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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.

COUNCIL OF MINISTERS.

1. THE HON. MR. C. RAJAGOPALACHARIAR, Prime Minister. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT).

Provincial subjects—

Agency tracts.
Assumption of office by Governor.
Business and Secretariat Rules.
Business of Government—Distribution among Departments of the Secretariat.
Cabinet—Arrangements for meetings.
Civil Lists—Preparation.
Committees and conferences not pertaining to any other department of the Secretariat.
Correspondence—Objectionable—Censorship.
Criminal Investigation Department—Other than establishment.
Elections to the Provincial legislature including election offences and disputed elections.
Examinations—Government—Departmental—
Board of Examiners.
Foreign Governments and Indian States—Correspondence with.
General—Questions of a general nature which cannot be allotted to any particular department.
Government House—
(i) Establishments—
Band.
Bodyguard.
Governor's Secretary's office.
Medical.
Military Secretary's office.
(ii) Grants—
Contract.
Furniture.
Sumptuary.
Tour.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—*cont.*

Provincial subjects—cont.

Government House—*cont.*

(iii) Personal staff of the Governor.

(iv) Works—

Construction.

Maintenance and furnishing.

Government Servants' Conduct Rules.

Handbook of Procedure and Precedents.

High Court Judges—Leave.

Holidays.

Indian Civil Service including annuities and listed posts.

Internal Security.

Islands—Laccadives, Amindivi and Minicoy.

Judicial and Executive functions—Separation of.

Land returns—General questions.

Legislative bodies (other than Madras)—Proceedings—
Marking of subjects for the perusal of Members of
Government.

Legislative Council and Legislative Assembly.

Madras Public Service Commission.

Magistrates (other than Honorary)—Suspension, removal,
etc.

Ministers—Appointment and resignation.

Newspapers and Periodicals—Perusal of.

Office procedure.

Officers—European—Casualty report.

Government House—Move to and from.

Political Handbooks.

Political offences—Prosecutions.

Precedence—Warrant of—

Darbari Zamindars.

Prisoners, State.

Provincial works and buildings under the administrative
control of the Chief Secretary.

Public Peace—Disturbance of.

Public Services—

Communal representation—General questions.

General questions and commissions of enquiry.

Notification (including exemptions).

Revised scales of pay.

Service associations.

Services under the control of the Local Government—
Statutory rules to regulate the method of recruitment,
conditions of service, pay, allowances and pension.

General revision and amendments of existing rules.

Special tests—General questions and exemptions.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—*cont.*

Provincial subjects—cont.

Public Services—*cont.*

Statutory Rules and Orders—

Civil Services (Classification, Control and Appeal) Rules.

Superior Civil Services Rules.

Subordinate Services—

Discipline and Appeal Rules.

Passage Rules.

Railway lands—Jurisdiction.

Religious or communal disputes.

Reports—

Fortnightly.

Matters of political and administrative importance.

Returns—Next of kin.

Secretariat—

Central Issue Branch.

Central Records Branch.

Establishment.

Library.

Manual.

Telegrams—Reuters and News Agency.

Visits—

Commander-in-Chief.

Distinguished foreigners.

Flag Officer, Commanding Royal Indian Navy.

Governors of other provinces.

Indian Chiefs.

Naval Commander-in-Chief.

Viceroy.

Warships, British and foreign.

Concurrent subjects—

Periodicals, Newspapers, Books and printing presses—Con-
trol of.

Federal subjects—

Conduct of elections to the Federal legislature including
election offences and disputed elections.

Consuls—

British.

Foreign.

Council of State—Nomination of members.

Defence of India—

Army in India Reserve of Officers.

Auxiliary and Territorial forces.

Ex-army men.

Movement of troops.

Naval, military and air forces in India.

Ecclesiastical affairs.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—*cont.*

Federal subjects—cont.

External affairs.
Federal Public Services.
Federal Public Service Commission.
French Settlements in India.
Indian Chiefs and States.
Naval, military and air force works.
Political charges.
Political detenus from Indian States.
Political Pensions.
Preventive detention for reasons of State connected with defence, external affairs or the discharge of the functions of the Crown.
Reforms.
Regulation of ceremonials, titles, orders, precedence and civil uniform.
Relations with States in India.
Territorial Changes.

B. HOME DEPARTMENT.

Provincial subjects—

Police including C.I.D. (Establishment), railway police and village police.
Provincial works and buildings under the administrative control of the Police Department.

Concurrent subjects—

Persons subject to preventive detention under Federal authority.

Federal subjects—

Central Intelligence Bureau.
Police—Extension of the powers and jurisdiction of members of a Police force belonging to any part of British India, to any area, in another Governor's province or Chief Commissioner's province, and the extension of the powers and jurisdiction of the members of a Police force belonging to any unit to railway areas outside that unit.
Repatriation, except in its relation to Labour.

C. FINANCE DEPARTMENT.

Provincial subjects—

Accounts, Provincial (including classification and prescription of units).
Annual financial statement (Budget).
Appropriation Accounts and Auditor-General's report thereon.

Audit of receipts and accounts of stores and stock.
Commercial accounts.
Economies in expenditure.

Famine Relief Fund.

C. FINANCE DEPARTMENT—*cont.*

Provincial subjects—cont.

Federal taxes and duties in which the Provinces are interested, such as income-tax, Federal excises, etc.
Financial Rules.
Fundamental Rules (including Revised Leave Rules).
Loans and Advances.
Local Fund Audit.
Provincial balances.
Public Debt of the Province including borrowings from the Government of India.
Reappropriations.
Re-employment of civil pensioners.
Secretariat—Cash Bureau.
Service Pensions including Provident Funds, but not including Indian Civil Service annuities.
Supplementary Statements of expenditure.
Taxation and allied measures—initiation of.
Travelling allowance rules.
Treasury Rules.
Ways and Means.

Federal subjects—

Corporation Tax.
Currency, coinage and legal tender.
Federal pensions, that is to say, pensions payable by the Federation or out of Federal revenues.
Indian Audit and Accounts Service examination.
Post Office Savings Bank.
Public Debt of the Federation.

2. THE HON. MR. T. PRAKASAM, Minister for Revenue.

Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Betting Tax Act.
Board of Revenue (general).
City Tenants' Protection Act.
Constitution of districts, divisions and taluks.
Court of Wards and Zamindars—
Impartible Estates Act.
Deputy Collectors.
District Gazettes and Gazetteers.
Duties in respect of succession to agricultural land.
Estates Land Act.
Famine relief.
Floods.
Inams.
Irrigation (minor works)—
Minor irrigation establishments.
Minor irrigation works.
Navigation.
Water-rate.

Provincial subjects—cont.

Land Revenue administration as described under the following heads, namely:—

Alienation of land revenue.
Assessment and collection of land revenue.
Colonization and disposal of Crown lands.
Establishment.
Land improvement and agricultural loans.
Laws regarding land tenures—Easements—Relations of landlord and tenant—Collection of rents—Transfer and devolution of agricultural land.
Maintenance of land records—Survey for revenue purposes—Records of rights.
Management of Government estates.
Miscellaneous.
Revenue Recovery Act.

Lands—

Acquisition.
Alienation.
Assignment.
Encroachment.
Land records.
Military lands.
Railway lands.
Transfer of lands between Central and Provincial Governments.

Malabar Tenancy Act.

Pensions—Hereditary not being political.
Pounds and prevention of cattle trespass.
Procedure in rent and revenue courts.
Provincial works and buildings under the administrative control of the Land Revenue and Registration Departments.
Registration.
Sale of Cloth Act.
Season.
Settlement—Kistbandi.
Special funds.
Stamp duty on documents—Rates of.
Survey—Boundary disputes.
Taxes on agricultural income.
Transfer of villages.
Treasure trove.
Treasuries.
Village accounts.
Village establishments.
Water-supply.
Yeomahs.

Concurrent subjects—

Recovery in a Governor's province or a Chief Commissioner's province of claims in respect of taxes and other public demands, including arrears of land revenue and sums recoverable as such, arising outside that province.

Concurrent subjects—cont.

Registration of deeds and documents.
Stamp duties other than duties or fees collected by means of judicial stamps, but not including rates of stamp duty.

Federal subjects—

Duties in respect of succession to property other than agricultural land.
Excise duties on tobacco and other goods manufactured or produced in India except those assigned to the province.
Lands vested in or in the possession of His Majesty for the purposes of Federation.
Opium so far as regards cultivation and manufacture or sale for export.
Salt.
Stamp duty—Rates of in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, proxies and receipts.
Survey of India.

3. THE HON. MR. YAKUB HASAN, Minister for Public Works. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Canals—Irrigational and navigable.
Drainage and embankments, water-storage and water-power.
Gas and gas works.
Hydro-electric schemes.
Inland waterways and traffic thereon.
Irrigation—Major works.
Isolated tombs of European Government servants and their families including isolated tombs of historical or archaeological interest and of British soldiers, non-commissioned officers and their families.
Minor ports.
Minor railways, light and feeder railways.
Provincial works and buildings under the administrative control of the Public Works and Electricity Departments.
Public works (roads, bridges, ferries, ropeways, etc.).
Railway—Accidents.
Rivers—Conservancy.
Taxes on boats.
Tramways—Extra municipal.

Concurrent subjects—

Boilers.
Electricity.
Shipping and navigation on inland waterways as regards mechanically propelled vessels, carriage of passengers and goods on inland waterways.

Federal subjects—

Air craft and air navigation; regulation and organization of air traffic and of aerodromes.
 Carriage of passengers and goods by sea, or by air.
 European cemeteries.
 Lighthouses, including light ships and beacons.
 Major ports—Constitution and powers of port authorities therein.
 Marine—Maritime shipping and navigation, including shipping and navigation on tidal waters; admiralty jurisdiction.
 Port quarantine and marine hospitals.
 Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.
 Railways other than minor railways—Construction and regulation.
 Taxes on railway fares and freights.
 Terminal taxes on goods or passengers carried by railway, water or air.
 Works and buildings vested in or in the possession of His Majesty for the purposes of the Federation.

4. THE HON. DR. P. SUBBARAYAN, Minister for Education and Legal Departments. Took his seat on the 30th July 1937 and is in charge of the following portfolios:—

A. EDUCATION.

Provincial subjects—

Appeals from educational staff employed under local boards and municipal councils.
 Books—
 Copyright—
 Registration of.
 Books and periodicals—Questions relating to their purchase and supply to public offices.
 Certificate of age and qualification.
 Civil Orphan Asylum.
 Education including, European and Anglo-Indian education and educational questions relating to the Corporation of Madras and local bodies.
 Examinations except Public Service Notification and Board of Examiners.
 Government Presses.
 Libraries.
 Literary, scientific, religious and other societies and associations.
 Liveries and clothing.
 Madras Record Office.
 Museums.

A. EDUCATION—cont.

Provincial subjects—cont.

Preservation and translation of ancient manuscripts.
 Provincial gazetteers.
 Stationery and printing.
 Translators to Government.
 Zoological gardens.

Concurrent subjects—

Legal, medical and other professions.

Federal subjects—

Ancient and historical monuments.
 Archæology and Epigraphy.
 Copyright.
 Federal agencies and institutes for research, for professional or technical training, or for the promotion of special studies.
 The Imperial Library, the Indian Museum and any other similar institution controlled or financed by the Federation.

B. LEGAL.

Acts.

Advising Government—

(a) in matters of litigations, appeals, etc.;
 (b) on legal questions which are not of sufficient importance to necessitate a reference to the Advocate-General.

Bills, non-official—Scrutiny of.

Government Bills—Drafting and scrutiny.

Law Officers—References to.

Legal assistance to Government servants.

Legal and legislative publications, such as Codes, Acts, Manuals, etc.

Legislation—Secretariat work connected with.

Legislature—Rules of procedure and standing orders of—
 Scrutiny.

Notifications—Scrutiny of.

Subsidiary legislation, viz., Statutory Rules and Orders (other than Service Rules) and generally assist other departments in all matters of a legal nature that may be referred to it.

5. THE HON. DR. T. S. S. RAJAN, Minister for Public Health. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Adulteration of foodstuffs and other articles.
 Appeals from medical and public health staff employed under local boards and municipal councils.
 Burials and burial grounds other than European cemeteries.
 Choultries.
 Fairs.

Provincial subjects—cont.

Hospitals and dispensaries.

Inns and inn-keepers.

Langarkhanas including Triplicane Poor House.

Medical Administration, including medical questions relating to the Corporation of Madras and local bodies.

Pilgrimages within British India.

Places of Public Resort Act.

Provincial works and buildings under the administrative control of the Public Health Department.

Public Health, including public health questions relating to the Corporation of Madras and local bodies.

Registration of births, deaths and marriages.

Religious and charitable endowments.

Sanitation.

Stores—Rules and general questions.

Town-planning.

Vital statistics.

Concurrent subjects—

Health insurance, including invalidity pensions; old age pensions.

Lunacy and lunatic asylums.

Prevention of the extension from one unit to another of infectious or contagious diseases affecting men.

6. THE HON. MR. V. I. MUNISWAMI PILLAI, Minister for Agriculture and Rural Development. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

*A. DEVELOPMENT DEPARTMENT.**Provincial subjects—*

Agriculture including agricultural education.

Agricultural statistics.

Cinchona.

Cottage industries.

Fisheries.

Forests, including ryots' and panchayat forests.

Money-lending and money-lenders.

Protection of wild animals and birds.

Provincial works and buildings under the administrative control of the Agricultural, Cinchona, Fisheries, Forest and Veterinary Departments.

Rural indebtedness.

Statistics for purposes of provincial matters.

Veterinary department including Veterinary Education.

Weights and measures.

Concurrent subjects—

Prevention of the extension from one unit to another of infectious or contagious diseases or pests affecting animals or plants.

Statistics for the purpose of any of the matters in the concurrent field.

*A. DEVELOPMENT DEPARTMENT—cont.**Federal subjects—*

Botanical survey.

Census.

Fishing and fisheries beyond territorial waters.

Meteorology—Federal organizations.

Standards of weight.

Statistics for the purpose of any of the Federal matters.

Zoological survey.

*B. REVENUE DEPARTMENT.**Provincial subjects—*

Excise duties on the following goods manufactured or produced in India—

(a) Alcoholic liquors for human consumption.

(b) Opium, Indian hemp and other narcotic drugs and narcotics; non-narcotic drugs.

(c) Medicinal and toilet preparations containing alcohol, opium, etc.

Production, manufacture, possession, transport, purchase and sale of intoxicating liquors, opium and other drugs and narcotics.

Provincial works and buildings under the administrative control of the Excise Department.

7. THE HON. MR. V. V. GIRI, Minister for Industries and Labour. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Co-operative Societies.

Depressed classes and labour.

Development of industries other than cottage industries.

Economic conditions including wages and prices (not famine relief).

Marketing.

Mines and oil-fields and development of mineral resources.

Provincial works and buildings under the administrative control of the Co-operative Industries and Labour Departments.

Taxes on mineral rights.

Trade and commerce.

Unemployment; relief of the poor.

Unincorporated trading associations.

Concurrent subjects—

Contracts, including partnership, agency, contracts of carriage and other special forms of contract.

Factories.

Indian Partnership Act.

Industrial and Labour disputes.

Trade unions.

Unemployment insurance.

Concurrent subjects—cont.

Welfare of labour—

Employer's liability and workmen's compensation.

Provident Funds.

Federal subjects—

Banking—Conduct of banking business by corporations.

Cheques, bills of exchange, promissory notes and other like instruments.

Corporations—Incorporation, regulation and winding up of trading corporations, including banking, insurance and financial corporations but not including co-operative societies.

Customs duties including export duties.

Development of industries where development under Federal Control is declared by Federal Law to be expedient in the public interest.

Emigration and immigration in their relation to Labour.

Geological survey.

Import and export across customs frontiers.

Indian Companies Act.

Insurance—The Law of insurance and the conduct of insurance business.

Inventions, designs, trade marks and merchandise marks.

Mines and oil-fields and mineral development—Regulation of (to the extent to which such regulation and development under Federal Control is declared by Federal Law to be expedient in the public interest) and regulation of labour and safety in mines and oil-fields.

Provident insurance societies.

Repatriation, in its relation to Labour.

Tariffs.

Taxes on the capital of individuals or of companies.

8. THE HON. MR. S. RAMANATHAN, Minister for Public Information. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Publicity—General.

Publicity—Free of concessional supply of Government publications.

Presidency Administration Report.

9. THE HON. MR. K. RAMAN MENON, Minister for Courts and Prisons. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Administration of justice, civil and criminal, including constitution, jurisdiction, powers, maintenance and organization of courts within the province—

Additional and Assistant Sessions Judges.

Bench Courts.

Civil Courts including High Courts.

*Provincial subjects—cont.*Administration of justice, civil and criminal, including constitution, jurisdiction, powers, maintenance and organization of courts within the Province—*cont.*

Civil Rules of Practice.

Criminal appeals.

Criminal justice report.

Criminal powers.

Criminal Rules of Practice.

Honorary Magistrates.

Presidency Magistrates and Courts.

Remission and commutation of sentences.

Betting and gambling—except State lotteries.

Breach of Contract Act.

Carbide of Calcium.

Child Marriage Restraint Act.

Children Act.

Cinematograph Act.

Civil Law.

Control of motor vehicles—

Motor Vehicles Act.

Control of vehicles other than mechanically propelled vehicles.

Coroners.

Criminal lunatics.

Discharged Prisoners' Aid Society.

Escheats.

Hackney Carriages Act.

Immoral Traffic.

Indian Bar Councils Act.

Jails—

Borstal institutions.

Jails and sub-jails.

Prisoners' homes.

Reformatories.

Justices of Peace.

Kazis Act.

Law officers.

Madras Motor Vehicles Taxation Act.

Malabar and Rampa Rebellion prisoners.

Petitions for mercy from sentences of death.

Petitions from convicts including Port Blair convicts.

Preventive detention and persons subject to such detention.

Prisoners.

Prisons Act and rules thereunder.

Provincial law reports.

Provincial works and buildings under the administrative control of the Jail and Judicial departments.

Stage Carriages Act.

Theatres, Dramatic performances and cinematographs.

Towns Nuisances Act.

Village Courts Act.

Concurrent subjects—

Administrator-General and Official Trustee.
 Adoption.
 Arbitration.
 Bankruptcy and insolvency.
 Cinematograph films for exhibition.
 Civil Procedure including the law of Limitation and all matters included in the Code of Civil Procedure at the date of the passing of the Government of India Act, 1935.
 Criminal law including all matters included in the Indian Penal Code at the date of the passing of the Government of India Act, 1935.
 Criminal Procedure including all matters included in the Code of Criminal Procedure at the date of the passing of the Government of India Act, 1935.
 Criminal tribes.
 European Vagrancy Act.
 Evidence and oaths.
 Indian Christian Marriage Act.
 Indian Poisons Act.
 Infants and minors.
 Insolvency Act and Rules.
 Jurisdiction and powers of all courts except the Federal Court, with respect to any of the matters in the concurrent legislative list.
 Marriage and Divorce.
 Mechanically propelled vehicles.
 Poisons and dangerous drugs.
 Prevention of Cruelty to Animals Act.
 Prisoners and accused persons—Removal from one unit to another unit.
 Recognition of laws, Public Acts and records and judicial proceedings.
 Royal Humane Society.
 Transfer of property other than agricultural land.
 Trusts and Trustees.
 Wills, intestacy and succession save as regards agricultural land.

Federal subjects—

Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India, subjects of any Federated State, or British subjects domiciled in the United Kingdom excluding Emigration and Immigration in their relation to labour.
 Arms, firearms, ammunition and explosives.
 Extradition including the surrender of criminals and accused persons to parts of His Majesty's Dominions outside India.
 Foreign missions.
 Migration within India.

Federal subjects—cont.

Naturalization.
 Passports including certificates of identity and visas.
 Petroleum and other liquids and substances declared by Federal law to be dangerously inflammable so far as regards possession, storage and transport.
 Pilgrimages to places beyond India including Hedjas.
 State lotteries.

10. THE HON. MR. B. GOPALA REDDI, Minister for Local Administration. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Appeals from employees of local boards and municipal councils other than educational, medical and public health staff.
 Capitation taxes, taxes on professions, trades, callings and employments.
 Cesses on the entry of goods into a local area.
 Charities and charitable institutions.
 • Corporation of Madras.
 Local boards—General administration and all matters relating to them not specifically assigned to other departments.
 Local bodies—Audit reports of.
 Local self-government including village administration and panchayats.
 Markets.
 Monigar Choultry.
 Municipal councils—
 General administration and all matters relating to them not specifically assigned to other departments.
 Taxes on animals.
 Taxes on land and buildings, hearths and windows.
 Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling.
 Taxes on the sale of goods and on advertisements.
 Tolls.
 Tramways within municipalities.

Federal subjects—

Local self-government in cantonment areas.

PRINCIPAL OFFICERS OF THE MADRAS
LEGISLATIVE COUNCIL.

President.

THE HON. DR. U. RAMA RAO.

Deputy President.

MR. K. VENKATASWAMI NAYUDU.

Panel of Chairmen.

1. KHAN BAHADUR SIR MAHOMED USMAN SAHIB BAHADUR.
2. THE RT. HON. V. S. SRINIVASA SASTRI.
3. MR. T. A. RAMALINGAM CHETTIYAR.
4. MR. V. V. JOGAYYA PANTULU.

Secretary to the Council.

MR. D. K. V. RAGHAVA VARMA, B.A., B.L.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS
LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1 Abdul Wahab, Munshi ..	Madras North, Muhammadan.
2 Abdul Wahab Bukhari, Syed.	Madras North Central, Muham- madan.
3 Ahmed Meeran, S. K. ..	Madras South, Muhammadan.
4 Alagannan Chettiyar, Rao Sahib A. S.	Madura, General.
5 Bheema Rao, B. ..	Bellary, General.
6 Daivasigamani Mudaliyar, Diwan Bahadur K.	Chingleput, General.
7 Ganga Raju, V. alias Gan- gayya.	West Godavari, General.
8 Ghulam Jilani Quraishi, Khan Bahadur Moulavi.	Madras South Central, Muham- madan.
9 Gonsalves, S. J. ..	Indian Christian.
10 Hamid Sultan Marakkayar, Khan Bahadur.	Madras South Central, Muham- madan.
11 Hensman, Mrs. M. ..	NOMINATED.
12 Kumaraswami Mudaliyar, Medai Dalavoi.	Tinnevely, General.
13 Madhava Menon, K. ..	Malabar, General.
14 Mallikarjunudu, K. P. ..	Kistna, General.
15 Mammu Keyi, C. P. ..	Madras West Coast, Muham- madan.
16 Manjaya Hegde, D. ..	South Kanara, General.
17 Moidu, Khan Bahadur T. M.	Madras West Coast, Muham- madan.
18 Narayana Menon, M. ..	Malabar, General.
19 Narayana Rao, M. ..	Anantapur, General.
20 Narayanaswami Nayudu, B.	Kistna, General.
21 Peddi Raju, P. ..	West Godavari, General.
22 Perumalswami Reddiyar, C.	North Arcot, General.
23 Rajan, The Hon. Dr. T. S. S. (Minister).	NOMINATED.
24 Ramakrishna Reddi, Rao Bahadur M.	Chittoor, General.
25 Ramalingam Chettiyar, T. A.	Coimbatore <i>cum</i> Nilgiris, General.
26 Ramalinga Reddi, Dr. C. ..	NOMINATED.
27 Raman, Rao Bahadur M. ..	NOMINATED.
28 Ramanathan Chettiyar, S. A. S. Rm.	Tanjore, General.
29 Rama Rao, The Hon. Dr. U. (President).	Madras City, General.
30 Rangaswami Ayyangar, A.	Ramnad, General.
31 Reid, D. M. ..	European.

