Mettur Project an extra charge of Rs. 5 per acre will have to be added to the water rates mentioned above.

I am however to add that, in case the full ayacut for the Cauvery-Mettur Project is not found in the Tanjore district, your proposal to irrigate blocks of land in Tiruchengodu and Namakkal taluks will be further investigated.

APPENDIX II.

[Vide answer to question No. 210 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 10th August 1935, page 566 supra.]

Year.	Number of accidents.		Number of casualties.
	Motor cars.	Buses.	
1930	605	630 *	267
1931	678	465 *	200
1932	661	464 *	232
	Private motor vehicles	Motor vehicles plying for hire.	
1933	576	88	174
1934	737	70	194

* Includes accidents caused by lorries

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