Name of member.	Name and class of constituency.
32 Runganathan, Diwan Bahadur S. E.	Indian Christian.
33 Saldanha, J. A.	Indian Christian.
34 Samiappa Mudaliyar, Rao Bahadur N. R.	Tanjore, General.
35 Sankara Reddi, N.	Kurnool, General.
36 Satagopa Mudaliyar, S. K.	Salem, General.
37 Sivasubrahmanya Ayyar, K. S.	Tanjore, General.
38 Srinivasa Ayyangar, K. V.	Trichinopoly, General.
39 Srinivasa Ayyangar, R. ..	South Arcot, General.
40 Srinivasa Ayyangar, T. C. ..	Ramnad, General.
41 Srinivasan, Diwan Bahadur R.	NOMINATED.
42 Srinivasa Sastri, P.C., C.H., The Rt. Hon. V. S.	NOMINATED.
43 Sriramamurti, D.	East Godavari, General.
44 Subba Raju, Nadimpalli ..	East Godavari, General.
45 Subbarama Reddi, L.	Nellore, General.
46 Subba Rau, L.	East Godavari, General.
47 Thomas, Dr. P. J.	NOMINATED.
48 Usman, K.C.I.E., Khan Bahadur Sir Mahomed.	NOMINATED.
49 Vasanta Rao	Cuddapah, General.
50 Veerabhadraswami, P. ..	Vizagapatam, General.
51 Venkatachalamaji, N. ..	Vizagapatam, General.
52 Venkata Jogayya Pantulu, V.	Vizagapatam, General.
53 Venkatapunnayya, V. ..	Guntur, General.
54 Venkata Reddi Nayudu, K.C.I.E., Rai Bahadur Dr. Sir Kurma.	NOMINATED.
55 Venkataswami Nayudu, K. (Deputy President).	Madras City, General.

THE MADRAS LEGISLATIVE COUNCIL

THIRD SESSION OF THE LEGISLATIVE COUNCIL UNDER THE GOVERNMENT OF INDIA ACT, 1935.

Monday, the 15th August 1938.

The House met in the Council Chamber, Fort St. George, at four of the clock, Mr. President (THE HON. DR. U. RAMA RAO) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Government Cinchona Plantations and their administration.

* 1 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) in what years respectively the several Government Cinchona Plantations in the Nilgiris and Anamalai Hills were started by Government;

(b) through which departments and agencies of Government had the Government Cinchona Plantations been administered from the beginning until about 1920;

(c) if there was any time when any of the Conservators of Forests was in charge and control of the cinchona plantations and, if so, when and how long; and

(d) whether Government have decided or propose to place their cinchona plantations under the supervision of a Conservator of Forests?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) The Naduvattam and the Dodabetta plantations in the Nilgiris were started in the year 1861 and the Anamalai plantations in 1925.

“(b) & (c) They were administered through the agency of the Superintendent of Government Botanical Gardens from 1861 to 1869, the Superintendent, Government Cinchona Plantations, and the Commissioner of Nilgiris from 1869 to 1881, the Conservator of Forests from 1881 to 1883, the Director, Government Cinchona Plantations, Parks and Gardens, Nilgiris, from 1883 to 1886, the Government Botanist and Director of Cinchona Plantations, Nilgiris, from 1886 to 1896, the Director, Government Cinchona Plantations, Nilgiris, from 1896 to 1916, and the Deputy Director of Agriculture (Cinchona), till 1937.

“(d) No such proposal is under the consideration of Government.”

[15th August 1938]

Statement showing the capital expenditure, etc., on Government Cinchona Plantations.

* 2 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to place before the House a statement showing

(1) the capital expenditure on the several Government Cinchona Plantations in this Presidency at Naduvattam, Dodabetta and Anamalais from their start so far as can be ascertained up to the year 1925–26 and for the years 1930–31 and 1936–37;

(2) the capital value of each of the plantations at the close of the years 1925–26, 1930–31, 1931–32 and 1936–37;

(3) the value of each on the bark basis at the close of the same years; and

(4) the net profits from each of the plantations at the close of the same years?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“(1) Prior to 1st April 1925, no regular account of the capital expenditure incurred on the plantations was maintained. The capital expenditure incurred on these plantations in 1930–31 and 1936–37 is as follows:—

	1930–31.	1936–37.
	RS. A. P.	RS. A. P.
Naduvattam	38,257 8 0	54,513 12 9
Dodabetta	Nil.	Nil.
Anamalais	81,030 2 0	24,118 6 6

“(2) & (3) The attention of the hon. Member is invited to the plantation accounts appended to the annual administration reports of the Cinchona Department. The reports are available in the library of the Legislature.

“(4) No separate profit and loss account has been maintained for the individual plantations.”

MR. J. A. SALDANHA:—“May I appeal to the Hon. the President on an important question? These reports are referred to in the answer and a statement is made that they are placed in the Library of the Assembly. This information is asked not only for my sake, but for the public. Does the Hon. Minister expect the Members and the Reporters to go to the Assembly Library to find out the information? Are we to run after the information and get it?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“The Government have published these reports and also the Administration Reports for the information of the public. I think even in the library of the Legislature, they are kept and are available.”

15th August 1938]

MR. J. A. SALDANHA:—“My question is whether the public is expected to go to the library to get the information.”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“These reports are also sold in the Government Press.”

MR. J. A. SALDANHA:—“I was informed by the Government Press that these reports were out of stock.”

MR. PRESIDENT:—“Is the hon. Member putting a supplementary question?”

MR. J. A. SALDANHA:—“I am putting the question in connexion with obtaining information. How are we to get these reports if Government do not publish them?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“If the hon. Members want the reports, we can get them and supply them.”

MR. S. J. GONSALVES:—“Will the Hon. Minister be pleased to place before the public the profit and loss account of these plantations so that the public may have an idea?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“The information required is not for the current year, but for 1930–31. If any hon. Member is desirous of having the information, certainly the Government will furnish it to him, but not to the public.”

Rules governing Indian Civil Service, All-India Services and reduction of a member of the latter services to Provincial or Subordinate Service.

* 3 Q.—KHAN BAHADUR GHULAM JILANI QURAISHI SAHIB BAHADUR: Will the Hon. the Prime Minister be pleased to state—

(a) whether there are statutory disciplinary rules issued by the Secretary of State for India under the old Government of India Act governing members of the Indian Civil Service and other All-India services;

(b) if so, whether those rules have been held to permit the reduction of a member of such an All-India Service to a Provincial or Subordinate Service;

(c) if so, under what rule and whether this position has been accepted by the Secretary of State for India as the author of those rules and the authority charged with the protection of those services;

(d) whether the same rules govern members of Provincial Services as well;

(e) if so, whether the rules have been held to permit the reduction of a member of a Provincial Service to a Subordinate Service;

(f) if so, by whom and under what rule and whether this ruling has been approved by the Secretary of State for India;

[15th August 1938]

(g) whether any appeal to the Secretary of State for India is permissible against an incorrect interpretation of the disciplinary rules issued by him;

(h) if so, under what rule; and

(i) if not, which authority is competent finally to interpret those rules in the case of officers serving in the provinces and under what rule?

THE HON. MR. V. I. MUNISWAMI PILLAI for the Hon. Mr. C. Rajagopalachariar:—“(a), (b) & (d) The answers to these clauses are in the affirmative.

“(e) The Government of India have interpreted the rules that the reduction is permissible inasmuch as it amounts to removal which is permitted and the reappointment to a lower service which the person punished accepts and which it is open to him to reject.

“(c) & (f) Such reduction is permissible under rule 49 (vi) read with rule 22 of the Civil Services (Classification, Control and Appeal) Rules. There was no necessity to get the Secretary of State's acceptance as there was no doubt in the matter.

“(g) The answer is in the negative.

“(h) Rule 58 of the Classification Rules.

“(i) The Provincial Government are competent under Classification Rule 58 to interpret the disciplinary rules in the case of officers serving in the province.”

Foreign lotteries found draining the purse of the people of this Presidency.

* 4 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) what other foreign lotteries (outside British India) than the Goa lotteries, are found draining the purses of the people in this Presidency; and

(b) the extent to which foreign sweepstakes on horse races are popular in this Presidency, and what measures the Government have decided to take or contemplate taking to stop or control the drain of people's money?

THE HON. MR. V. I. MUNISWAMI PILLAI for the Hon. Mr. K. Raman Menon:—“(a) & (b) The Government are aware that tickets on foreign lotteries are sold in this province, but they have no precise information as to the number of such lotteries and the extent to which they are popular in this province. The question of controlling the distribution and sale of tickets in foreign lotteries and sweepstakes within this province is under consideration of the Government.”

[15th August 1938]

MR. J. A. SALDANHA:—“May I enquire, Sir, whether Government propose to bring forward any legislation on this subject, and if so, how many months or years it will take?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“There is no proposal at present, Sir, to bring forward any legislation.”

Extent of business of Goa lotteries in the Presidency.

* 5 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the extent of the business done in the sale of the Goa lotteries in this Presidency during the three years ending 31st December 1937;

(b) the number and value of prizes drawn by people in this Presidency during the same period;

(c) whether the Government have enquired and ascertained the amount of losses or gains to the people and the damage done to the poorer classes by gambling with their meagre earnings; and

(d) whether the Government have decided to take or contemplate taking steps to prohibit the sale of tickets?

THE HON. MR. V. I. MUNISWAMI PILLAI for the Hon. Mr. K. Raman Menon:—“(a) & (b) The Government have no information.

“(c) The answer is in the negative.

“(d) The question of controlling within this province the distribution and sale of tickets in foreign lotteries is under the consideration of Government.”

MR. J. A. SALDANHA:—“May I know, Sir, in what shape the Government is going to take any action? Is it by any orders under the present Acts or by a permanent legislation, as they have done in the Bombay Presidency?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“Matters are under the consideration of Government. After thoroughly examining them, Sir, the Government will say what course they are going to adopt.”

DR. SIR K. V. REDDI NAYUDU:—“Will the Government be pleased to say whether they will go into the question of crossword puzzles which is also causing some anxiety in regard to the financial position of some people?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“That also will be considered along with this.”

[15th August 1938]

Official Receivers and their status in service and effect, if any, of the Madras Agriculturists Relief Act on their income.

* 6 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether Government have taken steps to place the appointments of Official Receivers on a provincial scale as full-time officers;

(b) if so, what measures have been adopted and are proposed to be taken;

(c) whether the reliefs given and to be given under the Agriculturists Relief Act, will affect the income of Official Receivers and if so, approximately to what extent; and

(d) whether on that account the provincialization of Official Receivers will be put off or expedited?

THE HON. MR. V. I. MUNISWAMI PILLAI for the Hon. Mr. K. Raman Menon:—“(a) & (b) The Report of the Committee constituted by the Government to examine the methods of recruitment and conditions of service of official receivers in this Province is under consideration.

“(c) The Government have no information at present but will consider the question.

“(d) The Government are not in a position to say anything definite at present.”

MR. J. A. SALDANHA:—“May I enquire, Sir, what the recommendations of the Committee are?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“Notice, Sir.”

Wardha scheme and its cost.

* 7 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education and Legal Departments be pleased—

(a) to place before the House the final scheme adopted by Government for the reform of elementary education based on what is called the Wardha scheme; and to state—

(b) what the cost of the scheme will be from the educative as well as the economic point of view at the initial stages;

(c) at what stage Government consider that the system will be self-supporting; and

(d) what profit or loss is expected at the several stages?

THE HON. DR. T. S. S. RAJAN for the Hon. Dr. P. Subbarayan:—“(a) to (d) No final scheme has yet been adopted by Government. The matter is engaging attention.”

MR. J. A. SALDANHA:—“May I enquire, Sir, how long we have to wait for the final scheme being published?”

THE HON. DR. T. S. S. RAJAN:—“The matter is just being considered and the hon. Member may expect the Government to take steps as early as possible.”

[15th August 1938]

UNSTARRED QUESTIONS

Government Cinchona Plantations, their extent, subdivisions, etc.

1 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state the areas of the several Government Cinchona Plantations, the subdivisions of each, the distances between the subdivisions, the elevation of each subdivision, extent of mileage covered by each plantation and subdivision, the area of plantable land in each, and the area in each, of land fully planted and that in course of planting?

A.—A paper^a furnishing the required information is placed on the table of the house.

Acreages of planted areas, number of nurseries, etc., in Government Cinchona Plantations.

2 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased—

(a) to place before the House a statement showing the acreages of planted areas and the stock of nurseries raised (seedlings and nursery plants rooted in seed-beds) in the several Government Cinchona Plantations on the Nilgiris and Anamalai Hills in the years 1925–26, 1927–28, 1930–31, 1931–32, 1933–34, 1934–35, 1936–37 and 1937–38; and to state—

(b) in which years no areas were planted and no nurseries raised, or when there are large increases or decreases therein; and

(c) the circumstances under which such conditions arose?

A.—(a) & (b) The attention of the hon. Member is invited to Appendix A of the annual administration reports of the Cinchona Department which contain all the information available; the reports are available in the library of the Legislature. The figures for 1937–38 are not yet ready.

(c) In certain years no areas were planted as it was considered necessary to consolidate the work on previous plantings.

Nursery casualties in various plantations and the reasons therefor.

3 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) what explanation there is for the remark in the Administration Report for 1936–37 that in the Anamalai plantation heavy nursery casualties were partly due to the fact that for want of funds old nursery sites had to be used for raising seedlings;

[15th August 1938]

- (b) what the shortage of funds there was and why;
- (c) whether there was a corresponding shortage of labour in the Anamalais plantation on this account;
- (d) what steps Government have taken for remedying this defect in the current year;
- (e) what grounds there are for the remark in the Administration Report for 1936-37 that the nursery beds of plants for the field were comparatively unsuccessful in the Naduvattam and Hooker subdivisions having regard to the figures in Appendix A showing the nursery stock of rooted cinchona plants in seed beds amounted to 450,000 Ledgeriana, 170,000 Robusta in the Naduvattam subdivision and 230,000 Robusta in the Hooker subdivision;
- (f) whether there were any differences in the strength of the labour and staff employed on account of the differences in the areas planted and permanently cultivated and the nurseries raised in the several plantations and if so, to what extent; and
- (g) if so, whether there was excess or shortage of labour comparatively in the plantations, and, what adjustments Government have decided to make or propose to make for the purpose of a proper equilibrium?

A.—(a) & (b) The area under Cinchona cultivation in the Anamalais was restricted to 939 acres in the year 1932. No extension was contemplated and no funds were provided for any extension with the result that nurseries had to be raised in old sites within the abovementioned area.

(c) There was corresponding restriction of labour on this account.

(d) A new working plan has been sanctioned in 1937 and provision has been made for the opening of new nurseries in the current year.

(e) The nursery stock mentioned in the Appendix to the Administration Report of the Cinchona Department for the year 1936-37 includes both rooted plants for immediate field planting and small seedlings for the next year's planting. Many plants for field planting raised from seedlings in Naduvattam and Hooker subdivisions were unsuccessful, i.e., they became casualties or were not suitable for field planting.

(f) The strength of the labour and staff employed in the several cultivated areas on the permanent plantations and nurseries has been fixed with regard to the requirements in each case.

(g) No adjustment on this account was called for.

15th August 1938]

Visits paid to the cinchona plantations in 1936-37 by the then Director of Agriculture and by the Director of Cinchona Department in 1937-38.

4 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased—

(a) to place before the House a statement showing the number of visits with their durations paid by the late Deputy Director of Agriculture during the year 1936-37, and by the present Director of the Cinchona department in 1937-38 to the several plantations in the Nilgiris and Anamalai Hills, the amount of total allowance drawn by each of them for these visits to the several plantations; and to state—

(b) the reasons for the differences in the number of visits paid to any of the plantations; and

(c) whether and what steps are taken by Government to regulate the visits of the Director in such a manner that the plantation which has been backward hitherto so far as net profits are concerned receives more attention by frequent and prolonged visits?

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

Name of plantation.	Visits.				Allowances drawn.	
	By the late Deputy Director in 1936-37.		By the present Director in 1937-38.		1936-37.	1937-38.
	Number.	Duration (days).	Number.	Duration (days).		
Anamalais ..	2	18	6	45	559 4	1,855 3
Naduvattam.	6	36	34	69		
Dodabetta ..	*	*	29	29		
					RS. A.	RS. A.
					Nil.	Nil.

* Information not available.

(b) The increase in the number of visits in 1937-38 over those in 1936-37 is due to the extension of planting and harvesting programme undertaken by the department. The larger number of visits to Naduvattam includes visits to the Quinine Factory also. Dodabetta plantations are in immediate charge of the Director and hence the necessity for frequent visits.

(c) No special steps are called for. The head of the department will visit the plantations whenever he finds it necessary with a view to keeping a close touch with their working.

[15th August 1938]

Strength of the staff and labourers employed in Government Cinchona Plantations.

5 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to place before the House a statement showing the number of labourers employed in each of the Government Cinchona Plantations in the Nilgiris and Anamalai Hills, the staff of overseers and other establishments, the charges for such labour and staff and establishment in the years 1930–31, 1931–32, 1935–36 and 1936–37?

A.—A statement* furnishing the required information is placed on the table of the house.

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

II.—PANEL OF CHAIRMEN.

* MR. PRESIDENT:—“ I have to announce to the House that under rule 9 of the Madras Council Rules, I have nominated the following four members of the Council to be the panel of Chairmen for the third session of the Council:—

- (1) Khan Bahadur Sir Mahomed Usman Sahib Bahadur.
- (2) The Rt. Hon. V. S. Srinivasa Sastri.
- (3) Mr. T. A. Ramalingam Chettiyar.
- (4) Mr. V. V. Jogayya Pantulu.”

III.—SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR 1938–39.

* THE HON. DR. T. S. S. RAJAN:—“ Sir, the Government have incurred some expenditure and have to incur a little more during the course of this year. Therefore on behalf of Government I present the supplementary statement of expenditure for 1938–39.”

IV.—HOUSE COMMITTEE.

* THE HON. DR. T. S. S. RAJAN:—“ Sir, I beg leave of the House to move—

‘ that the Council do proceed, under rule 143 of the Madras Council Rules, to elect six members according to the principle of proportional representation by means of the single transferable vote, to be Members of the House Committee for the third session of the Council ’.”

The motion was put and carried.

* Printed as Appendix II on page 34 infra.

15th August 1938]

* MR. PRESIDENT:—“ I have to inform the House that with reference to regulation II of the Regulations for the holding of elections by means of the single transferable vote, I fix 1–30 p.m. on Wednesday, the 17th August, as the time by which nominations of candidates for election to the House Committee should be sent to the Secretary.

“ If the number of candidates nominated exceeds the number of vacancies to be filled, viz., six, there will be an election between 1 p.m. and 3 p.m., on Friday, the 19th August 1938.”

V.—MOTIONS RE AMENDMENT TO SCHEDULE IV OF THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL BOARDS ACT, 1920.

* THE HON. DR. T. S. S. RAJAN:—“ Sir, my Hon. Colleague, Mr. Gopala Reddi, is busy in the other House and so I beg leave of the House to move—

‘ that the following draft of a rule proposed to be made by the Government of Madras under section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), altering Schedule IV to that Act be approved:—

Draft Rule.

‘ In the first sentence of sub-rule (1) of rule 19 of Schedule IV to the Madras District Municipalities Act, 1920 (Madras Act V of 1920), between the words “ profession-tax is ” and the word “ due ” the words “ or will be ” shall be inserted ’.

“ I do not think there is any necessity to explain in detail.”

The motion was put and carried.

THE HON. DR. T. S. S. RAJAN:—“ Sir, I move the following motion:—

‘ that the following draft of a rule proposed to be made by the Government of Madras, under section 201 of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), altering Schedule IV to that Act be approved:—

Draft Rule.

‘ In the first sentence of sub-rule (1) of rule 11-A of Schedule IV to the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), between the words “ profession-tax is ” and the word “ due ” the words “ or will be ” shall be inserted ’.

“ This is only a verbal alteration. I request the House to pass the motion.”

The motion was put and carried.

* MR. PRESIDENT:—“ The Council will now adjourn to meet again the day after to-morrow, Wednesday, the 17th instant, at 11 a.m.”

[15th August 1938]

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

* 1. G.O. No. 526, Development, dated 2nd March 1938, confirming certain amendments to rule XXII of the rules issued under the Madras Co-operative Societies Act.

* 2. G.O. No. 891, Development, dated 2nd April 1938, confirming certain amendments to the rules issued under the Madras Co-operative Societies Act.

* 3. G.O. No. 1395, Development, dated 1st June 1938, publishing certain amendments to the Madras Commercial Crops Markets Rules.

* 4. G.O. No. 141, Finance, dated 9th April 1938, regarding the constitution of Public Accounts Committee for the third session of the Madras Legislative Assembly.

* 5. G.O. No. 795, Development, dated 26th March 1938, amending rule 12 of the Madras Commercial Crops Markets Rules.

* 6. G.O. No. 1379, Revenue, dated 28th May 1938, publishing the notification regarding amendments to the rules under the Madras Survey and Boundaries Act.

7. Statement showing the resolutions passed by the House Committee during the second session of the Madras Legislative Council under the Government of India Act, 1935, and the action taken thereon.

* Circulated by post.

15th August 1938]

APPENDIX I.

[Vide answer to unstarred question No. 1 put by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 15th August 1938, page 27 supra.]

Details of the subdivisions, area, elevation, etc., of the Government Cinchona Plantations.

The Government Cinchona Plantations are three in number, viz., Naduvattam, Dodabetta and the Anamalais. The areas of land occupied by Cinchona on these plantations as on 31st March 1938 are—

Name of plantation.	Area in acres.
Naduvattam	1,029
Dodabetta	105.75
Anamalais	839

The Naduvattam plantation consists of three subdivisions—Naduvattam, Moyar and Hooker. Moyar and Hooker subdivisions are at a distance of four miles from Naduvattam. The Wood Estate, a portion of the Hooker subdivision is six miles away from it. There are no subdivisions in the other two plantations.

The average elevation of the plantations is as follows :—

Name of plantation or subdivision.	Elevation.
	FEET.
Naduvattam subdivision	5,500
Moyar subdivision	3,500
Hooker subdivision	6,200
Dodabetta plantation	7,500
Anamalai plantation	ranges from 2,900 to 4,600 feet above sea level.

The extent of mileage covered by these plantations is as follows :—

Naduvattam subdivision ..	About 2 miles in length and 7 furlongs in breadth.
Moyar subdivision ..	About 2 miles in length and 6 furlongs in breadth.
Hooker subdivision ..	About 3 miles in length and 1½ miles in breadth.
Dodabetta plantation ..	About 1½ miles in length and 1½ miles in breadth.
Anamalais plantation ..	About 2½ miles in length and 1 mile in breadth.

[15th August 1938]

The area of plantable land, of land fully planted and of that in the course of planting in the plantations are as shown in the following statement:—

Name of subdivision or plantation.	Area of plantable land.	Area	
		fully planted.	in the course of planting.
	ACS.	ACS.	ACS.
Naduvattam subdivision	400	316·00	25
Hooker subdivision	600	437 00	45
Moyar subdivision	386	276·00	37
Dodabetta plantations	422	105·75	60
Anamalais plantations	* 939	839·00	100

(* Does not include over 20,000 acres of virgin forest land reserved for Cinchona cultivation.)

C. J. PAUL—4-7-38.

APPENDIX II.

[Vide answer to unstarred question No. 5 put by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 15th August 1938, page 30 supra.]

Statement showing the number of labourers and staff of overseers, etc., employed in each of the Government Chinchona Plantations and the charges incurred on them in the years 1930-31, 1931-32, 1935-36 and 1936-37.

Name of plantation.	Daily average number of labourers employed.	Daily average charge.			Number of staff of overseers and other establish- ments.	Average monthly charge.		
		RS.	A.	P.		RS.	A.	P.
1930-31—								
Naduvattam	298	118	3	0	5	360	0	0
Dodabetta	61	21	6	0	5	218	0	0
Anamalais	241	94	8	0	6	458	8	0
1931-32—								
Naduvattam	416	167	12	0	5	363	0	0
Dodabetta	64	23	5	0	5	218	0	0
Anamalais	372	152	2	0	6	474	8	0
1935-36—								
Naduvattam	530	196	7	0	5	418	0	0
Dodabetta	79	25	7	0	4	188	0	0
Anamalais	141	47	7	0	5	412	8	0
1936-37—								
Naduvattam	591	262	15	0	5	433	0	0
Dodabetta	88	27	10	0	3	168	0	0
Anamalais	78	27	1	0	4	271	0	0

THE MADRAS LEGISLATIVE COUNCIL

Wednesday, the 17th August 1938

The House met at eleven of the clock in the Council Chamber, Fort St. George, Mr. President (THE HON. DR. U. RAMA RAO) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Language adopted as medium of instruction in South Kanara.

* 8 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education and Legal Departments be pleased to refer to the assurance given in his answer to my starred question No. 54, on 8th March 1938 and to state—

(a) having regard to the admitted fact that there are four mother-tongues in South Kanara, what orders have been passed as to the medium of instruction in secondary schools (specifying the particular schools), with pupils speaking in large numbers more than one language;

(b) whether these orders are of a temporary or provisional character and, if so, what developments or change of conditions are expected in passing such orders; and

(c) whether Catholic Girls' High Schools in Mangalore and elsewhere in the South Kanara district have experienced difficulties in adopting Kanarese as the medium of instruction and, whether having regard to their difficulties, Government have decided or propose to exempt such schools permanently from adopting Kanarese as the medium of instruction?

THE HON. MR. S. RAMANATHAN for the Hon. Dr. P. Subbarayan:—“(a) to (c) The Director of Public Instruction has passed orders exempting all the secondary schools, including the Catholic High Schools for Girls, in South Kanara district from introducing the mother-tongue as the medium of instruction in non-language subjects during the school year 1938-39. These orders will be reviewed at the end of the year.”

MR. J. A. SALDANHA:—“May I enquire, Sir, whether this order cannot be made permanent instead of for one year only as has been done at present? This grievance is an old one and when the Government have already exempted the district, why should an experiment be made only for a year now?”

THE HON. MR. S. RAMANATHAN:—“The question of Government's policy in regard to the media of instruction

[17th August 1938]

in multilingual areas is still under consideration and after that policy is settled the case of South Kanara will be decided permanently."

Working of the Madras Agriculturists Relief Act.

* 9 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state how far the Madras Agriculturists Relief Act has been found satisfactory or defective in carrying out its purposes and what steps Government are going to take to remedy its defects, if any?

THE HON. MR. V. I. MUNISWAMI PILLAI:—"It is too soon to answer the question, but Government have no reason to be dissatisfied with the results, so far."

Exchange ratio and its effect on the business of exporters of goods in this Presidency.

* 10 Q.—MR. J. A. SALDANHA: Will the Hon. the Prime Minister be pleased to state—

(a) whether Government have enquired and ascertained if the existing exchange ratio between Great Britain and India is beneficial or detrimental to the interests of exporters of goods from this Presidency to places outside India and is conducive to the welfare and progress of agriculture and industries in this Presidency;

(b) whether Government have made representations to the Government of India on the subject; and

(c) whether Government have decided or propose to take the sense of this Council as well as the Assembly on the subject and place their views before the Government of India and if so, when?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) The Government consider that the existing exchange value of the rupee in terms of sterling is too high and that a lowering of its exchange value would be helpful to the agriculture and industries of this Presidency and to the exporters of goods from this Presidency to places outside India.

" (b) The Government have made a representation to the Central Government on the subject in the direction stated.

" (c) The question of the exchange ratio between the rupee and sterling has been thoroughly discussed in the Press and by the public recently and the arguments in favour of lowering the exchange value of the rupee have been so generally accepted and fully stated in the representations made recently to the Central Government that the Government consider that it is hardly necessary for this House or the Assembly to devote any time at present to a formal discussion of the matter."

17th August 1938]

MR. J. A. SALDANHA:—"May I know, Sir, when this Government wrote to the Government of India in connexion with this affair?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Before the interpellation was received."

DR. C. RAMALINGA REDDI:—"Has any reply been received from the Government of India?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Not yet, Sir."

Retrenchment in the staffs of Conservators of Forests.

* 11 Q.—MR. J. A. SALDANHA: With reference to the answer given to my starred question No. 29 on 31st January 1938 and starred question No. 36 on 1st February 1938, will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) what further reductions have been made by way of retrenchment in the staff of Conservators of Forests, District Forest Officers, and the clerical establishments in the Forest department;

(b) with effect from which date; and

(c) with what approximate savings?

THE HON. MR. V. I. MUNISWAMI PILLAI:—" (a), (b) & (c) The Government have not yet come to a final decision in the matter."

Breaches in the tank in Gazulamandiam village in Chittoor district.

* 12 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: With reference to the answer to my starred question No. 58, dated 9th March 1938, will the Hon. the Minister for Public Works be pleased to place on the table the complete report about the breaches in the tank in Gazulamandiam village of Chittoor district?

THE HON. MR. YAKUB HASAN:—"The reports* of the Subdivisional Officer, Public Works Department, Madanapalle, and the Collector of Chittoor are placed on the table of the House."

RAO BAHADUR M. RAMAKRISHNA REDDI:—"May I ask, Sir, whether the Government are aware of the fact that the bund is likely to give way again if repairs are not completed before the beginning of the rainy season this year?"

THE HON. MR. YAKUB HASAN:—"Repairs are going on and it is only after the work is completed we may know whether it will give way or not."

[17th August 1938]

RAO BAHADUR M. RAMAKRISHNA REDDI:—"May I ask, Sir, whether Government cannot reconstruct the whole bund without giving room for any breaches year after year with the result that the ryots are put to great loss every year?"

THE HON. MR. YAKUB HASAN:—"We think these repairs will be enough."

UNSTARRED QUESTIONS

Measures, if any, taken by Government for the welfare of labourers in Government Cinchona Plantations.

6 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) what measures Government have taken or contemplate taking for the welfare of labourers in the several Government Cinchona Plantations in the directions of proper housing with water-supply, latrine and electric lighting, medical and maternity benefits, schools for giving elementary, literary and vocational education, recreation, co-operative stores, thrift and loan societies, clothing, provident funds, leave, holidays and other amenities of life;

(b) the number of labourers benefited by the several measures; and

(c) the part taken by the officials in the operation of such measures?

A.—(a) to (c) A note * furnishing the required information is placed on the table of the House.

Educational qualification, duration of service, etc., of the staff of Government Cinchona Plantations and the various amenities offered to them.

7 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to place before the House a statement showing the various staffs—overseers, maistris, clerks, etc.—employed in the several Government Cinchona Plantations with their educational qualifications and previous services of each, the period of employment, pay, allowances, quarters allowed with rooms in each of the quarters, conveyances, medical aid, leave and holidays and other amenities of life?

A.—A paper * furnishing the required information is placed on the table of the House.

* Printed as Appendix II on pages 64-65 infra.
* Printed as Appendix III on pages 66-67 infra.

17th August 1938]

Members of the staff other than work-charged establishment are eligible for leave according to the Fundamental Rules. Members of the work-charged establishment—maistris and skilled and unskilled labourers—are given two holidays in a year with pay, one of which is the King Emperor's Birthday while the other day is fixed in consultation with the labourers. The staff is allowed the concession of free fuel supply for domestic use. At Naduvattam a co-operative stores has been organized for the convenience of the staff.

Staff employed under the Director of Cinchona department, their history of service and kinship, if any, between them.

8 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be please—

(a) to place before the House a statement showing the names, castes, qualifications, and dates of appointment of the several members of the establishment of the Director of Cinchona department, the changes made therein during the last three years as to designation, pay and status and for what purposes the new appointments were made during the same period and by whom were they made; and to state—

(b) whether there is or there was any kinship between any members of the establishment and if so, of what kind during the same period, whether any member was dismissed or transferred on that account, who was responsible for making or recommending such appointment and whether there was any defalcation, misappropriation or breach of trust as to any stock during the period?

A.—(a) A paper * furnishing the information is placed on the table of the House. The Director, Cinchona Department, is the appointing authority in respect of the staff of his office.

(b) Persons referred to in items 10 and 11 of the paper placed on the table are cousins while those referred to in items 13 and 15 are brothers. Mr. P. Renganathan referred to in item 17, who resigned the appointment on 1st June 1938 is the son of the Personal Assistant referred to in item 1. There is or was no kinship between the rest of the staff during the period. No member of the staff was dismissed or transferred on the ground of kinship. There have been no cases of defalcation, misappropriation or breach of trust as to any stock of quinine during the period.

* Printed as Appendix IV on pages 68-69 infra.

[17th August 1938]

Location of the proposed Government Hospital at Calicut.

9 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have decided upon the site required for the projected Government Hospital at Calicut;

(b) if so, whether it has all the amenities of the necessary sanitary surroundings, easy access and central position; and

(c) whether to satisfy the requirements of sanitary surroundings, it is contemplated to locate the out-patients hospital separate from the main in-patients hospital?

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

(b) The Government consider the site decided upon as the best site for the hospital.

(c) The answer is in the negative.

Appointments of Inspectors of Motor Vehicles and Muslims, if any, appointed to the post, since 1933.

10 Q.—MUNSHI ABDUL WAHAB SAHIB BAHADUR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) how many Inspectors of Motor Vehicles were employed since September 1937 and in which districts;

(b) how many motor vehicles are plying for hire in the districts of West Godavari and Guntur and whether the Government consider the necessity for the sanction of Inspectors of Motor Vehicles in the above districts; and

(c) whether any Muhammadan candidate was employed in any of the posts of the Inspectors of Motor Vehicles in the Presidency till now and if not, why, and whether any applications were received from Muhammadan candidates for the above posts since 1933 and how they were disposed of?

A.—(a) Two Inspectors of Motor Vehicles have been newly employed since September 1937, one in the Tanjore and the other in the Trichinopoly district.

(b) The number of motor vehicles plying for hire in the districts of West Godavari and Guntur is 146 and 186, respectively. The Government have sanctioned the appointment of a Motor Vehicle Inspector in the Guntur district. They consider that it is not necessary at present to appoint a Motor Vehicle Inspector in the West Godavari district.

(c) No Muhammadan candidate has been employed as an Inspector of Motor Vehicles since 1934 when the cadre was made permanent as no qualified applicant

[17th August 1938]

from this community was available. Prior to 1934, two Muhammadans were employed as temporary Motor Vehicle Inspectors.

Applications were received from four Muhammadan candidates. Two of them, who were temporary Motor Vehicle Inspectors, were not appointed when the permanent cadre was filled up in 1934, as they were not in possession of the minimum general educational qualification. The other two who applied to the Madras Public Service Commission for appointment as Motor Vehicle Inspectors in March 1935, were not selected as the Commission did not consider either of them suitable for the post.

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

II.—MESSAGES FROM THE ASSEMBLY.

* MR. PRESIDENT:—"I have to announce to the House that the following messages, dated Chèpauk, the 15th August 1938, have been received by me from the Hon. the Speaker of the Madras Legislative Assembly:—

I. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Indian Lunacy (Madras Amendment) Bill, 1938, as passed by the Assembly on the 15th August 1938 and signed by me, for the concurrence of the Council.

II. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Madras Estates Land (Amendment) Bill, 1938, as passed by the Assembly on the 15th August 1938 and signed by me, for the concurrence of the Council.

III. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Madras Medical Registration (Amendment) Bill, 1938, as passed by the Assembly on the 15th August 1938 and signed by me, for the concurrence of the Council.

IV. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Prisons and Indian Lunacy (Madras Amendment) Bill, 1938, as passed by the Assembly on the 15th August 1938 and signed by me, for the concurrence of the Council.

"I have also to announce to the House that the following messages, dated Chèpauk, the 16th August 1938, have been received by me from the Hon. the Speaker of the Madras Legislative Assembly:—

I. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Madras Famine Relief

[Mr. President] [17th August 1938]

Fund (Amendment) Bill, 1938, as passed by the Assembly on the 16th August 1938 and signed by me, for the concurrence of the Council.

II. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Madras Repealing and Amending Bill, 1938, as passed by the Assembly on the 16th August 1938 and signed by me, for the concurrence of the Council.

III. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Madras Prohibition (Amendment) Bill, 1938 as passed by the Assembly on the 16th August 1938 and signed by me, for the concurrence of the Council.

IV. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Madras Borstal Schools (Amendment) Bill, 1938 as passed by the Assembly on the 16th August 1938 and signed by me for the concurrence of the Council.

V. In accordance with Rule 94 of the Madras Assembly Rules, I transmit a copy of the Madras Local Boards (Amendment) Bill, 1938 as passed by the Assembly on the 16th August 1938 and signed by me, for the concurrence of the Council."

NON-OFFICIAL BUSINESS.

III.—A BILL TO AMEND THE INDIAN SUCCESSION ACT, 1925.

* MR. J. A. SALDANHA:—"Mr. President, Sir, I beg leave of the House to introduce my Bill^a for amending the Indian Succession Act, 1925.

"Sir, this Bill has been brought forward by way of giving relief to a minority community. One of the greatest pieces of British Indian legislation is the Indian Succession Act of 1865 which is now merged in the Indian Succession Act of 1925 relating to intestate and testamentary succession. On reading the original Act of 1865 through one would fancy that it applied to all communities in India in regard to succession and making of wills, etc. But at the end of it, if one reads, it would take one's breath away because he would find that it is not made applicable to a majority of the communities in India, but it applies only to very small minority communities like the European and Anglo-Indian communities and the Indian Christians are also included there. It was in fact intended really to apply only to Europeans and Anglo-Indians who are accustomed to highly advanced Western ideas. But fortunately or unfortunately it applies also to converts from Hindus most of whom are imbued

^a Published in the *Fort St. George Gazette*, dated 23rd August 1938.

17th August 1938] [Mr. J. A. Saldanha]

with Hindu cultural ideas of a conservative character. Great was their shock to see that this ideal system was forced upon them. The Indian Christians labour under a certain grievance, namely, that they are compelled to obtain probate of wills and letters of Administration with liability to pay death duties. Under the Indian Succession Act X of 1865 the Hindus and Mussalmans were exempt from the provisions of the Act. They have since been partially relieved by being placed practically on the same footing as the non-Christian countrymen in the matter of intestacy. Probate duty is required by section 213 of the Indian Succession Act XXXIX of 1925. That section does not apply to wills of Hindus and others who are not specified in section 57. Further under section 370, Indian Christians are not competent to avail themselves of the facility afforded to the majority of Indian communities to get succession certificates as to recovery of outstandings. I wish to illustrate this by an example. Suppose a Hindu or Muhammadan dies leaving an estate of Rs. 20,000 . . ."

* MR. PRESIDENT:—"The hon. Member need not make a speech. If the Government are not going to oppose it, he can introduce the Bill with a brief statement."

MR. J. A. SALDANHA:—"I shall finish, Sir. We are labouring under a great injustice on account of having to pay for probate of wills; and whereas in the case of Hindus and Mussalmans they can get succession certificates only in regard to outstandings, we are compelled to pay death duties for the whole amount and obtain a probate. In order to remove this hardship I have brought forward this amending Bill placing the Indian Christians also on the same level as Hindus and Muhammadans. I therefore hope that the House will give its consent to move this amending Bill."

* MR. S. J. GONSALVES:—"Sir, I beg to second this motion. The aim of this Bill is to place Christians on a par with the other sections of the people in the matter of the death duties. In regard to this, there is a difference between the Christians on the one hand and Hindus and Mussalmans on the other. If a Hindu dies it is open to the heirs of that Hindu to take out what is called a succession certificate in respect of outstandings due to that deceased person. The heirs are not bound to take succession certificate in respect of the whole estate. They can take succession certificate only to that portion of the estate which is outstanding in the hands of others. Muhammadans have the same privilege. But, the Christians have not that privilege to a full extent. What happens to Christians is, if a Christian dies intestate without leaving a will then he has that privilege. He need not take out letters of Administration for the whole estate. It is open to him to take succession certificate

11-15
a.m.

[Mr. S. J. Gonsalves] [17th August 1938]

in respect of only the outstandings and thereby recover the outstandings. But, the hardship comes when he dies with a will. He is compelled to take out probate in respect of the whole estate. This is really a hardship. Supposing a Christian dies leaving a lakh of rupees and the outstandings are only a thousand he cannot recover the thousand without a probate of the will. He has to take a probate on the lakh of rupees. The fee on that will be Rs. 3,000. So, if he wants to recover a thousand rupees he has to pay Rs. 3,000. It is better to give up that thousand rather than put himself to the expenditure of paying Rs. 3,000. This Bill aims at placing the Christians on the same footing as others, i.e., it must be open to him to take succession certificate to the extent of the outstandings in cases of testacy as well as in cases of intestacy. This seems to me a very just legislation and I do not think anyone in fairness can resist this measure. I, therefore, hope that the House will give Mr. Saldanha the leave to introduce the Bill."

The motion was put and carried and the leave was granted.

MR. J. A. SALDANHA:—"Sir, I introduce the Bill."

IV.—RESOLUTION RE EXPERT ENQUIRY INTO THE SYSTEM OF RYOTWARI LAND REVENUE SETTLEMENT.

* DR. P. J. THOMAS:—"Mr. President, Sir, I beg leave to move the resolution that stands in my name, viz.—

'This Council recommends to the Government that a reform of the system of ryotwari land revenue settlement may be carried out with a view to making the tax burdens equitable as between the different classes of landholders and between different areas, and that as a preliminary step, an expert enquiry may be carried out into the matter at an early date.'

"Mr. President, I believe that many of the defects of our land revenue system are well known to the hon. Members of the House. I am here concerned with certain disparities in burden between different areas, groups and different periods of time and perhaps these deserve to be emphasized. The total land revenue assessment of this province is nearly half of the total revenue and the burden is borne by a good part of the population of this province, and if therefore there are disparities or inequalities in the assessment of the revenue it must be set right at an early date. As for the details of the ryotwari settlement system itself, I need not bother the House with details. The system in its present form was fixed up in 1860, although the first ryotwari settlement began early in the last century under the able guidance of Colonel Read and Sir Thomas Munro. The two fundamental features of this system are the grain outturn and the commutation rates. The process is this. First of all, the

[17th August 1938] [Dr. P. J. Thomas]

officers classified the lands under certain tarams. Then they fixed certain grain outturns for each taram of land, i.e., gross yields. For wet lands they took paddy and for dry lands cholam and cumbu. Then they made certain deductions due to bad seasons, etc., and then they commuted the grain outturns into money, on the basis of the prices of the previous twenty non-famine years. Then they converted the gross outturn into net by taking out cultivation costs and finally they took half of it as the Government demand. Evidently, the two keys of the system are the grain outturn and the commutation rate.

"I must say at the outset that this system was organized scientifically by expert administrators, and in my opinion it worked well during the last century. I know there were faults even then; the revenue was inelastic and the incidence was unequal. The proper classes have to pay an unequal share of the burden because the principle of ability was not properly worked out. It is a tax on land and not on the landholder. It is now a recognized principle of financial theory that all tax must be based upon faculty or ability and that it must be assessed not proportionally to income but progressively, taking a larger proportion from the richer than from the poorer classes. Of course, it is difficult to work out this principle in the case of land revenue. Further, when the present system was introduced, the very idea of progression was unknown. Even in advanced Western countries the revenue assessment was proportional and even regressive. In spite of these faults, the ryotwari revenue system succeeded in the last century because of two reasons. Food-grains predominated in our cropping system before 1900 and therefore the grain outturn measured fairly well the yield from land. Secondly, from 1860 prices had been steady or rising, and therefore the commutation rates did not turn out to be unjust and people did not feel the burden of land revenue much owing to high prices. That is why the system worked fairly well in the last century.

"But these conditions have drastically changed in the last 40 years. The grain outturn has become unsuitable, because grains are not the only crops raised on land. Owing to a steadily growing foreign demand, there has lately been a large increase in the production of commercial crops like sugarcane, cotton and oil-seeds; about 45 per cent of the cultivated area is under crops other than food-grains. Some of these cash crops give a much larger income than any grain crop. Therefore, as a basis of the yield of land, grain outturn has become unsuitable. So also in regard to commutation rates. From the dizzy heights reached between 1915 and 1919, prices fell in 1921, and after a temporary reaction prices fell drastically in 1930-32. Thus the depression fell heavily on the landholder. Such changes in prices have made the whole system unsuited to our present requirements,

[Dr. P. J. Thomas] [17th August 1938]

because while it enabled the ryot to have windfalls in years of high prices, the burden became unbearable in the years of low prices, e.g., 1930-32. Now, these features have made the old fabric really unsuitable. So long as prices go on fluctuating, I cannot see how the present system can work equitably. The world is now liable to booms and slumps. They are inevitable, at any rate in the capitalist economic system. We have little control over such phenomena. The idea of controlling prices is somewhat imaginary in the present state of things. What we may do is to adjust the land revenue assessment to the changing trend of prices.

11-30 a.m. "Thus in the present system, there are disparities of three kinds. The burden varies from district to district as each district was settled at different times using for commutation rates prices very dissimilar; the burden also varies within districts between wet lands and dry, and between dry lands put to various uses. Lastly, the burden varies between period and period, i.e., the assessments are light in boom years and heavy in depression years. If this is to be set right, a drastic change is necessary. Tinkering will do more harm than good.

"I am aware that last year a Committee under the presidency of Sir Norman Marjoribanks sat and reported on the question of land revenue; I have not seen the document; I am told it is a confidential document. Judging from what I saw in the newspapers, they have made three main recommendations. First of all, resettlements must cease; secondly, following the lead of the then Government, the committee recommended that a remission of Rs. 75 lakhs should be given; thirdly, the assessments fixed in the year 1913-14 may continue. I consider the first recommendation to be reasonable, although I am not sure that it is essential unless we change the whole thing in some drastic manner. However, there is justification for the abandonment of resettlement proposals. But in regard to remission, especially when it is a percentage remission, I find several arguments against it. As the burdens are so very dissimilar, as between districts and between crops, there is little justice in granting remissions to all. An hon. Member has given notice of a resolution recommending that more remissions might be granted. Clearly I cannot support it. The third recommendation of the Committee is even more unsuitable. The assessments made before 1913-14 were not based on a uniform plan; there were already wide disparities between district and district. The level of prices in 1913-14 cannot be the right basis; such a reform will not take away the disparities which I have described already. Nor can a return to grain assessments do good in the present circumstances. The hon. Member who has tabled a resolution suggesting a return to grain taxes of old does not perhaps realize the

17th August 1938] [Dr. P. J. Thomas]

inconveniences it might cause. Such reforms cannot rectify the defects of the system. We want now something more drastic; and a thorough enquiry is needed if such a reform is to be carried out.

"On this occasion it is not my purpose to lay down any definite lines of reform. But I should like to mention one or two points which should be kept in view. First of all, whatever may be the line of reform, we have to take into consideration the price-level; we have to adjust our assessment to the price-level in some form or other. This principle has lately been introduced in the Punjab and the United Provinces; in the Punjab, in the two districts where the new system is working, the assessment is fixed on the basis of the previous year's prices. The opinion in the Punjab seems to be that the system is working rather well. This idea is not new to Madras. During the period of depression in the last century, between the years 1825 and 1854, the Government of Madras devised various measures for making the assessment equitable. A system of *olungu* was put into operation in the districts of Tanjore and Tinnevely. At least in Tinnevely it was a success; so much so that Mr. Stonehouse, Collector of Nellore, recommended that the system should be adopted throughout the Presidency. Prices rose immediately afterwards and the incentive for any change in that direction disappeared altogether. Even at that time experienced persons thought that some adjustment of the assessment to the price level was essential. We have a very able minute of 1854 by Mr. J. F. Thomas who was then Member of the Board of Revenue, in which he avers that the Madras revenue system would not succeed unless the revenue was adjusted to the price-level. It was almost a prophecy, but his fears did not then materialize, because prices went on rising throughout the period and did not fall. But when prices began to fall after 1920, that prophecy has come true. Indeed there was a depression in Europe between 1873 and 1896, but owing to certain peculiar features it did not spread to this country. But lately India has become liable to the slumps and booms of the West and we have to adjust the land assessment to the price-level in some manner; this must be done not by copying any particular system but by adapting things to our environment. The Punjab system may not suit us because rural economy there is different from ours. There they have revenue settlement on the village basis; we have a field basis. Other conditions are also different. But it is possible to work out the principle so far as to suit our requirements. I trust that the Government are considering the question in right earnest.

"Another point we have to keep in view is that the system must be simplified. The present complex organization for revenue assessment and collection costs heavily, and must be reformed.

[Dr. P. J. Thomas] [17th August 1938]

The District Officer and his assistants must have more time to attend to the economic welfare of the people. Some of the functions now associated with revenue can be handed over to the panchayat, the reformed panchayat. In other countries, land-tax is to-day a local tax. This may not be possible now in India. However, like France, which too had formerly a cumbrous system like ours, we may make a bold reform in assessment. We may also tax land on the basis of its capital or annual value, and on top of it an income-tax can be imposed on landholders' incomes also. A reform on similar lines was suggested some years ago by that well-known Madras administrator, Mr. N. Gopalaswami Ayyangar, now in Kashmir. He placed before the Taxation Committee a scheme of reform in which capital value will be the basis of taxation; he suggested also income-tax on agricultural incomes. This was not accepted by the Committee then. But things have changed since then, and it may be opportune to consider similar reforms seriously. But, as I said, I am not going to lay down any definite lines of reform.

"But one thing is certain. Unless we collect more accurate facts about our rural economy, we will not be in a position to properly readjust our system of land revenue; we want more accurate statistics about the agricultural income of the ryot, costs of cultivation, rents, prices, land values and everything else connected with rural economy; we will then know who pays too much, and who could pay more. We will know where the shoe pinches. Therefore it is necessary to have a thorough enquiry into the whole question of agricultural economy in this province. The facts collected will also be useful for other purposes like rural reconstruction. I am not here laying down the nature of the enquiry to be made; it need not be a regular committee of the type now sitting on the Estates Land Act. But I feel that the enquiry should be conducted by trained investigators and not by amateurs, however high their status.

11-45
a.m. "Finally, I must point out, Mr. President, that the subject is not of mere academic interest but of very urgent public importance. After the introduction of provincial autonomy, the country has been expecting some reform with regard to the land revenue system. For a long time there has been a demand that the land revenue system should be placed on a statutory basis. On this question I do not express any opinion now. But it is essential that something must be done because land revenue is a burden that falls upon the largest number of people in the presidency; it is a burden whose disparities have been doing great harm. I think that such an essential reform can be carried out most effectively by the present Government which is backed up strongly by the country and from which the country is expecting very much. This Government should carry out bold reforms and experiments

17th August 1938] [Dr. P. J. Thomas]

and readjustments of a useful character. Some persons say that the whole system of public finance will have to be gone into. I know there is necessity for some general adjustment, but land revenue being the most important of all, the sheet-anchor of our revenue, and its administration being the foundation of the whole administrative edifice, we may take up this question first and revise the policy regarding it. Having done this, it would be possible to readjust other revenues in due course. First things must come first. Therefore I commend this resolution for the acceptance of the House."

* MR. J. A. SALDANHA:—"Sir, I beg to second this resolution. Some sort of enquiry on a scientific basis is absolutely necessary in regard to the ryotwari system. As all the points have been so ably touched by my hon. friend Dr. Thomas in his exhaustive speech, I need not dilate on them and I do hope that Government will accept the resolution."

* MR. P. PEDDI RAJU:—"Mr. President, Sir, I beg to move the following amendment which stands in my name:—

'add the following words in line 2 after the words "land revenue settlement":—

"and levy of water-cess".'

"Sir, while I entirely agree with the observations made by the hon. Mover of the resolution, I wish only to add the above words so that the scope of the resolution may not be restricted only to the system of land revenue but that the system of levy of water-cess may also be investigated. My idea in moving this amendment is two-fold. Now, there are very great anomalies in the system of fixing water-cess from different sources, from different kinds of lands and in different parts. I shall here wish to illustrate one of the greatest of anomalies. Where the Government collect wet assessment on a plot of land it is not only land-tax alone, but water-cess also is included which comes to about Rs. 3. Whereas in an adjoining plot belonging to a minor inamdar or a zamindari, the amount comes to Rs. 6-4-0 plus some quit-rent. That means the minor inamdar will have to pay sometimes twice or three times the wet assessment payable on a Government land. So also in a zamindari area which adjoins Government land, the zamindari tenant has to pay one or two rupees more to the zamindar. That is why I say that the system of the levy of water-cess is anomalous in several cases.

"Recently, we came across a case where a zamindar agreed to contribute towards the cost of extension of the ayacut and he handed over two lakhs to the Government for carrying out the work because the land in question was marshy and liable to be affected by the ebb and flow of the sea water. Moreover, the land was

[Mr. P. Peddi Raju] [17th August 1938]

about two feet below the sea level and so the zamindar contributed about two lakhs for the construction of a bund round about the land and now he is asked to pay at the rate of Rs. 6-4-0 towards water-cess on all the lands in spite of the fact that the zamindar himself contributed towards the whole cost of the extension of irrigation. Whereas, in the same plot, Government also have got lands and without having to pay anything they get the benefit of the extended irrigation facility and the wet assessment that is levied by the Government on the land is only Rs. 3. It is really an anomaly that whereas the zamindar having contributed towards the cost of the improvement has to pay Rs. 6-4-0 the Government ryot pays only Rs. 3 as wet assessment. Unfortunately this matter has never been investigated.

“Another important fact is that where there is double crop in the case of ryotwari lands, the assessment is only half of the first crop assessment, but in the case of inams and zamindari lands, they will have to pay again at the rate of Rs. 6-4-0 for the second crop also and also full water-cess although the water taken for the second crop is much less than the first crop. These anomalies also ought to be removed. That is why I suggest that this question also ought to be investigated.

“While I submit my amendment to the House I would also like to make a few observations on the original resolution also. Sir, the question of assessment in regard to ryotwari areas has been engaging the attention of the Government for a number of years. Quite apart from all the references on the subject, we have got definite data in the Arogyaswami Mudaliyar Committee Report and in the Marjoribanks Committee Report. The Committee that is proposed need not be a roving committee but it may consist of experts who may go into the question especially in view of the fact that the Congress have given a pledge to give relief to the poorer classes by reducing the rates of assessment on small holdings and increasing it on bigger holdings. That will be one of the things which will have to be done by the Congress Government. I think this will be the best opportunity for trying to effect something in that direction. While supporting the resolution I would add the few words ‘and levy of water-cess.’”

MR. T. C. SRINIVASA AYYANGAR:—“I second the amendment, Sir.”

* RAO BAHADUR M. RAMAKRISHNA REDDI:—“Mr. President, Sir, I rise to support the resolution so ably moved by my hon. Friend, Prof. Thomas with regard to the system of land revenue in ryotwari areas. Various criticisms have been from time to time levelled against the present system and a great man has

17th August 1938] [Mr. M. Ramakrishna Reddi]

stated that the criticism of the land revenue system in this province is as old as the system itself. At the beginning the opposition was in favour of the joint village system. Under that system, the whole village was responsible for the assessment that they had to pay, but under the ryotwari system it changed and the individuals were made responsible for the payment of the assessment and not the whole village. Even in the olden days, the Board of Revenue supported the villagers as against the Central Government. At that time, though the Central Government wanted to introduce the ryotwari land revenue system in this province, the Board of Directors opposed it on the ground that it was highly injurious to the interests of the villages at large. As a matter of fact, Sir Thomas Munroe went all the way to England to influence the authorities in England on this particular point because he had to obtain their special permission and then introduce the system in the province. In 1802 Sir Thomas Munroe introduced the zamindari system in the Northern Circars, Ramnad and other districts and at the same time in other portions of the province he introduced quinquennial and decennial systems. As a matter of fact during the period between 1802 and 1855, there was no settled policy of the Government at all and a number of changes were experimented upon and yet they were not able to come to a decided policy. All the great writers on the point were of the opinion that those policies were not in the interests of the ryots and finally in the year 1855, Sir Thomas Munroe introduced ryotwari land revenue system in this province for he thought that in the Ceded districts it worked successfully. At that time there was also a proposal to accept cash instead of kind, that is, the Government insisted on the ryots to pay only in cash and not in kind. That was one of the important changes during 1820 and 1855. Another change was in the matter of the system of tenure according to which the ryot was made responsible for the amount and not the whole village jointly. As a result of this, a large number of ryots gave up cultivation and went in for some other profitable occupation during the period.

“I would like here to quote what Mr. Thomas and Nataraja Pillai have written in an article contributed to the Journal of the Madras University in July 1934: This is what they say:—

‘With the inauguration of British rule in India, the system of cash payments was introduced in the land revenue and in other civil and military transactions. In pre-British times, the land revenue in India had been collected sometimes in cash and sometimes in kind. The East India Company insisted on collecting revenue only in cash and this created some inconvenience to the tax-payers. Nor was time opportune for introducing such an innovation. . . . Ryots, formerly substantial and capable of saving out their capital on lands and liquidating their sirkar demand reserving their produce until they could get a favourable price, are now sunk in debt bearing heavy interest, entirely subject to their creditors; and were it not for the aid of the collector, through the revenue subordinates, one-half or at least one-third of the highly assessed lands would have been thrown up. So widespread was the discouragement to cultivation that Lord Harris, the Governor,

52 RESOLUTION *re* EXPERT ENQUIRY INTO THE SYSTEM OF
RYOTWARI LAND REVENUE SETTLEMENT

[Mr. M. Ramakrishna Reddi] [17th August 1938]

wrote in 1866 that the area under cultivation in Madras was only one-fifth of the whole and had no tendency to increase. The land revenue demand in 1825-26 was for Rs. 330 lakhs, but in 1829-30 it fell to Rs. 284 lakhs, and by 1833 to Rs. 275 lakhs. This fall was so heavy that it perturbed the minds of the Court of Directors and at their instance an enquiry was made into the "defalcation" of revenue in Madras.

"This shows, Sir, how this change with regard to the system of paying cash instead of in kind has told upon the ryots.

"Again, Sir, I wish to draw the attention of the present Government to the present system. This system is the result of past settlements; these settlements which affected the bulk of the population were conducted in an atmosphere of mystery and they were carried out at a time when people had no voice in shaping their land revenue policy. Those settlements were conducted not at the will of the people but on the discretionary powers of the authorities. The principles of assessment were not embodied in any act of the legislature, but were left to the acts of the executive. Now, Sir, at a time when we are in the days of Provincial Autonomy, are we to go on merely on the judgment given by subordinate officers from time to time as a result of the orders passed by the executive which was irresponsible to the legislature? We are now in the days of democracy when we are ruled by the Government of the people, by the people and for the people and it is therefore time for us to insist on the Government to take the views of the public and the ryots who are affected by the system and then see if we cannot pass enactments for their benefit.

"Sir, it was only the other day they have passed an order abolishing resettlements and it is left to the discretion of the executive to come up at any time with proposals when they are in need of money. Now that we are in the days of democracy it should be within the competence of the Legislature to determine the principles on which we must levy taxation.

"Again, Sir, the Decentralization Commission and the Joint Select Committee stated that it was absolutely necessary that such things should be incorporated in the law. It is but fair that you must take the question seriously and see that radical changes are effected in the interests of the ryots. At present 90 per cent of the agricultural population are on the verge of insolvency and I am afraid if you continue the present system, I think, in the long run almost all the ryots are bound to become insolvents. It is therefore necessary for the Government to constitute a committee which will discuss all details and arrive at a proper solution of the affair at present."

12 noon
RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"I am in agreement with the principle of the resolution. I think it would have been more appropriate if this resolution was brought forward by the Government themselves as they have brought

17th August 1938] [Mr. N. R. Samiappa Mudaliyar]

forward the resolution with regard to the tenants of the zamindari estates. In reply to a cut motion on the land revenue demand during the budget discussion in March last, the Hon. Mr. Prakasam, the Minister for Revenue, stated: 'It is on account of these circumstances the Prime Minister has told you that the recommendations of that Committee, i.e., Marjoribank's Committee, will be the starting point for us.' He told us to be patient considering the shortness of time after they came into power. Now it is more than a year after they came into power and they could have come to a conclusion on this vexed question. If the Government want any more information other than the information in their possession, it may be stated now; if they have got all the information they might very well prepare a Bill and place it before the Legislature for its approval without any further delay. I think, Sir, at least now the Government in reply to this debate will take the House into their confidence and state what is their definite policy in the matter. I hope to get a satisfactory answer from the Government. With these words, I second the resolution."

DR. SIR K. V. REDDI NAYUDU:—"Mr. President, Sir, I beg to support the resolution as amended by the amendment proposed by my friend, Mr. Peddi Raju. Sir, the committee is expected, if it is appointed and if it is agreed to by the Government, to go into the question of the condition of the ryots, what their expenditure really is, and other things. So far as the expenditure is concerned, it is very difficult to obtain correct statistics. The ryots do not keep any accounts of the expenditure they incur in cultivating their lands. But the fact remains that with the recent depression and the low prices of food stuffs and other produce on the land, the ryot is in a somewhat precarious condition and an enquiry of this kind might help the Government in obtaining facts so that they may take such action as they deem fit. Sir, supporting the amendment, I wish to bring to the notice of the House one circumstance which came to my knowledge recently. In April or May 1937 the then Government passed an order reducing the water-tax from Rs. 6-4-0 to Rs. 5-12-0. But in giving effect to that order it is found that it was useful to a very small section. It is this way. Those who held consolidated wet lands, i.e., lands on which consolidated tax including land and water-tax were imposed, did not receive the benefit of that order. Then on account of that a certain result has followed. That result is this. Supposing in the same area in the same village there is a dry land and a wet land. The dry land that took water stood to gain, by half a rupee which is not given to the consolidated wet landholder. That was not the intention of the Government when they passed that rule. There may be difficulties for the Government in carrying out the order for the simple reason that they do not know what the wet rate was and what the land tax was. There will be all these difficulties. But above all,

[Sir K. V. Reddi Nayudu] [17th August 1938]

one thing is certain. It is not necessary to go into the previous history of the land revenue system. It has been working for years past and has passed through so many able hands and so many suggestions have been made. It will be difficult to go into all those questions. What we want is this. We want to know what the condition of the ryots is. Is it true that they are suffering as much as they say they are suffering? I had occasion to go into the question of cultivating sugarcane on an acre of land. The House will be surprised to learn that from the enquiry I made the cost varied from Rs. 250 to Rs. 450. It would be very difficult indeed for the Committee to come to any decision on matters like that. If the Committee were to expedite its work, there is no good if they take years over this. The conditions in one province may not be the same as in others. They may vary from the deltaic tracts to the dry lands. Conditions in garden lands may be different from those of the other two classes already mentioned. So it is not an easy matter. At one time I doubted whether an enquiry would be good at all. But if the Government would say that they would go into the question, and that as early as possible, then the request for the committee may not be persisted in. All the same, the fact remains that the ryot is suffering. This is accepted by all parties. What is to be done must be left to the Government."

THE RT. HON. MR. V. S. SRINIVASA SASTRI:—"Mr. President, I am perfectly an outsider in this matter. I should as a citizen endeavour to understand what exactly is aimed at."

* MR. PRESIDENT:—"The hon. Member may sit down and speak."

THE RT. HON. MR. V. S. SRINIVASA SASTRI:—"When Government have replied to this debate and indicated the line that they proposed to take, it would be extremely difficult for a person like me to register the vote. I want certain matters to be clear and certain questions answered definitely by Government. Already although very few speeches have been made, doubts have arisen in my mind in consequence of them. Dr. Thomas who moved the proposition has carefully put in the words 'ryotwari land revenue settlements'. Mr. Peddi Raju in trying to bring in the words 'water-cess' has brought in somehow or other by way of comparison the zamindari question. He made the comparison between the ryotwari assessment and the cesses levied in zamindari areas."

MR. P. PEDDI RAJU:—"On a matter of personal explanation, Sir, I never wanted to bring in the zamindaris. I was talking of the levy of the water-cess in the zamindari areas by the Government and not by the zamindar; I was referring to cesses due to the Government and not to the zamindar."

17th August 1938]

THE RT. HON. MR. V. S. SRINIVASA SASTRI:—"But the lands are zamindari lands. The area of the land swelled up enormously. And then my friend Sir K. V. Reddi speaking on the resolution wanted a genuine enquiry into the economic conditions of the ryots such as we have been asking for for years and which no Government have granted. If Sir K. V. Reddi wants an economic enquiry on the general condition of the ryots, I think it may take years to get facts and then we cannot be sure what the facts are. Then Dr. Thomas himself spoke about the inequities in the land revenue assessment. By way of example he gave us certain facts which I thought referred to crops and to assessment of revenue. He said very little about the inequities over particular classes or areas. He gave us some examples of the differences between the classes of landholders and the only landholders he seemed to think of were landholders who hold large pieces of land and landholders who hold small pieces of land. But other distinctions are also coming in. Assessment, Sir, is of various kinds. Is it possible, I should like to know—I am perfectly a layman in this matter—to devise a land revenue system in which there will be no inequities? Supposing we devise such a system to-day, how long will it be before perhaps new inequities of a greater kind come in? Before the Government promises an enquiry, I hope they will inform people like me whether they are starting on an enquiry which will lead to any hopeful results. Then, Sir, is it merely inequities of land revenue that are being aimed at in this Presidency or is it generally speaking injustices and inequities in the land revenue system? Dr. Thomas spoke only of inequities. But those who followed him have brought out injustices, have brought out inequities and perhaps these two are synonymous. I do not know, being an outsider, and I do not think they are. The question is simply worded in the resolution. I am afraid it raises a very complicated issue and I should like the spokesman of Government to be as precise as possible, to be as definite as possible and tell us exactly how far they would be committed if they once started this enquiry, whether they would stop within the dimensions followed by the mover or whether it would be widened up into long notions indicated by Sir K. V. Reddi's speech. I should like the Government spokesman to clear these points in regard to this important matter."

MR. B. NARAYANASWAMI NAYUDU:—"Sir, I thought 12-15
some hon. Members on the Government side would come forward p.m.
to state their views. I have been waiting for some hon. Members on the Government benches to give us some idea; I wanted to know what the Government was going to say. They are sitting sphinx-like; nobody has come forward and the Hon. the President has called upon the Hon. Minister to speak. In these circumstances I am obliged to state what my views on the matter are."

[Mr. B. Narayanaswami Nayudu] [17th August 1938]

"As the Rt. Hon. Sastri has said, the ryotwari land revenue system has been the subject of discussion by the previous Council. First of all, it is better to know what the peculiar characteristics are of the ryotwari revenue settlement. This is the first question which I shall address myself to. In 1802 the British Government succeeded to the various native Governments that were then in existence. They found that certain revenues were collected from the zamindars and certain revenues were being collected directly by the Government; that was the position in 1802; then the British Government resolved that this system of collecting assessment every year was not at all conducive to the prosperity of the country and it led to the inauguration of the permanent settlement in certain districts; but they had no information with regard to other districts that came under their control; they wanted to have a perfect idea of the revenues of the province. The result was we had permanent settlement introduced in certain districts and the ryotwari system introduced in other districts. The portions that have been permanently settled are now the subject-matter of enquiry by a committee and we are not now concerned with it; we are now concerned only with the ryotwari land revenue system. Two-thirds of this presidency is under the ryotwari system. What was done in 1802 was this: the East India Company were taking each village and fixing the rate. After 1802 Sir Thomas Munroe introduced the field assessment system; every field in the village was surveyed and the assessment was fixed either in grain or money; whoever took the land for cultivation, must pay that amount; the result was, whereas under the old system the village itself was taken as a whole, under the new system every field was assessed and any person who wanted to cultivate it should pay the tax; the land was taxed and not the person who was cultivating the land; agriculture itself was taxed; the country itself was dependent on agriculture and the land itself was taxed. The next important characteristic of the ryotwari system is the outturn as my friend put it; it was not on the capacity of the ryot that the cess was fixed; the Government was entitled to receive a half share of the produce; there was no question whether the ryot was able to maintain himself or whether it was economic or not. The British Government converted the produce into money value. Sir Thomas Munroe wanted that the settlement rate should be once for all fixed and that there should be no variation at all from year to year. As regards zamindaris the cesses were fixed once for all.

"As we all know, the East India Company was a trading company and therefore it had to look to the land revenue assessment for carrying on the administration; they wanted that their revenues should not be adversely affected, they fixed the rates for 20 or 30 years; the result is we had the ryotwari tenure system. Every man must pay the tax, whether he had one acre or two acres, 20 acres or 100 acres. You cannot cultivate the land without

17th August 1938] [Mr. B. Narayanaswami Nayudu]

paying your share. The Government is practically the landholder; the land is its property and if you want to cultivate it, you must pay something for it, whether the rate is economic or not; you have to pay a share of your produce. In the earlier years—in the year 1802—the share was half the gross produce. The settlement in the Ceded Districts was based upon this half share of the produce. Land was not cultivated and within a period of ten years, districts became depopulated and thirvas were not paid. The company wanted more money and they could not reduce the taxes; therefore they said, 'We will give the land on lease for a period of 20 years to persons who would rack-rent the tenants and collect the tax.' Thereafter the districts became depopulated; they reverted again to the ryotwari land system; then Sir Thomas Munroe fixed the rents at 12 per cent or 25 per cent, so as to make it attractive for the ryot to take up the land. In that way we come to the year 1860 when the permanent settlement was fixed. If the land is made private property, it is made subject to assessment and that assessment is made subject to the caprices of the Government of the day according to the requirements of their revenue.

"The present Government has been in office for twelve months. Has the Government declared its policy so far, with regard to this land revenue? It has been collecting the land-tax according to the needs of the country; you are now collecting several crores of rupees from the ryots; you are collecting from the ryots practically Rs. 7½ crores. Is this tax going to be based on definite basic principles or is it to be dependent on executive orders based on settlement reports dependent upon what may be called commutation prices? This is the simple point that is raised by this resolution. I have been waiting for the Government to say what their views are in this matter. I commend this resolution not only to reform the whole thing but also to make the Government do their duty before they collect Rs. 7½ crores; they must place the matter on a taxation basis; they have been collecting every pie without the sanction of the Assembly. It is therefore necessary that the Government should at least now state their views on the matter."

* THE HON. MR. T. PRAKASAM:—"Sir, I did not wish to interrupt because I was anxious to know from the debate what fresh points are placed before the House. I was anxious to learn anything new so that we might take necessary action. That was the reason why I did not make a statement as soon as Sir K. V. Reddi Nayudu made his speech or soon after the Rt. Hon. Sastri spoke. I have been keeping quiet for some minutes and I now know something of the mind of my hon. Friend, Mr. Narayanaswami Nayudu. Admittedly this question has been a very important one engaging the attention of the Government almost

[Mr. T. Prakasam] [17th August 1938]

from the first day they assumed office. There were occasions in the Lower House to make some general statement when this question was raised. There was no similar occasion to say anything in this House. The question is not such a simple one as some of those who might not be quite familiar with the matter, might imagine; it is not so simple as Dr. Thomas might be thinking; it is not a matter of theory; it is a matter relating to the application of certain rules that have been enforced, to practical experience. Everything is now centred round the price of land and land-yield; everything is centred round the price, over which neither this Government nor the Government of India, nor the Government in Britain nor even the world powers to-day have had any control for the last ten years, ever since the world economic depression and the Indian economic depression started. In the years 1929 and 1930 you saw, Sir, how the economic system that had been built up by all the great powers—it was imagined at one time that they had complete control over the regulation of prices—failed.

12-30
p.m.

“Sir, the world’s economic system has failed and with it the Indian economic system also has failed. Gold standard has been declared off years ago stating that it would be reverted to in two or three years as they expected it would be. But they have not been able to do so and in this manner the powers have discovered that all the methods employed by them to regulate the prices to keep them on the level which they wanted, did not help them. To-day we are in this state of depression. So, what is the enquiry which the Hon. Mover of the resolution would like to have and what is the enquiry which any expert committee can make on the question of prices? Our Government, ever since they assumed office have been considering the best method of giving relief to the agriculturist who has been suffering for a long time. As to the method that should be adopted in regard to the relations between the cultivators and the zamindars, a committee was appointed because that was not a matter between the Government and the cultivator direct; and that committee has not yet concluded its deliberations. Now, this question of appointing a committee for the ryotwari areas also was thought of by the Government, but on deep consideration they thought, as pointed out by one or two hon. Members previously, that enough committees had gone into this matter, enough of literature has already been gone through, the reports are already on record and the latest report is the Marjoribanks Committee Report. We on the Government’s side stated that we would take the Marjoribanks Committee Report as the basis for our further consideration. We would have accepted the Marjoribanks Committee Report straightaway if other considerations had not come in the way. That report stated that all the resettlements made after 1914 should be cancelled. Since then various representations reached the

17th August 1938] [Mr. T. Prakasam]

Government to the effect that that should not be the starting point to go on and that other districts also should be brought within the rule. There was also another consideration before the Government, namely, where any new method could be discovered which would give relief to the cultivator, it should not at the same time deprive the Government of revenue.

“Dr. Thomas referred to the case of the Punjab. Sir, Punjab has been far in advance of other provinces in India with regard to agricultural development for a very long time. There a system was introduced a few years ago and it was found successful and it was proposed to extend it to other places. Our Government studied those proposals, but the system that obtains in the Punjab is very different in many particulars from our own system here and we could not therefore copy straightaway the system in the Punjab in our province. That question is being examined by competent persons just now. In the Punjab the system they have devised is not so simple as could be adopted here, but it is a very elaborate and cumbersome one and it requires much closer examination in regard to various details. There, the rates of rent should be regulated according to the rise or fall in prices. That aspect also is being considered by this Government.

“Now, taking the Marjoribanks Committee’s recommendations as the starting point, i.e., 1914 as the year from which we should start, will it give equitable distribution amongst all the districts? That question is also being examined; figures are being worked out in great detail by those who are engaged in this question; and we have not yet reached any conclusions. There is no desire, I may say, to do anything with regard to this matter of imposition of taxation without bringing the matter before the House; and before we could formulate certain definite proposals, it is not advisable to think of appointing a committee. Under the present economic conditions of the world and the economic conditions of the country, having regard to the various classifications of the soil—chemical as well as mechanical—and other details with particular reference to commutation that has been referred to, I submit to hon. Members of this House, that this is not the time when a committee of this nature should be constituted. Commutation has a history behind it. From 1802 up to 1852 commutation rates had been in existence. The commutation rates fixed 25 or 30 years before 1852 continued to be the same until the economic crisis came upon the country and prices have so hopelessly fallen. After 1852 the question was again considered whether with the fall of prices the rates of rent also should be reduced, but that could not be done because the Government still thought there was plenty of scope for expansion of cultivation by bringing in waste lands under cultivation. So, they decided that the taxes should not depend

[Mr. T. Prakasam] [17th August 1938]

merely on the rise or fall in prices, but should depend largely on the new lands that they expected to come under cultivation. So, instead of the reduction of rent on account of the fall in prices, this resettlement system was introduced then. The first resettlement was over, the second resettlement was over and the third resettlement also had come and at that time they thought that they were not having sufficient control over the commutation of prices. While they were thinking that there would be prosperity in the country, this economic depression came upon the country as well as upon the whole world in 1929-30. So, this is a problem to which the Government should apply their mind as closely as possible; they should try to grapple with the whole situation and give relief to the cultivator in the best possible manner. It is difficult to say how the whole thing will be worked out when the figures that are being worked out now are settled. The Government have not been idle even for one day so far as this question is concerned and the House can rest assured that very soon the matter will reach a definite stage and when we reach that definite stage, certainly the Government would take special care to see whether any further help and assistance could be taken from experts and those who have got experience in this direction before final conclusions are reached. This is of course a very important and very difficult matter and I am glad that this debate has been raised on a question on which this Government has been engaged until now. The one thing on which the Government's attention has been concentrated is whether a system could not be adopted, if not exactly on the lines adopted in one or other of the provinces, by which the cultivator will not be put to loss in the manner in which he has been put to on account of the fall in prices. They have proceeded to a large extent with the examination of this question and when results are achieved, that will be the time for us to consider whether any other committee of experts or others is necessary. We are at the same time anxious that this matter should not be delayed indefinitely and that we should not be compelled to say again at the next Budget meeting that we are not yet ready. It is only with that object we are proceeding with the matter.

2-45 p.m. "I would therefore request the hon. the Mover and the Seconder also not to press this further. With regard to water-cess, I may say one word. Probably, inequities you will find all round if you begin to examine the question fully. How to remove inequities and make the system a common basis for all? That is not a very simple matter either. With regard to the water-cess what was not done until now, should not be taken as indicating that the question would not be attended to. The Government made their position clear in the communiqué issued that if everything that was necessary was not done, it was not because the Government was not anxious but because it was not possible. As regards what has been recommended in the Marjoribanks Committee

17th August 1938] [Mr. T. Prakasam]

Report in regard to water-cess, we were fully conscious of it. If we were in a position to give effect to the recommendations, we would have done so. All such things will be attended to in the next programme. So, I do not wish to go into all the details about this matter. The question is about the appointment of a committee. I have made the position sufficiently clear to enable hon. Members of this House to understand where we all stand to-day. It will be prudent not to press further. I request the Mover not to press the resolution."

* Dr. P. J. THOMAS:—"Mr. President, Sir, although my resolution did not evoke as lively a debate as it might have, there is one point which is gratifying to me. It is quite clear that the subject is not one merely of party politics but one in which all parties are interested. About the necessity for reforming the revenue system every section of the House is keen, and the Government is probably more than all. So far, I think, it is most encouraging. But when we come to details, I fear there are differences, as are bound to be. I do not think I have many points to answer. Before I come to them, I should just like to make a reference to what the Right Hon'ble Srinivasa Sastri said. He said that I was speaking only of certain inequalities and not about injustices. I said there were inequalities, first of all between districts, because they were settled at different periods taking into account different price-levels. Then there are inequalities even within a district because the grain yields taken do not exactly measure the income from commercial crops. Thirdly, there are inequalities of incidence between periods of years because of price fluctuations. Apart from all this, there is the fundamental factor that the whole system is based upon the unjust economic principle that everyone should pay in proportion to the acreage and not according to the income or in such a manner as to make sacrifices equal. The various disparities I have mentioned have also led to injustice, and this injustice is perhaps, easier to remove. That is why I concentrated on removing the disparities first. Further, I do not agree with those who say that no tax burden should fall on the smaller ryots. All land must pay a tax, but the basic assessment must be at a low rate.

"The Hon. the Minister for Revenue seems to think that the land revenue system would function well if only prices did not fluctuate. While I think that price fluctuations have aggravated the evils, I feel certain that the system would have stood in need of reform even if the late slump in prices had not happened. I have already described the great inequalities in incidence resulting from the use of grain outturns and commutation rates. Even if there had not been a price-fall, there would have been a case for rectifying these differences between district and district and between class and class, for these differences make the burden heavy on some and too light on others.

[Dr. P. J. Thomas] [17th August 1938]

"It has been said that several committees had sat on the question and that their reports were available for study. But it is well to remember that after those reports were written important changes have happened. Further those reports had only the rectification of certain special defects in view. We must now put right the whole thing and this requires a thorough enquiry. The problem must be studied *de novo*. The Hon. Minister said that he would take the Marjoribanks Committee Report as a basis. I have already shown that that committee have not tackled many fundamental problems; nor were they expected to make any thorough enquiry.

"I agree with the hon. Member who said that a roving commission was not necessary. What is needed is an expert enquiry into rural economy, with a view to devising a suitable scheme of reform. It is possible to employ some revenue officers as investigators. They must collect facts from villages about incomes from land under various crops. A study of production costs, rents, etc., is also necessary. I do not suggest a general economic enquiry; such an enquiry may take a long time. No doubt a study of older reports is also necessary, and it is well-known that the Hon. the Revenue Minister has spent days and nights poring over old reports and manuscripts. Hand in hand with this, a study of actual facts and statistics is also necessary. Otherwise, we may lose the practical bearings of the problems. It is not always professors that are theorists; politicians and administrators are sometimes found to be more theoretically inclined.

"The Hon. Minister also said that information about prices was adequate, and thought that no further enquiry on this subject was necessary. It is true that Government have lately begun to publish prices of agricultural products in various districts. But does the Hon. Minister realize that the small ryots do not obtain the prices that rule in the mundis? On account of want of communications and the inconveniences, the villagers get much less than mundi prices; the margin may be very high, as much as 33 per cent in some cases. Therefore, it is not right to say that we have adequate information about rural economy.

"Sir, I am not a politician and therefore, it was not for any political purpose that I brought forward this resolution. It was because I felt after some study that by a careful re-adjustment of our land revenue system, we could do away with the worst inequalities without reducing the total revenue substantially. May I remind the House that more than two-thirds of the people of this Presidency are under ryotwari tenure and that unless the burdens on such a large part of the population are equitably distributed, it may not be possible to effectively exploit fresh sources of taxation? The matter is, therefore, extremely important and urgent. The Hon. Minister has made an assurance that the matter

17th August 1938] [Dr. P. J. Thomas]

was receiving his fullest attention, and therefore, I beg leave to withdraw this resolution."

The resolution was, by leave, withdrawn.

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

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

* 1. *Local Administration Notification No. 849, dated 22nd July 1938, regarding the amalgamation of North and South Tinnevely District Boards.*

* 2. *Local Administration Notification No. 850, dated 22nd July 1938, regarding the amalgamation of Narsapur and Ellore District Boards.*

* 3. *Local Administration Notification No. 851, dated 22nd July 1938, regarding the amalgamation of Cuddalore and Villupuram District Boards.*

* 4. *Local Administration Notification No. 852, dated 22nd July 1938, regarding the amalgamation of Guntur and Ongole District Boards.*

* Laid on the table on 15th August 1938.

[17th August 1938]

APPENDIX I

[Vide answer to starred question No. 12 asked by Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 17th August 1938, page 37 supra.]

(i)

Letter from the Subdivisional Officer, Public Works Department, Madanapalle, dated 28th February 1938.

[Chittoor district—Gazulamandiam tank—Breaches.]

The tank breached once since 1930, i.e., on the 8th October 1937. The estimated cost of closing the breach is Rs. 3,920.

There were representations from the ryots to strengthen a portion of the bund to avoid further breaches. These were investigated as a result of which an estimate amounting to Rs. 6,050 was sanctioned in 1937-38 and the work is in progress. The estimate provides for protective measures for the portion of the bund which is of rich black earth.

(ii)

Letter from the Collector of Chittoor, dated 9th March 1938.

[Chittoor district—Gazulamandiam tank—Remissions.]

The particulars of remission granted under the Gazulamandiam big tank from faslis 1340 to 1346 are as given below:—

Fasli.	Amount of remission.			Reasons.
	RS.	A.	P.	
1340 ..	..	..	..	....
1341 ..	..	..	..	....
1342 ..	..	..	..	....
1343 ..	113	9	0	No water in the tank.
1344 ..	222	10	0	Inadequate supply of water in the tank.
1345 ..	..	..	..	....
1346 ..	1,478	8	0	Due to draught and lack of supply in the tank.

2. The remission proposed to be granted under this tank for fasli 1347 comes to Rs. 1,471-2-0 which is due to breach of the tank. The probable loss sustained by the ryots on account of this breach is estimated at Rs. 10,000.

APPENDIX II.

[Vide answer to unstarred question No. 6 put by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 17th August 1938, page 38 supra.]

Measures undertaken for the welfare of the labourers employed in the Government Cinchona Plantations.

Coolie lines have been built in all the plantations. No rent is charged for occupation. Water is supplied to the labourers by means of channels or from storage tanks. Latrines have been provided in most cases. The question of construction of improved

17th August 1938]

types of huts and provision of protected pipe water-supply and more latrines is under consideration of Government. The lines are not provided with electric lighting and Government do not consider it necessary.

2. Labourers are employed by the Cinchona department in the plantations at Naduvattam, Dodabetta and the Anamalais and in the Quinine Factory at Naduvattam. The Medical Officer, Gudalur, affords medical relief to the labour force of the Naduvattam plantations, while the Manufacturing Chemist gives first aid to the labourers employed in the quinine factory. The labourers of the Dodabetta plantations are given medical relief either at the Municipal Dispensary, Stonehouse Hill, or at the Headquarters Hospital, Ootacamund. The Medical Officer of the Naduar Medical Combine provides medical relief to the labourers of the Government Cinchona Plantations in the Anamalais. A compounder is also employed there by Government who gives first aid to the labourers. Maternity benefit as laid down in the Madras Maternity Benefit Act is allowed to the labourers of the quinine factory.

3. Government conduct a school in the Hooker subdivision of the Naduvattam plantations for the benefit of the children of the labourers. In other cases the children attend the local board schools. Instruction in Sericulture has been started in the labour school at Hooker as a form of vocational education.

4. No specific form of recreation is provided by Government for the labour force. Co-operative stores and thrift societies were started for the benefit of the labourers in the Naduvattam plantations in 1937 and a co-operative thrift society has been established this year for the labourers of the Anamalais plantations. There is no free supply of clothing for the labourers. Blankets are however supplied at a cheaper rate through co-operative stores.

5. The labourers are not eligible for provident fund benefits according to the existing rules. They are eligible for ten days' leave each year with full wages subject to certain conditions. Every year they are granted two holidays with pay, one of which is the King-Emperor's birthday while the other day is fixed in consultation with the labour force.

6. The labourers are allowed to cut and collect fuel free of charge. Full payment of wages is made every week.

7. All the labourers are benefited by the welfare measures mentioned above.

8. The officers and staff are ex officio office-bearers of the co-operative and thrift societies. The Superintendent of the Naduvattam plantations is in charge of the labour school in the Hooker subdivision.

C. J. PAUL—3-7-38

[17th August 1938]

[Vide answer to unstarred question No. 7 put by Mr. J. A. Saldanha at the page 3]

Statement showing the establishment employed in the Government Cinchona

(This statement excludes all daily paid labourers)

S. No.	Name.	Designation.	Educational and other qualifications.	Previous service.
I.—Naduvattam—				
1	Mr. F. X. Miranda.	Superintendent.	D.D.R. (Honours); passed out of the Imperial Forest College and Research Institute, Dehra Dun, March 1919; Account Test for Executive Officers.	Forest Department Bombay; length of service not known
2	S. R. Devasigamani Pillai.	Head Overseer.	Account Test for Subordinate Officers.	Cantonment office 5 years.
3	V. D. Williams ..	Overseer ..	Secondary School-Leaving Certificate; Revenue and Account Tests.	Revenue Department; 5 years, months and days.
4	P. Singaravelu Pillai.	Do. ..	Do.	Revenue Department; 8 years and 17 days.
5	K. Ramankutty Nair ..	Do. ..	Secondary School-Leaving Certificate and Account Test.	....
6	K. Raman ..	Clerk, Lower division.	B.A. and Account Test, Part I.	Medical Department 18 days.
II. Dodabetta—				
7	Chinnaswami Nayudu.	Head Overseer	....	....
8	C. J. Kanaka ..	Sub-Overseer	Secondary School-Leaving Certificate; Account Test Part I.	....
9	Matha Maistri ..	Maistri ..	....	....
10	Nanja Maistri ..	Do. ..	....	....
III Anamalais—				
11	Mr. K. C. Eapen ..	Superintendent.	M.A., B.Sc. (Edin.); Account Test for Executive officers.	Agricultural College Allahabad, Mysore Government, years.
12	A. G. Nambiar ..	Sub-Overseer ..	Secondary School-Leaving Certificate; Account Test, Part I.	....
13	K. M. Pothan ..	Do. ..	Secondary School-Leaving Certificate; Account Test, Part I; Theory and Practice of Commerce.	Forest Department 11 months and days.
14	D. S. W. G. Pandian.	Fieldman ..	Secondary School-Leaving Certificate.	....
15	M. C. K. Nambiar.	Do. ..	Do.	....
16	M. K. Nambiar ..	Compounder ..	Government Technical Examination in Compounding.	....

[17th August 1938]

DIX III

meeting of the Legislative Council held on the 17th August 1938, supra.]

plantations at the beginning of June 1938, with their qualifications, pay, etc. and maistris who are in receipt of commission.)

Service in the Cinchona Department.	Present pay and allowances.	Free quarters with number of rooms.	Medical aid.	Conveyance allowance.
7½ years	Pay Rs. 520; allowances nil.	One bungalow with six rooms excluding out-houses and kitchen.	Free.	Nil.
24 years and 3 months.	Pay Rs. 80, compensatory allowance Rs. 13-8-0.	Five rooms and one kitchen.	Free.	..
11 years and 10 months.	Do.	Seven rooms ..	Free.	..
10 years and 10 months.	Do.	Do. ..	Free.	..
13 years and 11 months.	Pay Rs. 80, special pay Rs. 22-8-0.	Four rooms and one kitchen.	Free.	..
6 years	Pay Rs. 36, compensatory allowance Rs. 9.	Two rooms and one kitchen.	..	..
31 years	Pay Rs. 120, compensatory allowance Rs. 18.	Six rooms and one kitchen.	Free.	..
11 years	Pay Rs. 48-8-0, compensatory allowance Rs. 9.	Three rooms and one kitchen.	Free.	..
9 years	Pay Rs. 31	Nil.	Free.	..
Do.	Pay Rs. 19	Nil.	Free.	..
7½ years	Pay Rs. 520, special pay Rs. 67-8-0.	One bungalow with six rooms excluding kitchen, etc.	Free.	..
11 years	Pay Rs. 80, special pay Rs. 22-8-0.	Four rooms and one kitchen.	Free.	..
10 years and one month.	Pay Rs. 47, special pay Rs. 13-8-0.	Two rooms and one kitchen.	Free.	..
10 months	Pay Rs. 30, special pay Rs. 9.	Four rooms and one kitchen.	Free.	..
6 months	Do.	Two rooms and one kitchen.	Free.	..
12 years	Pay Rs. 41, special pay Rs. 9.	Three rooms and one kitchen.	Free.	..

APPENDIX IV.

[Vide answer to unstarred question No. 8 put by Mr. J. A. Saldanha at the meeting of the Legislative Council, held on the 17th August 1938, page 39 supra.]

Statement of establishment of the office of the Director of Cinchona Department, Ootacamund.

Serial number.	Designation and pay.	Name.	Caste.	Qualifications.	Date of appointment.	Remarks.
1	Manager (Rs. 125—176); Personal Assistant (Rs. 100—200).	M. Padmanabha Nayakar.	Non-Brahman.	Matriculation; Account Test and Book-keeping.	10th Nov. 1921; 11th Dec. 1936.	The post of Manager on a scale of pay of Rs. 125—175 per month was converted into that of a Personal Assistant on a pay of Rs. 100—200 with effect from 11th December 1936, in view of some additional responsibility attached to it.
2	Upper division clerk ..	Vacant.				
3	Accountant (Rs. 60—80).	S. S. Ramaswami Ayyar.	Brahman ..	S.S.L.C.; Account Test; Book-keeping (advanced grade).	10th Feb. 1923.	
4	Clerk, Lower division (Rs. 35—60).	T. A. Sadagopal ..	Non-Brahman.	S.S.L.C.; Account Test for Subordinate Officers, Part I.	16th Jan. 1928.	
5	Do.	R. Arpudam ..	Christian ..	Unpassed ..	1st Mar. 1921.	
6	Do.	P. S. Narayanaswami.	Brahman ..	S.S.L.C.; Account Test; Government Diploma in Commerce; Veterinary Department Test.	19th Jan. 1928.	
7	Peon (Rs. 12—18) ..	Syed Abbas ..	Muhammadian.	.....	1st Feb. 1922.	
8	Do.	P. J. Thomas ..	Christian ..	.....	6th Mar. 1934.	

[17th August 1938]

Serial number.	Designation and pay.	Name.	Caste.	Qualifications.	Date of appointment.	Remarks.
9	Check-measuring Overseer (Rs. 60—80).	S. Ramalingam ..	Brahman ..	Account Test, Part I; Draughtsman's Group Certificate in Mechanical Drawing, etc.	2nd Mar. 1928.	
10	Head packer (Rs. 27).	A. Aboodas ..	Christian ..	.....	25th Aug. 1928.	
11	Packer (Rs. 16)	D. Alexander ..	Do. ..	.....	Do.	
12	Do.	S. A. Karim ..	Muhammadian.	.....	Do.	
13	Do.	S. C. Sadasivam ..	Non-Brahman.	.....	Do.	
14	Carpenter (Rs. 33) ..	L. Solomon ..	Christian ..	.....	Do.	
15	Lorry driver (Rs. 50).	S. G. Parimanan ..	Non-Brahman.	.....	1st July 1930.	
16	Lorry cleaner (Rs. 20).	G. Rangaraj ..	Do.	.....	1st Apr. 1933.	
17	Packing Supervisor (Rs. 30—55).†	M. P. Ranganathan.†	Do.	.....	2nd Feb. 1937.	

* Post newly sanctioned in December 1936 to relieve the clerical establishment of the work of supervising packing work and to be in charge of quinine drugs of small quantity, required for despatch from day to day. 18th March 1938 and resigned on 1st June 1938.

† On leave from 18th March 1938 and resigned on 1st June 1938.

THE MADRAS LEGISLATIVE COUNCIL

Thursday, the 18th August 1938

The House met at eleven of the clock, Mr. President (THE HON. DR. U. RAMA RAO) in the Chair

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Measures taken by Government for security of service of teachers in private aided schools.

* 13 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education and Legal Departments be pleased to place before the House the various measures adopted by Government for the security of tenure of service of teachers in private aided schools, with fair pay and adequate leave and allowances in case of transfers for travelling in the light of the suggestions made at the Educational Conference held at Mangalore in May 1938 and to state whether Government contemplate bringing legislation in the shape of a Teachers Service Conditions Bill?

THE HON. DR. P. SUBBARAYAN:—“As regards secondary schools, the rules provide for a written service agreement between the management and the teacher; as regards elementary schools, the question of providing each teacher with a licence setting out the conditions of his service is under consideration—vide the draft amendments to the rules under the Madras Elementary Education Act published at pages 128–129 of Part I-B of the *Fort St. George Gazette*, dated 1st March 1938. These rules if confirmed will have the force of law.

“There is no proposal at present to undertake legislation of the kind referred to in the question.”

MR. J. A. SALDANHA:—“May I ask whether these rules that have been made are adequate for the purpose of giving security of tenure to teachers?”

THE HON. DR. P. SUBBARAYAN:—“Only by working the rules, we will find out whether they supply the want.”

MR. J. A. SALDANHA:—“May I know whether there have been constant complaints by teachers against heads of schools and whether such complaints have not reached the Government?”

[18th August 1938]

THE HON. DR. P. SUBBARAYAN :—“ These rules have not been confirmed yet; only when they are confirmed and put into effect, we shall see what the effect of them is on the teachers.”

THE RT. HON. V. S. SRINIVASA SASTRI :—“ I should like to ask whether the question and answer refer to teachers in private aided schools or teachers in board schools.”

THE HON. DR. P. SUBBARAYAN :—“ They refer to private aided schools.”

Dispensaries at the taluk headquarters and the authorities managing them.

* 14 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Public Health be pleased to state—

(a) how many of the total dispensaries in a district are situated at the headquarters of taluks;

(b) under whose management such dispensaries are now working;

(c) if not under Government management, whether the Government propose to convert them into Government hospitals; and

(d) if not, the reasons for their objection?

THE HON. DR. T. S. S. RAJAN :—“ (a) & (b) A statement^a furnishing the information is placed on the table.

“ (c) & (d) The Government considered the question of provincializing the taluk headquarter medical institutions now under the control of local bodies but they decided to defer a decision on the question till the financial effect of the scheme of appointing honorary medical officers was known.”

Spring channels in Chittoor district.

* 15 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: With reference to the answer to my unstarred question No. 17, dated 31st August 1937, will the Hon. the Minister for Revenue be pleased to state whether the Government have since received the report, and, if so, to place it before the House?

THE HON. MR. T. PRAKASAM :—“ Copies^b of the reports of the Chief Engineer for Irrigation and the Board of Revenue are placed on the table.”

RAO BAHADUR M. RAMAKRISHNA REDDI :—“ May I know whether the Government propose to frame rules to see that the spring channels are repaired at least once in three years? There

^a Printed as Appendix I on pages 93-98 infra.

^b Printed as Appendix II on pages 96-98 infra.

[18th August 1938]

are some channels which have not been repaired within the last ten years; will the Government be pleased to see that such channels are repaired immediately?”

THE HON. MR. T. PRAKASAM :—“ The subject is under consideration; whether it would be desirable to frame rules or devise some other method, will be decided after due consideration.”

Revenue from sale of toddy and arrack shops.

* 16 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state what the number of toddy and arrack shops sold in each year is in each district and the amount realized thereby for the last six years, 1937-38 inclusive?

THE HON. MR. V. I. MUNISWAMI PILLAI :—“ A statement^a containing the information asked for by the hon. Member is laid on the table of the House.”

Travelling expenses incurred by Ministers and Parliamentary Secretaries.

* 17 Q.—RAO BAHADUR M. RAMAN: Will the Hon. the Prime Minister be pleased to state—

(a) what the monthwar travelling allowance incurred by each of the Hon. Ministers and the Parliamentary Secretaries is from 15th July 1937 to 30th June 1938;

(b) what the total amount thereof is;

(c) how much of the said amount has to be adjusted between the Railway companies or the Government of India and the Government of Madras; and

(d) what the monthwar daily allowance drawn during the said period is by each of the Hon. Ministers and the Parliamentary Secretaries?

THE HON. MR. C. RAJAGOPALACHARIAR :—“ (a) & (b) Two statements^b are laid on the table. The travelling allowances of Parliamentary Secretaries and the establishment of Hon. Ministers are booked together and it will involve too much labour and time to furnish separate figures in respect of the travelling allowance of the former.

“ (c) The meaning of the question is not clear.

“ (d) A statement is laid on the table. The Hon. Ministers do not draw daily allowance.”

^a Printed as Appendix III on pages 99-100 infra.

^b Printed as Appendix IV on pages 101-103 infra.

[18th August 1938]

MR. J. A. SALDANHA:—"From the first table put before the House, I find only two instances in the 3rd column—September 1937. There is an asterisk before each of these two instances, indicating adjustment. May I enquire whether those were the two instances in which Hon. Ministers travelled by train after previous requisition?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"It may be presumed so."

MR. J. A. SALDANHA:—"What was the old practice? Was it sending in requisition beforehand, when the Hon. Ministers travelled in compartments or saloons? Were no tickets bought for by the Hon. Ministers themselves?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"In the old days when saloons or compartments were being used, it was certainly necessary to send previous information and the requisition was sent beforehand. But now, since Hon. Ministers buy one first class, second class or third class ticket according to the class they travel, it is not considered necessary in practice to make previous arrangement; they buy their tickets."

Land revenue policy of the Government.

* 18 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: With reference to his answer to starred question No. 38 put at the meeting held on 1st February 1938, will the Hon. the Minister for Revenue be pleased to state whether the Government have since come to any conclusion about the future land revenue policy?

THE HON. MR. T. PRAKASAM:—"The matter is still under consideration."

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Will the Hon. Minister be pleased to state when they will come to a definite conclusion?"

THE HON. MR. T. PRAKASAM:—"As early as possible."

Amalgamation of bifurcated district boards.

* 19 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: With reference to his answer to the starred question No. 100 put at the meeting held on 25th March 1938, will the Hon. the Minister for Local Administration be pleased to state—

(a) the names of the bifurcated district boards so far amalgamated and the name or names of the district boards which the Government propose to amalgamate in the current official year; and

(b) whether it is the policy of the Government to order the amalgamation of the bifurcated district boards three months prior to the general election and place the amalgamated board in charge of the Collector till the election of a president after the said general election?

18th August 1938]

THE HON. MR. B. GOPALA REDDI:—" (a) The following bifurcated district boards have so far been amalgamated:—

North Trichinopoly and South Trichinopoly.

Vellore and Tiruvannamalai.

Vizagapatam, Bobbili and Chicacole.

Ellore and Narsapur.

Guntur and Ongole.

Cuddalore and Villupuram.

North Tinnevely and South Tinnevely.

"The question of amalgamating the remaining bifurcated district boards is still under the consideration of the Government and it is not possible to say definitely now whether they will be amalgamated in the current official year or not.

" (b) The answer is in the negative."

Communitywar list of students admitted into colleges wherein selection committees have been abolished.

* 20 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Education and Legal Departments be pleased to place on the table of this House a statement showing the number of boys, communitywar, that applied for admission and were admitted in each class in each of the colleges wherein selection committees were constituted previously and abolished recently?

THE HON. DR. P. SUBBARAYAN:—"The particulars have been called for."

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I ask whether the Hon. Minister will place the information on the table of the House?"

THE HON. DR. P. SUBBARAYAN:—"No, Sir; the hon. Member may put down another question if he wants the additional information."

UNSTARRED QUESTIONS

Boy Scouts organizations and grants given to them.

11 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the various Boy Scouts organizations that exist in this Presidency;

(b) what their constitutions are and what control Government are exercising over them;

[18th August 1938]

(c) which of them receive grants for training or other purposes from Government and up to what amount and for which years; and

(d) whether Government have stopped such grants, and if so, since when and why?

A.—(a) So far as the Government are aware, only two, namely, the Boy Scouts Association, Madras, and the Seva Samiti Scouts Association.

(b) These are non-official organizations over which the Government do not have any control.

(c) The Boy Scouts Association has been receiving a provincial grant which has always been understood to be of the nature of temporary financial assistance; this grant which amounted to Rs. 10,000 a year in the period from 1925–26 to 1932–33 was reduced from 1933 to Rs. 7,500 as a measure of retrenchment.

(d) When the question of paying the grant in the current year came up for decision, the Government considered that there was no justification for incurring further expenditure from State funds while more than one scout organization functioned in the Presidency. The Boy Scouts Association having decided to terminate the services of its paid staff as from the 1st August 1938 pending a settlement of the question of unity, the Government placed at its disposal a third of the grant of Rs. 7,500 in the current year. The Government await the result of the negotiations for unity going on between the two associations before considering the question of further aid.

Adulteration of milk and foodstuffs sold in Railway restaurants.

12 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Health be pleased to state what measures Government have taken to prevent adulteration of milk and other foodstuffs sold by owners of restaurants and others within Railway premises in this Presidency?

A.—A copy^a of G.O. No. 2056, P.H., dated 28th October 1936, in which the Railway Administrations were requested to improve wherever necessary the arrangements made for the regular inspection of the railway refreshment rooms and the supply of pure food, is appended for information.

^a Printed as Appendix IV-A on page 104 infra.

[18th August 1938]

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

II.—RIGHTS AND PRIVILEGES OF THE HOUSE *RE. HOURS OF SITTING, ETC.*

DR. SIR K. V. REDDI NAYUDU:—“ Sir, I presume that the question time is over. I wish to make a representation to you, Sir, as the protector of the rights and privileges of this House. Yesterday at one o'clock, you were pleased to state that the Council would be adjourned to meet again at 11 a.m. to-day. Yesterday, Sir, was a non-official day. There was good deal of work in addition to the resolution that was debated here. Now I feel that this is showing very scant courtesy to the Members of this House. The Leader of the House was present in the House and he would not take us into his confidence and give us the necessary information either after question time or afterwards; the whole day was originally intended for non-official business; since Hon. Ministers' presence was required in another place, the House had to be adjourned at 1 o'clock. It is only you, Sir, that told us while leaving your seat that the meeting had to be adjourned.

“ Mr. President, this is not the only thing about which I am complaining; even as regards the hours during which we sit, there has been nothing like definiteness; on the first day we were called here at 4 o'clock; the day after that, we were told that there would be no business; yesterday we were asked to meet at 11 o'clock; previously we used to meet at 3 o'clock, if you remember. Now I submit it is not fair to this House that we should be treated in this manner. This House is sometimes called the Upper House, sometimes House of Notables and sometimes the House of Elders. ‘Notables’ is sometimes pronounced as ‘not ables’; it may be that we are ‘not ables.’ We deserve the name of elders. Whatever may be the majority on the Government side, it cannot be used for the purpose of reducing our rights; our rights always remain; they grow and they never go back. It is not fair that this House should be treated in this manner. You, Sir, are the protector of the rights of the House. The Council of State meets after one or two weeks after the Central Legislative Assembly meets; if the Hon. Ministers find it inconvenient to sit in this House on particular days, it is of course open to them to ask us to meet one or two weeks after the Legislative Assembly meets. They do not give us information beforehand; they do not tell us when the House would be adjourned. I place these facts before you to take such action as you deem fit.”

* MR. PRESIDENT:—“ A Joint Committee of the two Houses that sat some time ago, framed rules for the guidance of both the Houses, and one of the rules is that the Houses should sit at separate hours, because it is very inconvenient for Government Members to attend the two Houses at the same time. Though that rule has not come into force, for the last one year we have

[Mr. President] [18th August 1938]

been sitting either in the forenoon or in the afternoon. For some time the Assembly was sitting in the forenoon and we were sitting in the afternoon; after some time they found it very difficult and inconvenient to work before 1 o'clock. So, the Speaker, in consultation with me, fixed 3 p.m. as the time when the Assembly should meet, and we are meeting earlier in the forenoon. I agreed to this arrangement and there has been so far no complaint at all, as far as this House is concerned. As for the complaint that the House met at 4 o'clock on the 15th instant, I wish to say that the fixing of that hour was not left to me at all. His Excellency the Governor has to fix and announce the day and hour of the meeting. The Council usually sits from 11 a.m. to 1 p.m. Yesterday some hon. Members told me that they had a party meeting before the Assembly met at 3 p.m. So, I had to adjourn the House at 1 o'clock."

11-15 a.m. * RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Will the Hon. the Leader of the House be pleased to allot one more non-official day either during this session or during the next session?"

* THE HON. DR. T. S. S. RAJAN:—"Sir, it is not my desire to enter into a controversy with the Hon. Sir K. V. Reddi with regard to the remarks that he made except in so far as it concerns me as one responsible to a certain extent for Government business in this House. As to what happened yesterday, you, Sir, have made a clear statement and I therefore do not propose to go into that question."

"With regard to the short sittings, I do think we do not mean any disrespect; on the contrary we are so much overpowered with the intelligence and powers of the members of this House that we consider perhaps the lower House does deserve more time while for an Upper House of this sort which consists of elders, notables and many others it would certainly be possible—and we have found it possible—to get through its work in a much shorter time."

"Again, with regard to the allotment of non-official days, or with regard to the postponement of the session to some different date from that of the Assembly, the matter shall certainly be looked into. There are, of course, certain difficulties in the way, of which I am sure hon. Members are also aware. For instance, the Budget session could not be postponed on account of the fact that the Budget had to be presented on the same day in both the Houses. It was again the same difficulty even in this session also, because the Supplementary Estimates had to be presented on the same day in both the Houses. We could not call the House only for a day and then postpone for a week. It is impossible. Therefore, in arranging the work for the session we have to take note

18th August 1938] [Dr. T. S. S. Rajan]

of the procedure with regard to the presentation of the Supplementary Demands and that was why we were obliged to have this session more or less simultaneously."

"With regard to the question of allotting more non-official days, we shall try and give as many non-official days as possible, but it is not possible to give more days this session, because we have got to finish all legislative business by tomorrow. I shall certainly take note of the suggestion made by my hon. Friend Mr. Samiappa Mudaliyar when allotting non-official days next time."

MR. J. A. SALDANHA:—"May I enquire, Sir, whether what is called a non-official day for this Council is to be a day of only two hours? In the old Council, the normal hours of a non-official day were five hours. Now have we to be content with a status where a non-official day should consist of only two hours and that rarely?"

* MR. PRESIDENT:—"According to the rules framed by the Joint Committee, we have to sit in the forenoon and the Assembly in the afternoon; and we could sit for only two or two and a half hours, and it cannot be more than two and a half hours."

DR. SIR K. V. REDDI NAYUDU:—"May I know, Sir, whether it is a fact that yesterday the Assembly worked till late in the evening and that to-day also has been given to that House for the purpose of non-official business? If so, may I ask, Sir, why the same courtesy could not be extended to this House by providing another day for non-official business?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, one is a reason against the other. Since Government has to attend to private members' work also and since extra days have been given to the Assembly on account of the importance of the matter it is not easy to find time for another extension of the same privilege or concession to this House, in the same week. In fact, one may perhaps be a precedent for the other but it becomes unreasonable to ask for extension of the concession on account of limitation of time."

DR. SIR K. V. REDDI NAYUDU:—"May I know, Sir, why the end of this week should not be given for non-official business?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"If a request had been made it would certainly have been considered, but it is only an argument just now."

MR. B. NARAYANASWAMI NAYUDU:—"May it not be taken as a request, Sir?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"He has not asked for it."

MR. J. A. SALDANHA:—"I beg to ask for it now, Sir."

THE HON. MR. C. RAJAGOPALACHARIAR:—"And it will be duly considered, Sir."

[18th August 1938]

III.—HOUSE COMMITTEE.

* Mr. PRESIDENT:—"I have to inform the House that the following six candidates were duly nominated for election to the House Committee:—

- (1) Mr. S. A. S. Rm. Ramanathan Chettiyar.
- (2) „ P. Virabhadraswami.
- (3) „ V. Venkatapunnayya.
- (4) Rao Bahadur M. Ramakrishna Reddi.
- (5) Khan Bahadur T. M. Moidoo Sahib Bahadur.
- (6) Rao Bahadur M. Raman.

"As the number of candidates nominated for election is equal to the number of vacancies to be filled, namely, six, I hereby declare them duly elected.

"In addition to the above, I nominate under Rule 143 of the Madras Council Rules, Mrs. Mona Hensman and Mr. D. M. Reid to be members of the said Committee. The Deputy President is the ex-officio Chairman of the Committee."

GOVERNMENT BUSINESS.

IV.—RESOLUTION *RE* DEBENTURES ISSUED BY THE MADRAS CO-OPERATIVE CENTRAL LAND MORTGAGE BANK.

* THE HON. MR. V. V. GIRI:—"I beg to move the resolution standing in my name, that is—

"This Council recommends to the Provincial Government that they may from time to time and under such conditions as they may require, under sub-section (2) of section 6 of the Madras Co-operative Land Mortgage Banks Act, 1934, increase the maximum amount of the guarantee given by them in respect of the debentures issued by the Madras Co-operative Central Land Mortgage Bank, Ltd., up to a total face value of Rs. 250 lakhs, exclusive of such debentures as the Bank may from time to time redeem, such debentures being issued for periods not exceeding in any case 25 years from the date of issue and bearing interest at a rate not exceeding 5 per cent per annum."

"Sir, I do not think it is necessary to explain the object of this resolution because the Explanatory Note already circulated to hon. Members explains the position. I commend the resolution for the acceptance of the House."

* MR. B. BHIMA RAO:—"Sir, in seconding this resolution I want only to say a few words. At present the benefits from these Land Mortgage Banks are extended only to owners of wet lands. The House may perhaps be aware that in the district which I represent, that is the district of Bellary, the wet land area is

RESOLUTION *re* DEBENTURES ISSUED BY THE MADRAS CO-OPERATIVE CENTRAL LAND MORTGAGE BANK

18th August 1938] [Mr. B. Bhima Rao]

only two per cent and the advantage of the Land Mortgage Banks is therefore denied to the owners of dry lands who form the majority. I, therefore, make an appeal to the Hon. Minister to see his way to extend the benefits of these banks to this district also considering the difficulties of dry land owners. With these words, I second the resolution."

DR. C. RAMALINGA REDDI:—"One word, Sir, in support of the contention of the hon. Gentleman who spoke seconding the resolution. I do not know why he confines himself to Bellary while there are at least four more districts in almost the same condition as Bellary. What I feel is that under the present conditions more benefit is derived by the delta tracts and those districts which have special irrigation facilities than by the drier districts of the Rayalaseema which are really in more urgent need of this help than the richer districts of the Province. I hope, therefore, the Hon. the Revenue Minister and the Hon. Mr. Giri would take up this question and make the resources of this bank available of course at the usual rate, for the ceded districts also. I believe they ought to treat the dry lands just as they treat the wet lands. Otherwise I feel they would not derive any benefit."

* RAO BAHADUR M. RAMAKRISHNA REDDI:—"Sir, in supporting the proposition moved by the Hon. Mr. Giri, I would like to throw out another suggestion. In the Chittoor district, practically half the area is covered up by zamindari, e.g., Puttur, Tiruttani, Punganur, Kuppam and Kalahasti taluks and they form the major portion of the district. We are told by departmental people that they cannot open such banks in zamindari areas. It is not known whether it is on account of any technical or legal objection that banks could not be opened in zamindari areas. I can understand if they object to the opening of land mortgage banks for the reason that the lands are inferior in those places and that the ryots are not in a position to pay back the loan instalments at the appointed time. But I can assure the Hon. Minister that the lands in zamindari areas are fertile and there are also good irrigation facilities in those areas. Having regard to such a state of affairs, it is not known why Government should lag behind in giving facilities to these zamindari areas also. I may also state for the information of the House that recently a large number of people from the taluks mentioned, approached me and stated they were badly in need of agricultural banks in their areas. I would therefore request the Hon. Minister in charge to consider the question favourably and extend the benefits of these banks to the zamindari areas also.

"Again, Sir, in Chandragiri taluk for instance, we have been given a bank, but the inam villages there, are excluded from the operation of the bank. As a matter of fact every such village is surrounded by Government villages and it is most unreasonable

[Mr. M. Ramakrishna Reddi] [18th August 1938]

to exclude the inam villages from the operation of these banks. I would only request the Hon. Minister to sympathetically consider this aspect of the question also."

* MR. T. A. RAMALINGAM CHETTIYAR:—"Mr. President, Sir, I am glad that only two objections have been raised so far, with reference to the administration of the bank. I take it that otherwise there are no complaints to make, about the way in which affairs are administered there.

"As regards the two particular complaints that have been made, I am afraid my hon. Friends from Chittoor and Bellary are not quite correct in what they have stated. There is no objection to the grant of loans on dry lands, as such, but we are particular that the landowner in each case is in a position to discharge the debts every year as the debts become due. But in the areas to which my two friends belong, unfortunately the conditions are such that the ryots do not expect even one crop every year and the ryots are not therefore in a position to pay their dues every year regularly. We must also see that the bank should work satisfactorily. No doubt the bank gets lot of help from the Government. But the bank is a business institution and it should run on business principles. We are raising debentures in the open market and the money that we raise has to be paid back with interest at the proper time and we have also to pay one-twentieth of the principal every year. Unless we do that, we would not be able to raise money in the open market. So, if our friends want that the Land Mortgage Bank should be of any use and that it should function properly, they ought to see that it is run on business principles. And it cannot be done if we go on lending money without care and without looking into the worth of the property and seeing whether the title is good and whether the money could be realized at the proper time. I may also state that the amount of the transactions as seen from the guarantee that is given is very large and consequently our commitments for payment every year are also large because one-twentieth of it has to be paid back every year as also the interest due on the whole amount. That naturally means a very large commitment. If there is going to be any default in this, the position of the bank will become very difficult and it will have to close down. That is the position in which we are placed. So, unless we are able to manage our affairs in such a way that every one of our debtors is in a position to pay back what he has got to pay every year, I do not think we will be in a position to meet our creditors. That is our position. That is the reason why we are not able to lend money on dry lands in certain areas, but in other places where the owners of dry lands are willing and able to pay their dues from their yearly income, we are lending money on the security of dry lands. I may for instance tell my friends that we have advanced very large amounts on the rain-fed lands in the Guntur district even though there are no irrigation facilities for those lands.

18th August 1938] [Mr. T. A. Ramalingam Chettiyar]

"Then, Sir, coming to the second question of the zamindari lands, there again my friend is not correct. We have advanced very large amounts in the zamindari areas already. For instance, in the Circars in many areas of the zamindaris we have advanced very large amounts. There again the difficulty is one of safe banking. Sir, in many of the zamindaris there has been no survey and the zamindars do not give pattas. We cannot possibly advance money on lands which are not surveyed and about whose extent and whose locality nobody can be certain. Again we cannot advance money except when there is a title shown by a patta. That is the second difficulty. In cases where there has been a survey and the pattas are regular and are produced we are advancing very large sums. It is always with this condition that the title has to be proved without any doubt. In cases where there are doubts we do not generally advance money. We are not prepared to go to Court and prove our title. There have been some cases in which difficulties have arisen and people have complained that even though they may be in a position to prove their title we have not accepted that title. Except in cases where the title is uncertain and is not in a position of being contested in a court of law and has to be proved on the evidence, we have always advanced and we always reject cases where there are some difficulties. It was also said that some of the zamindari areas in Chandragiri were left out and in some areas no bank has been started. There again the difficulty was that we could not include those villages because they were not surveyed. There was no regular survey and so we could not include those villages. If there was survey and if we knew what the extent of the land was and if there were proper pattas, certainly we are prepared to advance moneys."

THE HON. MR. V. V. GIRI:—"It is very good to have by my side, the President of the Central Land Mortgage Bank who is an expert. As he has dealt with all the points I do not propose to dilate on them."

The resolution was put and carried.

V.—MOTION *RE* VARIATION IN THE STRENGTH OF THE BOARD OF COMMISSIONERS FOR HINDU RELIGIOUS ENDOWMENTS.

* THE HON. DR. T. S. S. RAJAN:—"Sir, I beg leave of the House to get the approval for this procedure of notification. It relates to the Hindu Religious Endowments Board wherein till now we had one President and four Commissioners. Now the proposal is to have one President and three Commissioners. I therefore move—

The following draft of a notification varying the strength of the Board of Commissioners for Hindu Religious Endowments which the Government of Madras propose to issue in exercise of the powers conferred by clause (b)

[Dr. T. S. S. Rajan] [18th August 1938]

of sub-section (1) of section 10 of the Madras Hindu Religious Endowments Act, 1926 (Madras Act II of 1927), be approved as required by the second proviso to the said sub-section.

Variation.

'In Local Self-Government Department Notification No. 174, dated the 5th February 1925, published at page 74 of Part I-A of Fort St. George Gazette, dated the 10th February 1925, for the words "four Commissioners" the words "three Commissioners" shall be substituted.'

"I need not explain at length the reasons for this procedure. The Act requires that any change regarding the strength of the Commissioners has got to be duly notified and the Houses of Legislature have to set their seal of approval to it. The Endowment Boards Act as it has been existing is now being subjected to a little scrutiny and amendments have been proposed to be moved. It is undergoing modification and scrutiny in the Legislative Department. Very soon the Government expect to lay before both the Houses a new amendment to the Act. Until such time it is not thought necessary to have the full strength of the Board working. Therefore the Government have decided to reduce the strength from 4 to 3 and approval is sought for such action."

The motion was put and carried.

VI.—BILLS.

(1) THE INDIAN LUNACY (MADRAS AMENDMENT) BILL, 1938 (L.A. BILL NO. 8 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. DR. T. S. S. RAJAN:—"I beg to move—

'that the Bill^a further to amend the Indian Lunacy Act, 1912, in its application to the Province of Madras for certain purposes (L.A. Bill No. 8 of 1938) as passed by the Legislative Assembly be taken into consideration at once.'

"This is a very small amendment which we are introducing. It is more technical than anything else in its nature. The object of it is to empower the Superintendents of the asylums to permit lunatics under their charge to go home on leave when they are ill or otherwise temporarily. To-day the law as stated does not contain this provision. It has been found necessary in the working of the Act that such permission has become necessary and it is in the interest of the general well-being of the patient himself.

^a Printed as Appendix V on pages 105-106 *infra*.

18th August 1938] [Dr. T. S. S. Rajan]

Therefore we have provided power under the new Act under which rules will be made enabling the Superintendents of the asylums to allow these lunatics temporarily to go home and return. Another thing is with regard to the recovery of the dues for the asylum from the property of the lunatics. In fact Government recover as much as they want and as much as the property would give, independent of any other consideration. But the amendment places a certain amount of restriction on the Government to the extent that they should not take away all the properties without any consideration for the livelihood of the wife, children and other dependents. The amendment proposed is that only such portion of the property shall be taken for the dues leaving a certain amount which will be necessary for the upkeep of the family of the lunatic as well as those that are dependent on him. This is a very humane provision which ought to have found its place long ago and we have thought it necessary to include it in the amendment. These are not controversial and I hope the House will pass the motion without any division."

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

Clauses 2 to 5 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. DR. T. S. S. RAJAN:—"I move—

'that the Bill be passed into law'."

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

(2) THE MADRAS MEDICAL REGISTRATION (AMENDMENT) BILL, 1938 (L.A. BILL NO. 9 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. DR. T. S. S. RAJAN:—"Sir, I beg to move—

'that the Bill^a further to amend the Madras Medical Registration Act, 1914, for certain purposes (L.A. Bill No. 9 of 1938) as passed by the Legislative Assembly be taken into consideration at once.'

"I do not propose to take the time of the House by any lengthy explanation in regard to the necessity of this amendment. There are only three points which I would like the House to consider. In the old register we had three classifications, classifications relating to the qualifications of the practitioners. By this amendment we want to take away all the differences in qualifications as the basis for the register and have one uniform register arranged

^a Printed as Appendix VI on pages 106-109 *infra*.

[Dr. T. S. S. Rajan] [18th August 1938]

alphabetically. So all special qualifications or higher qualifications are not necessary for entry in the register except the lowest minimum registerable qualifications. If one has got those qualifications, his name goes into the register. The second thing is we have increased the elected element in the Council. Originally it was seven. Now we have proposed that it should be 12. The other thing is we are having three nominated members nominated by Government for filling up certain inequalities that may arise as a result of election. Women do not form a large body of the electorate and it is just possible they may not get returned. Also there is a large body of missionary medical institutions for which representation is necessary. Though they are in a minority they require representation and we have to provide for them. There are university graduates whose voting strength is low compared to the large number of general practitioners who belong to the L.M.P. class. So we have taken another seat to correct the inequality in that direction.

11-45 a.m. "We have reserved three seats for nomination. We have provided that the Surgeon-General should be a nominated president of the Medical Council for a period of four years during the period of transition. We have thought it necessary when we change over from one set of administration to another set. But this nomination will not affect the decisions of the Council in so far as the democratic or the elective element of the Council will always be in a majority and whoever may be the president, he will have to be guided by the decision of the majority. Further the nomination of the president by itself is not a matter of great objection; this is only for the convenience of working the Act with the new amendment successfully. That is the reason why such a power has been taken by the Bill. Besides these points, there is nothing else and I hope the House will unanimously pass the Bill."

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

THE RT. HON. V. S. SRINIVASA SASTRI:—"Sir, there is a point which I would like to be cleared by the Hon. Mover, why it is considered necessary to bring the names of the registered practitioners in the list in the alphabetical order. What about the objection that has been generally raised, the difficulty that has been felt in not indicating the precise qualifications of the registered practitioners? One would think, *prima facie*, that the general public who wish to consult these people and obtain their services, would be thankful if, on the register, they could find out exactly who is who and what the precise qualifications of the practitioners are. One fails to understand the great attachment to democratic principles among practitioners of medicine. Is it the wish of the practitioners to be exhibited in one indiscriminating register, or is it the wish of the general public or had the patients, at any time, complained? What is the practice in England and other countries? I would like to be informed on these points before voting for a change."

18th August 1938]

THE HON. DR. T. S. S. RAJAN:—"Sir, I am very glad my hon. Friend has put the question; it has enabled me to say something more upon the intentions of this amending Bill. A large number of practitioners have been very much grieved over the particular classification that has been made in the Medical register. I may inform my hon. Friend that the practice in England is to have a minimum qualification and that is all that is necessary for a name of the practitioner being on the register. The particular academic attainments of the practitioner concerned are given in a separate column even according to the existing rules. They will be given in another column against the name of each person in our register. The practitioner should have the minimum qualification and the register contains the names of all the registered medical practitioners. With regard to the information of the public, with regard to the qualifications of the practitioners, it will be found in a certain column against each name. Therefore in response to the general wish of the practitioners who have been agitating over this question for so many years, the Government have thought it necessary to amend the Act."

Clauses 2 to 8 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. DR. T. S. S. RAJAN:—"Sir, I move—

'that the Bill be passed into law'."

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

(3) THE MADRAS ESTATES LAND (AMENDMENT) BILL, 1938 (L.A. BILL NO. 10 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. MR. T. PRAKASAM:—"Sir, I move—

'that the Bill further to amend the Madras Estates Land Act, 1908, for a certain purpose (L.A. Bill No. 10 of 1938) as passed by the Legislative Assembly be taken into consideration at once'.*"

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

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. MR. T. PRAKASAM:—"Sir, I move—

'that the Bill be passed into law'."

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

[18th August 1938]

(4) THE PRISONS AND INDIAN LUNACY (MADRAS AMENDMENT) BILL, 1938 (L.A. BILL NO. 11 OF 1938), AS PASSED BY THE ASSEMBLY.

THE HON. MR. K. RAMAN MENON:—" Mr. President, Sir, I beg to move—

' that the Bill^a further to amend the Prisons Act, 1894, and the Indian Lunacy Act, 1912, in their application to the Province of Madras, for certain purposes (L.A. Bill No. 11 of 1938) as passed by the Legislative Assembly be taken into consideration at once '.

" I do not think there is any need for making a speech. The Statement of Objects and Reasons explains the necessity for this amending Bill."

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

Clauses 2 and 3 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. K. RAMAN MENON:—" I move, Sir—
' that the Bill be passed into law '."

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

(5) THE MADRAS FAMINE RELIEF FUND (AMENDMENT) BILL, 1938 (L.A. BILL NO. 12 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. MR. C. RAJAGOPALACHARIAR:—" Sir, I move—

' that the Bill^b to amend the Madras Famine Relief Fund Act, 1936, for certain purposes (L.A. Bill No. 12 of 1938) as passed by the Legislative Assembly be taken into consideration at once '."

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

Clauses 2 and 3 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. C. RAJAGOPALACHARIAR:—" I move—
' that the Bill be passed into law '."

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

^a Printed as Appendix VIII on page 110 infra.
^b Printed as Appendix IX on page 111 infra.

[18th August 1938]

(6) THE MADRAS REPEALING AND AMENDING BILL, 1938 (L.A. BILL NO. 13 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. DR. P. SUBBARAYAN:—" Sir, I move—

' that the Bill^a to repeal certain enactments and to amend certain other enactments (L.A. Bill No. 13 of 1938) as passed by the Legislative Assembly be taken into consideration at once '.

" This is merely a measure for codifying the law, as we are reprinting the Acts."

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

Clauses 2 to 4 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. DR. P. SUBBARAYAN:—" Sir, I move—
' that the Bill be passed into law '."

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

(7) THE MADRAS PROHIBITION (AMENDMENT) BILL, 1938 (L.A. BILL NO. 14 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. MR. C. RAJAGOPALACHARIAR:—" Sir, I beg 12 noon.
to move—

' that the Bill^b to amend the Madras Prohibition Act, 1937, for a certain purpose (L.A. Bill No. 14 of 1938) as passed by the Legislative Assembly be taken into consideration at once '.

" Perhaps, Sir, it is as well that I just explain the object of this amending Bill. It is to deal with the law as it stood regarding advertisements and the procedure as to what special classes of liquors can be permitted to be advertised, that this Bill has been brought forward. The procedure that is made compulsory is that the Indian Medical Council or a similar authority should find an article to be of medicinal value and only thereafter it should be published in medical journals and literature. The existing rule is that these articles can be sold only on medical prescription, but the widest advertisement is given in ordinary newspapers, which is inconsistent with the rule which prescribes the use and sale of such things only on the prescription of doctors. So, advertisement is limited to medical journals and literature, because sale also is limited to medical prescription, which is the rationale of this amending Bill."

^a Printed as Appendix X on page 112-119 infra.

^b Printed as Appendix XI on page 119-120 infra.

90 THE MADRAS PROHIBITION (AMENDMENT) BILL, 1938 (L.A. BILL NO. 14 OF 1938), AS PASSED BY THE ASSEMBLY

[18th August 1938]

MR. B. NARAYANASWAMI NAYUDU:—"The rationale of this Bill is, I suppose, first of all, that stated in the Prohibition Act. Now, they want to extend it to liquor used for medicinal purposes also. First of all, they say, do not advertise; and it will be followed later on by another Bill saying that medicinal wine also should not be used because it contains 20 per cent of alcohol and that eventually medical councils and other such councils only should deal with the matter. It will be another puritanic revolution and it will end with another Restoration."

THE HON. MR. C. RAJAGOPALACHARIAR:—"Hon. Members need not be scared by the dreadful picture painted by Mr. Narayanaswami Nayudu."

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

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. MR. C. RAJAGOPALACHARIAR:—"Sir, I move—

'that the Bill be passed into law'."

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

(8) THE MADRAS BORSTAL SCHOOLS (AMENDMENT) BILL, 1938 (L.A. BILL NO. 15 OF 1938), AS PASSED BY THE ASSEMBLY.

THE HON. MR. K. RAMAN MENON:—"Sir, I move—

'that the Bill^a further to amend the Madras Borstal Schools Act, 1925, for certain purposes (L.A. Bill No. 15 of 1938) as passed by the Legislative Assembly be taken into consideration at once'."

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

Clauses 2 and 3 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. K. RAMAN MENON:—"Sir, I move—

'that the Bill be passed into law'."

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

^a Printed as Appendix XII on page 120-121 infra.

18th August 1938]

(9) THE MADRAS LOCAL BOARDS (AMENDMENT) BILL, 1938 (L.A. BILL NO. 16 OF 1938), AS PASSED BY THE ASSEMBLY.

THE HON. MR. B. GOPALA REDDI:—"Sir, I move—

'that the Bill^a further to amend the Madras Local Boards Act, 1920, and the Madras Local Boards (Amendment) Act, 1935, for certain purposes (L.A. Bill No. 16 of 1938) as passed by the Legislative Assembly be taken into consideration at once.'

"As the Act stands at present, the term of the boards which belong to the same group expires in different months. For instance the term of the Chittoor District Board expires on the 1st of December 1938 while that of Cuddapah on the 1st January 1939. Likewise, for various reasons the elections to the Malabar District Board had to be postponed till March 1937 and normally the term of the board expires only in March 1940. I want to bring the elections of all the boards of the same group as far as possible in one month, say in October, and the elections to the panchayat in November. This amending Bill will therefore give power to the Government to bring the elections of all the boards in the same month so that elections could be held almost simultaneously. Hence the Bill."

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

Clause 2.

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Sir, I beg to move—

'to substitute the following for clause 2:—

"2. Notwithstanding anything contained in the Madras Local Boards Act, 1920, or the Madras Local Boards (Amendment) Act, 1935, the term of the members of all the local boards included in Groups II and III of the Schedule to the Madras Local Boards (Amendment) Act, 1935, shall expire on the 1st day of November 1938 in the case of local boards included in Group II aforesaid and on 1st day of November 1939 in the case of local boards included in Group III aforesaid'."

"Sir, the Hon. Minister for Local Administration stated that he wanted to bring the elections of all the local boards in one particular group in the month of October. If that is so, he can amend the Act straightaway to that effect instead of taking this power into the hands of the Government. As it is, it will give room for the members of the various district boards to come and worry him not to exercise that power and if my amendment is accepted, he will be saved from such worries. It is only to clarify

^a Printed as Appendix XIII on page 121-122 infra.

[Mr. N. R. Samiappa Mudaliyar] [18th August 1938]

the intention of the Hon. Minister that I have brought forward this amendment. I hope he will agree to the amendment without any opposition."

RAO BAHADUR M. RAMAKRISHNA REDDI:—"I beg to second it, Sir."

THE HON. MR. B. GOPALA REDDI:—"Sir, the hon. Mover of the amendment has not taken into consideration the fact that there are hundreds of panchayats that are in these districts. He evidently thinks only of the district boards and he says that the term must expire on 1st November, that means, the elections should be held in October and the new boards should function on the 1st of November. For various reasons of administration, we could not have elections to the district boards and panchayat boards simultaneously. That is why we hope to have the elections to district boards in October, and in the month of November we can have panchayat board elections. But, if the amendment is accepted, all the elections to the various panchayat boards also have to be conducted simultaneously and this I submit would be impossible for various reasons. I can assure the House that no district board will press me and even if that is to be so, the answer will be immediately a negative one. I may, however, assure the hon. Mover that in Tanjore, Ramnad and East Godavari the elections will be held in the month of October 1939 and those of Tinnevely, South Arcot and Guntur will be conducted in the month of October 1938. So, I oppose the amendment, Sir."

The amendment was put and lost.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. MR. B. GOPALA REDDI:—"Sir, I move—
'that the Bill be passed into law'."

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

THE RT. HON. V. S. SRINIVASA SASTRI:—"Sir, I wish to make an appeal to the hard hearts of the Hon. the Premier and the Hon. the Leader of the House. The amount of important business that we have succeeded in cramming into this short hour must have convinced them that if extra time is allowed to this House, it will be used with the greatest possible economy."

THE HON. MR. C. RAJAGOPALACHARIAR:—"And it will be allowed at the slightest request." (Laughter.)

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

18th August 1938]

APPENDIX I.

[Vide answer to starred question No. 14 asked by Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 18th August 1933, page 72 supra.]

Statement showing the Taluk Headquarter Stations with medical institutions therein.

Names of taluks other than those relating to District Headquarters stations but including areas in charge of Independent Deputy Tahsildars.	Names of headquarters of taluks other than District Headquarters stations.	Medical Institutions.				Total.
		Government.	Local Fund.	Municipal.	Private.	
Anantapur district—						
Penukonda	Penukonda	1	..	..	..	1
Hindupur	Hindupur	1	..	..	..	1
Kalyandrug	Kalyandrug	..	1	..	..	1
Gooty	Gooty	..	1	..	..	1
Tadpatri	Tadpatri	1	..	..	..	1
Kadiri	Kadiri	1	..	..	..	1
Dharmavaram	Dharmavaram	..	1	..	..	1
Madakasira	Madakasira	..	1	..	..	1
Arcot North district—						
Tiruppattur	Tiruppattur	2	..	..	1	3
Gudiyattam	Gudiyattam	1	..	..	1	2
Arni	Arni	..	1	..	..	1
Cheygar	Cheygar (Tiruvetti-puram)	..	1	..	..	1
Wandiwash	Wandiwash	1	..	1	..	1
Wallajah	Wallajah	..	1	..	..	1
Arkonam	Arkonam	..	..	..	..	1
Tiruvannamalai	Tiruvannamalai	1	..	..	1	2
Polur	Polur	..	..	..	..	1
Chengam	Chengam	..	1	..	..	1
Arcot South district—						
Tindivanam	Tindivanam	1	..	..	..	1
Gingee	Gingee	..	1	..	..	1
Villupuram	Villupuram	1	..	..	..	1
Vriddhachalam	Vriddhachalam	..	1	..	..	1
Chidambaram	Chidambaram	1	..	..	..	1
Tirukkoyilur	Tirukkoyilur	..	1	..	..	1
Kallakurchi	Kallakurchi	1	..	..	..	1
Bellary district—						
Hospet	Hospet	1	..	..	..	1
Hadagalli	Hadagalli	..	1	..	..	1
Harpanahalli	Harpanahalli	1	..	..	..	1
Kudligi	Kudligi	..	1	..	..	1
Rayadrug	Rayadrug	1	..	..	..	1
Siruguppa	Siruguppa	2	..	..	..	2
Adoni	Adoni	..	1	..	..	1
Alur	Alur	..	..	..	..	..
Chingleput district—						
Madurantakam	Madurantakam	..	1	..	..	1
Conjeevaram	Conjeevaram	1	..	2	..	3
Tiruvallur	Tiruvallur	1	..	..	..	1
Ponneri	Ponneri	1	..	..	..	1
Saidapet	Saidapet	..	1	..	..	1
Sriperumbudur	Sriperumbudur	..	..	..	..	..
Chittoor district—						
Madanapalle	Madanapalle	1	..	..	..	1
Vayalpad	Vayalpad	..	1	..	..	1
Punganur	Punganur	..	1	..	..	1
Kuppam	Kuppam	..	1	..	..	1
Chandragiri	Chandragiri	1	..	..	..	1
Tirupati	Tirupati	1	..	..	..	1
Kalahasti	Kalahasti	..	1	..	..	1
Puttur	Puttur	1	..	..	..	1
Palmaner	Palmaner	..	1	..	..	1
Tiruttani	Tiruttani	..	..	..	..	1

[18th August 1938]

Names of taluks other than those relating to District Headquarters stations but including areas in charge of Independent Deputy Tahsildar.	Names of Headquarters of taluks other than District Headquarters Stations.	Medical institutions.				Total.
		Government.	Local fund.	Municipal.	Private.	
Coimbatore district—						
Avanashi	Avanashi	1	1			2
Pollachi	Pollachi	1				1
Palladam	Tiruppur	1				1
Udumalpet	Udumalpet	1				1
Kollegal	Kollegal	1				1
Erode	Erode	1				1
Mettupalayam	Mettupalayam	1				1
Dharapuram	Dharapuram	1				1
Gobichettipalayam	Gobichettipalayam	1				1
Bhavani	Bhavani	1				1
Cuddalore district—						
Badvel	Badvel	1				1
Siddhavattam	Siddhavattam	1				1
Rajampet	Rajampet	1				1
Rayachoti	Rayachoti	1				1
Pulivendla	Pulivendla	1				1
Jammalamadugu	Jammalamadugu	1				1
Proddatur	Proddatur	1				1
East Godavari district—						
Rajahmundry	Rajahmundry	1				1
Amalapuram	Amalapuram	1				1
Razole	Razole	1				1
Peddapuram	Peddapuram	1				1
Ramachandrapuram	Ramachandrapuram	1				1
Yellavaram (a)	Additigala	1				1
Rampachodavaram (a)	Rampachodavaram	1				1
Bhadrachalam (a)	Bhadrachalam	1				1
Polavaram (a)	Polavaram	1				1
Nuzur (a)	Nuzur	1				1
Pithapuram	Pithapuram	1				1
Tuni	Tuni	2				2
West Godavari district—						
Tadepalligudem	Tadepalligudem	1				1
Bhimavaram	Bhimavaram	1				1
Palacole	Palacole	1				1
Narasapur	Narasapur	1				1
Tanuku	Tanuku	1				1
Kovvur	Kovvur	1				1
Chintalapudi	Chintalapudi	1				1
Guntur district—						
Ongole	Ongole	1				1
Chirala	Chirala	1				1
Bapatla	Bapatla	1				1
Narasaraopet	Narasaraopet	1				1
Vinukonda	Vinukonda	1				1
Palnad	Gurzala	1				1
Tenali	Tenali	1				1
Sattenapalli	Sattenapalli	1				1
Repalli	Repalli	1				1
Kanara South district—						
Udipi	Udipi	1				1
Coondapoor	Coondapoor	1				1
Karkal	Karkal	1				1
Kasaragod	Kasaragod	1				1
Puttur	Puttur	1				1
Kistna district—						
Divi	Divi	1				1
Gudivada	Gudivada	1				1
Kalkalur	Kalkalur	1				1
Bezavada	Bezavada	1				1
Nandigama	Nandigama	1				1
Tiruvur	Tiruvur	1				1
Gannavaram	Gannavaram	1				1
Nuzvid	Nuzvid	1				1
Kurnool district—						
Nandyal	Nandyal	1				1
Kolluntla	Kolluntla	1				1
Sirvel	Allagadda	1				1
Nandikotkur	Nandikotkur	1				1
Giddalur	Giddalur	1				1
Cumbum	Cumbum	1				1
Markapur	Markapur	1				1
Dhone	Dhone	1				1
Pattikonda	Pattikonda	1				1

* Includes Leper Asylum.

† Rural dispensary. The regular dispensary was transferred to Pentapadu.

‡ Includes district board leprosy clinic.

(a) Agency area.

18th August 1938]

Names of taluks other than those relating to district head quarters Station but including areas in charge of Independent Deputy Tahsildars.	Names of headquarters of taluks other than district headquarters stations.	Medical institutions.				Total.
		Government.	Local Fund.	Municipalities.	Private.	
Madura district—						
Dindigul	Dindigul	2				2
Nilakkottai	Nilakkottai	1				1
Palni	Palni	1				1
Kodaikanal	Kodaikanal	1				1
Periyakulam	Periyakulam	1				1
Tirumangalam	Tirumangalam	1				1
Melur	Melur	1				1
Malabar district—						
Chirakkal	Chirakkal	1				1
Kottayam	Kottayam	1				1
Cannanore	Cannanore	1				1
Kurumbhuranad	Kurumbhuranad	1				1
Wyanad	Manantoddy	1				1
Palghat	Palghat	1				1
Ponnani	Ponnani	1				1
Badagara	Badagara	1				1
Ernad	Manjeri	1				1
Walluvanad	Perintalmanna	1				1
Cochin	Cochin	1				1
Nellore district—						
Gudur	Gudur	1				1
Rapur	Rapur	1				1
Kandukur	Kandukur	1				1
Kanigiri	Kanigiri	1				1
Atmakur	Atmakur	1				1
Udayagiri	Udayagiri	1				1
Kovur	Kovur	1				1
Kavali	Kavali	1				1
Podili	Podili	1				1
Darsi	Darsi	1				1
Sulurpet	Sulurpet	1				1
Venkatagiri	Venkatagiri	1				1
The Nilgiris district—						
Gudalur	Gudalur	1				1
Coonoor	Coonoor	1				1
Ramnad district—						
Mudukulattur	Mudukulattur	1				1
Paramakudi	Paramakudi	1				1
Aruppukottai	Aruppukottai	1				1
Virudhunagar	Virudhunagar	1				1
Srivilliputtur	Srivilliputtur	1				1
Devakottai	Devakottai	1				1
Sattur	Sattur	1				1
Tirupattur	Tirupattur	1				1
Tiruvadanai	Tiruvadanai	1				1
Ramnad	Rameswaram	1				1
Sivaganga	Sivaganga	1				1
Salem district—						
Hosur	Hosur	1				1
Krishnagiri	Krishnagiri	1				1
Dharmapuri	Dharmapuri	1				1
Attur	Attur	1				1
Omair	Omair	1				1
Harur	Harur	1				1
Tiruchengodu	Tiruchengodu	1				1
Namakkal	Namakkal	1				1
Yercaud	Yercaud	1				1
Rasipur	Rasipur	1				1
Tanjore district—						
Nannilam	Nannilam	2				2
Negapatam	Negapatam	1				1
Kumbakonam	Kumbakonam	1				1
Papanasam	Papanasam	1				1
Mayavaram	Mayavaram	1				1
Shiyali	Shiyali	1				1
Negapatam	Tiruvavur	1				1
Mannargudi	Mannargudi	1				1
Tiruturai pundi	Tiruturai pundi	1				1
Pattukkottai	Pattukkottai	1				1
Arantangi	Arantangi	1				1

* Includes Leper asylum also.

[18th August 1938]

Names of taluks other than those relating to district head quarters Station but including areas in charge of independent Deputy Tahsildars.	Names of headquarters of taluks other than district headquarters stations.	Medical Institutions.				Total.
		Government.	Local Fund.	Municipalities.	Private.	
Tinnevely district—						
Tiruchendur	Tiruchendur	..	1	..	..	1
Srivaikuntam	Srivaikuntam	..	1	..	..	1
Nanguneri	Nanguneri	1	..	..	..	1
Tuticorin	Tuticorin	1	..	..	..	1
Ambasamudram	Ambasamudram	..	1	..	..	1
Tenkasi	Tenkasi	1	..	..	..	1
Sankarankoil	Sankarankoil	1	..	..	..	1
Kovilpatti	Kovilpatti	..	1	..	..	1
Anjengo	Anjengo	..	1	..	..	1
Trichinopoly district—						
Karur	Karur	1	..	..	..	1
Kulittalai	Kulittalai	..	1	..	..	1
Perambalur	Perambalur	..	1	..	..	1
Udaiyarpalayam	Udaiyarpalayam	..	1	..	..	1
	(Jayankondashola-puram)	..	..	..	..	..
Musiri	Musiri	..	1	..	..	1
Lalgudi	Srirangam	1	..	..	..	1
Ariyalur	Lalgudi	..	1	..	..	1
	Ariyalur	1	..	..	1	1
Vizagapatam district—						
Palkonda	Palkonda	1	..	..	..	1
Vizianagram	Vizianagram	1	..	..	..	1
Chipurupalli	Chipurupalli	..	1	..	1	2
Bimilpatam	Bimilpatam	1	..	..	..	1
Gajapathinagaram	Gajapathinagaram	..	1	..	..	1
Parvatipur	Parvatipur	1	..	..	..	1
Salur	Salur	..	1	..	..	1
Bobbili	Bobbili	..	1	..	..	1
Golugonda	Narasapattam	1	..	..	..	1
Sarvasiddhi	Yellamanchilli	..	1	..	..	1
Viravilli	Chodavaram	..	1	..	..	1
Gudem	Chintapalli	1	..	..	..	1
Anakapalli	Anakapalli	..	1	..	..	1
Srungavarapukotta	Srungavarapukotta	1	..	1	..	2
Chicacole	Chicacole	1	..	..	..	1
Ichchapur	Ichchapur	..	1	..	..	1
Tekkall	Tekkall	..	1	..	..	1
Pathapatam	Pathapatnam	..	1	..	..	1
Sompeta	Sompeta	1	..	..	..	1
Nowrangapur	Araku	1	..	..	..	1
	Narasaunapet	..	1	..	..	1

APPENDIX II.

[Vide answer to starred question No. 15 asked by Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 18th August 1938, page 72 supra.]

Copy of letter No. 2585/37-C-2, dated 24th August 1937, from the Chief Engineer for Irrigation, Madras.

[Irrigation—Chittoor district—Spring channels—Repairs—Legislative Council Question No. 84. Reference.—Government Memo. No. 2344-D/37-1, dated 12th August 1937.]

I forward herewith a copy of a report from the Executive Engineer, Madanapalli division, on the subject.

18th August 1938]

ENCLOSURES

(1)

Copy of letter No. 1097, dated 16th August 1937, from the Officiating Executive Engineer, Madanapalli division, Madanapalli, to the Superintending Engineer, Bellary circle, Bellary.

I beg to furnish the following information as called for in the Government Memorandum:—

(a) There is only one spring channel in charge of the Public Works Department. It is "Diguvaalem Kannikala Voddur kalva." It is in Madanapalli taluk. The Supervisor, Madanapalli, who inspected it recently reports that it does not require any repairs for the present. No repairs were done to the spring channel for the past ten years except clearance of jungle.

(b) There are three other channels as given below.

They are not spring channels with separate ayacuts but only supply the tanks during times of flood. However all the information called for is furnished below with respect to these channels also:—

Name of channel.	Taluk.	Repairs and improvements carried out within the last ten years.
(1)	(2)	(3)
Kattamanchi tank or Gandlapalli Hissa cheruvu supply channel.	Chittoor taluk ..	Special repairs to the revetment and clearing rocks in the channel bed were carried out in 1933-34 and 1934-35 at a cost of Rs. 1,201-6-0 by the Public Works Department under an estimate for Rs. 1,280 sanctioned in Mdp. No. 5 of 1933-34. Again in 1936 the silt was cleared under Kudimaramat.
Pullur cheruvu channel.	Neredi supply Do. ..	An estimate for repairs to the masonry works is under preparation. No repairs were carried out to this supply channel during the past ten years.
Perur Hissa cheruvu supply channel.	Chandragiri taluk.	3. (a) This supply channel was repaired during 1931-32 to 1934-35 under an estimate sanctioned for Rs. 4,870 in Mdp. No. 35 of 1933-34 and the expenditure incurred against this estimate is Rs. 3,677-15-1 or Rs. 3,678. The channel which was not maintained for a considerable time was restored under this estimate to the standards fixed by the Tank Restoration Scheme. (b) An estimate for repairs under Kudimaramat is being dealt with by the Collector.

[18th August 1938]

Copy of letter No. B.P. Rt. 4034, dated 31st August 1937, from the Board of Revenue, Madras.

[Irrigation—(Chittoor)—Spring channels—Repairs—Legislative Council question No. 84—Information furnished.]

Read—Memorandum from Government, Revenue Department, No. 3457-F/37-1, dated 14th August 1937.

Resolution.—The information called for in the Government Memorandum read above is furnished in the statement enclosed.

Statement showing the number of spring channels in charge of the Revenue Department and number repaired within the last ten years in the Chittoor district.

(1)	(2)	(3)	(4)	(5)
Serial number and name of taluk.	Number of spring channels in charge of the Revenue Department.	Number of spring channels which have not been repaired within the last 10 years.	Number of spring channels which have been either repaired or improved.	Nature of such repairs and improvements.
1 Chandragiri	90	42	48	Raising and strengthening the banks of the head kasam and the channel and protecting the same on the river side with revetment.
2 Chittoor	65	54	11	Construction of anicuts and flood gates with head sluices at the head where the channels enter hard-ground.
3 Madanapalle	192	189	3	Construction of masonry aqueducts at hill stream crossings.
4 Palmaner	4	1	3	Construction of masonry super passages or outlets at the cross drainages.
5 Vayalpad	..	..	..	Closing breaches in the channel banks with protective revetments for them.
Total	351	286	65	

Construction of masonry training walls at the places where earthen banks cannot stand.

Constructing masonry culverts or paving the channel bed and approaches with rough stones at the cart-track crossings.

Petty repairs to the existing masonry structures.

Blasting rock in the bed of the channel course; and

Diversion of channel courses into the hard ground to keep them away from the margin of rivers.

18th August 1938]

[Vide answer to starred question No. 16 asked by Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 18th August 1938, page 73 supra.]

APPENDIX III.

District.	1932-33.			1933-34.			1934-35.		
	Arack.		Toddy.	Arack.		Toddy.	Arack.		Toddy.
	Number of shops.	Rentals.		Number of shops.	Rentals.		Number of shops.	Rentals.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Ganjam	225	1,14,345	154	225	1,07,357	153	218	96,177	29,210
Visagapatnam ..	252	4,31,840	198	254	4,42,122	197	258	4,45,404	1,41,351
East Godavari ..	204	2,63,928	349	204	2,56,080	349	208	2,33,982	3,21,165
West Godavari ..	136	1,44,300	274	136	1,26,724	273	136	1,11,168	2,73,420
Kistna	267	2,19,708	444	265	2,21,142	449	269	1,89,228	1,75,365
Guntur	300	1,82,940	291	308	1,90,338	292	314	1,87,542	1,41,654
Nellore	201	87,617	330	201	91,083	334	196	73,592	85,220
Cuddapah	252	1,25,001	261	235	1,02,524	268	227	65,776	1,15,512
Anantapur	216	1,15,242	546	207	1,10,591	547	219	86,292	5,88,000
Bellary	180	1,23,924	356	181	1,38,888	360	176	1,12,704	4,85,172
Kurnool	171	1,22,064	396	173	1,33,782	395	166	83,667	4,88,640
Madras	18	6,42,000	54	18	6,55,800	54	18	6,41,340	5,37,120
Chingleput	159	2,60,988	338	158	2,46,576	338	154	2,03,040	5,91,216
Chittoor	185	1,29,858	290	184	1,20,456	294	181	85,842	3,41,748
North Arcot	293	2,61,084	419	265	2,23,044	419	265	1,49,706	7,52,184
South Arcot	396	2,19,036	292	408	1,88,643	294	417	1,87,694	2,80,488
Tanjore	89	1,57,956	993	89	1,59,090	994	89	1,47,450	10,93,854
Trichinopoly	219	2,58,948	244	219	2,22,248	243	216	1,95,986	8,57,268
Madura	151	1,81,808	193	142	1,74,324	190	149	1,73,160	5,51,556
Ramnad	146	1,20,386	454	144	1,48,692	452	145	1,40,484	4,42,224
Tinnevely	208	2,18,316	434	222	2,32,410	433	222	2,21,868	3,52,044
Coimbatore	318	2,94,228	559	317	3,11,202	558	319	3,00,876	15,76,152
The Nilgiris	3	2,16,120	..	3	1,77,720	..	3	1,73,640	..
Salem	261	1,56,070	494	311	1,98,168	496	309	1,31,976	18,67,656
South Kanara	302	70,212	579	301	71,298	579	280	70,590	3,57,408
Malabar	386	1,84,211	969	349	1,21,517	964	367	1,18,377	4,47,750
Total	5,508	83,50,590	9,911	5,522	51,43,820	9,915	5,531	45,77,511	1,28,99,407

[18th August 1938]

District.	1935-36.			1936-37.			1937-38.		
	Arrack.		Toddy.	Arrack.		Toddy.	Arrack.		Toddy.
	Number of shops. (14)	Rentals. (15)		Number of shops. (18)	Rentals. (19)		Number of shops. (22)	Rentals. (23)	
		RS.			RS.			RS.	
Ganjam ..	223	1,23,364½	154	303	3,54,498	333	346	3,11,748	330
Vizagapatnam ..	258	4,44,627	203	218	2,80,836	371	218	2,99,136	366
East Godavari ..	211	2,93,514	354	146	1,62,864	286	146	1,67,742	286
West Godavari ..	136	1,50,384	275	277	2,82,477	451	277	3,17,730	430
Kistna ..	272	2,40,060	452	349	2,34,573	341	355	2,77,926	339
Guntur ..	316	2,14,881	300	224	69,234½	357	222	65,118½	356
Nellore ..	207	68,391	336	224	1,04,005	271	267	1,05,254	272
Cuddapah ..	251	85,901	270	258	1,02,224	271	254	1,05,254	272
Anantapur ..	223	70,719	547	246	88,362	555	245	97,224	554
Bellary ..	179	1,33,104	361	199	1,34,562	373	196	1,62,432	373
Kurnool ..	175	84,078	397	190	1,11,978	410	192	1,25,940	411
Madras ..	18	6,41,340	54	18	5,92,320	57	18	6,42,312	57
Chingleput ..	160	1,98,456	342	161	2,07,288	348	162	1,93,632	348
Chittoor ..	191	83,656	316	192	99,612	316	199	1,00,329	317
North Arcot ..	265	1,61,808	422	270	1,78,644	428	271	1,99,332	428
South Arcot ..	427	1,53,342	298	447	1,84,824	302	448	2,27,838	303
Tanjore ..	89	1,49,480	1,090	91	1,40,484	1,133	91	1,18,788	1,139
Trichinopoly ..	219	2,02,644	257	238	2,16,048	272	242	2,15,580	273
Madurai ..	154	1,80,424	192	167	1,59,024	205	168	1,64,928	205
Ramanad ..	146	1,35,960	454	146	1,11,960	459	146	1,14,756	459
Tinnevely ..	222	2,57,460	437	241	2,26,350	448	241	2,20,884	431
Coimbatore ..	321	2,96,832	552	350	2,98,764	580	351	2,81,604	580
The Nilgiris ..	4	2,26,920	..	5	2,06,100	..	5	1,82,040	..
Salem ..	311	1,30,728	497	333	1,26,288	514	335	1,35,300	..
South Kanara ..	303	66,315	580	324	72,921	581	321	80,703	580
Malabar ..	420	1,13,947	974	435	1,02,511½	980	417	1,03,403	980
Total ..	5,701	49,17,315½	10,114	5,828	47,38,747½	10,371	5,879	49,23,679½	9,837
									1,14,84,035½

18th August 1938]

APPENDIX IV.

[Vide answer to starred question No. 17 asked by Rao Bahadur M. Raman at the meeting of the Legislative Council held on the 18th August 1938, page 73 supra].

I. Statement showing the travelling allowance incurred by Hon'ble Ministers monthwar from 15th July 1937 to 30th June 1938.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
		July 1937.	August 1937.	September 1937.	October 1937.	November 1937.	December 1937.	January 1938.	February 1938.	March 1938.	April 1938.	May 1938.	June 1938.	Total.
	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.	RS. A.
Hon'ble Prime Minister ..	..	..	86 0	523 12	909 6	190 8	631 5	104 9	..	38 10	80 9	..	444 3	2,060 14
Hon'ble Minister for Revenue ..	..	..	375 4	— 16 8 *	..	..	617 12	184 0	..	..	..	..	179 3	2,287 11
Hon'ble Minister for Public Works ..	..	..	184 12	84	791 6	841 14	525 2	198 0	134 9	548 3	900 7	382 3	5,254 9	..
Hon'ble Minister for Education and Legal Affairs ..	..	..	98 6	..	..	440 3	837 8	168 10	293 9	544 14	8 4	492 0	3,404 2	..
Hon'ble Minister for Public Health ..	..	..	538	8 * 385 12	338	331 2	250 10	213 12	50 4	287 3	151 7	259 9	2,972 1	..
Hon'ble Minister for Agriculture and Rural Development ..	..	..	357 2	175 0	427 15	417 7	330 7	473 8	202 8	680 14	335 10	430 9	4,427 15	..
Hon'ble Minister for Industries and Labour ..	..	..	661 9	30 2	291 0	425 13	390 12	661 15	770 12	..	415 7	54 4	1,023 0	4,886 10
Hon'ble Minister for Administration, Reports and Public Information ..	..	..	..	56 9	481 7	437 13	291 4	229 4	275 7	32 12	243 8	24 8	650 2	2,597 3
Hon'ble Minister for Courts and Prisons ..	..	..	225 12	157 6	135 11	983	333 2	460 3	180 0	104 12	401 6	233 0	205 13	3,643 14
Hon'ble Minister for Local Administration ..	..	..	225 3	278 12	73 9	352 15	481 4	469 3	114 11	39 1	..	..	344 5	2,758 13
Total ..	181 14	2,908	..	..	..	..	3,489 3	5,035 6	3,017 13	971 11	3,241 1	1,704 8	4,410 14	34,293 41

* Adjustment.

II. Statement showing the travelling allowance incurred by Parliamentary Secretaries and establishment of Hon'ble Ministers from 15th July 1937 to 30th June 1938.

	July 1937.	August 1937.	September 1937.	October 1937.	November 1937.	December 1937.	January 1938.	February 1938.	March 1938.	April 1938.	May 1938.	June 1938.	Total.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Parliamentary Secretary and establishment of the Hon'ble Prime Minister.	..	10 0	..	192 10	2 8	124 2	213 8	83 6	..	39 0	195 5	57 7	917 14
Parliamentary Secretary and establishment of the Hon'ble Minister for Revenue.	..	142 11	..	..	527 2	78 0	314 10	96 10	218 3	..	..	155 3	1,582 7
Parliamentary Secretary and establishment of the Hon'ble Minister for Public Works.	..	34 14	2 4	59 4	474 15	517 3	267 12	93 2	26 9	96 8	90 10	197 8	1,860 9
Parliamentary Secretary and establishment of the Hon'ble Minister for Education and Legal.	..	44 0	..	32 14	385 12	274 11	802 9	354 9	115 0	291 4	54 14	323 3	2,677 12
Parliamentary Secretary and establishment of the Hon'ble Minister for Public Health.	112 15	171 0	..	142 7	187 9	252 5	64 2	230 1	38 14	109 9	182 13	171 4	1,662 15
Parliamentary Secretary and establishment of the Hon'ble Minister for Agriculture and Rural Development.	..	209 5	87 12	195 11	640 8	358 1	194 14	178 2	315 15	323 6	137 8	894 0	3,535 2
Parliamentary Secretary and establishment of the Hon'ble Minister for Industries and Labour.	154 1	70 3	166 6	141 8	536 15	86 3	738 10	549 8	83 13	259 3	158 10	332 7	3,277 7
Parliamentary Secretary and establishment of the Hon'ble Minister for Industries and Labour.	..	71 6	65 12	..	152 10	163 7	161 8	159 2	436 7	35 12	137 10	219 15	1,603 9
Parliamentary Secretary and establishment of the Hon'ble Minister for Courts and Prisons.	..	9 2	83 7	60 2	594 13	511 2	363 11	111 3	130 7	124 4	12 0	177 11	2,077 14
Parliamentary Secretary and establishment of the Hon'ble Minister for Local Administration.	..	29 1	..	199 7	69 13	169 10	219 3	..	186 2	111 3	..	242 0	1,176 7
Total ..	287 0	761 10	406 9	1,023 15	8,572 9	2,534 13	3,340 7	1,355 11	1,501 6	1,390 1	968 6	2,770 10	20,422 0

[18th August 1938]

III. Statement showing the daily allowance drawn by Parliamentary Secretaries to Hon'ble Ministers from 15th July 1937 to 30th June 1938.

	July 1937.	August 1937.	September 1937.	October 1937.	November 1937.	December 1937.	January 1938.	February 1938.	March 1938.	April 1938.	May 1938.	June 1938.	Total.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Parliamentary Secretary to the Hon'ble Prime Minister.	..	..	..	..	2 8	..	..	..	..	5 0	..	..	7 8
Parliamentary Secretary to the Hon'ble Minister for Revenue.	..	..	..	10 0	..	7 8	37 8	15 0	..	5 0	..	..	75 0
Parliamentary Secretary to the Hon'ble Minister for Education and Legal.	..	17 8	..	10 0	..	2 8	15 0	2 8	..	7 8	2 8	22 8	80 0
Parliamentary Secretary to the Hon'ble Minister for Public Works.	..	..	..	2 8	15 0	2 8	5 0	..	..	..	..	..	25 0
Parliamentary Secretary to the Hon'ble Minister for Public Health.	..	..	..	..	..	..	..	..	..	..	..	..	..
Parliamentary Secretary to the Hon'ble Minister for Agriculture and Rural Development.	..	..	..	17 8	..	..	2 8	12 8	..	10 0	23 0	10 0	77 8
Parliamentary Secretary to the Hon'ble Minister for Industries and Labour.	..	..	..	2 8	2 8	5 0	..	7 8	..	5 0	..	5	27 8
Parliamentary Secretary to the Hon'ble Minister for Administration Reports and Public Information.	..	..	..	2 8	7 8	..	..	..	..	..	..	..	10 0
Parliamentary Secretary to the Hon'ble Minister for Courts and Prisons.	..	..	..	..	..	..	..	..	..	..	..	..	..
Parliamentary Secretary to the Hon'ble Minister for Local Administration.	..	..	..	17 8	12 8	2 8	..	..	2 8	2 8	..	..	37 8
Total ..	..	17 8	..	62 8	40 0	20 0	60 0	37 8	2 8	35 0	27 8	37 8	340 0

[18th August 1938]

APPENDIX IV-A.

[Vide answer to unstarred question No. 12 put by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 18th August 1938, page 76 supra.]

G.O. Ms. No. 2056, P.H., dated 28th October 1936.

[Prevention of Adulteration Act—Enforcement of the provisions of the Act in respect of railway refreshment rooms—Considered unnecessary—Railway administrations requested to improve the arrangements for the inspection of refreshment rooms and the supply of pure food.]

READ—the following papers:—

G.O. No. 2786, P.H., dated 25th January 1935.

From the Surgeon-General, Mis. No. 478-2, dated 12th June 1935.

From the Surgeon-General, No. 478-3 M., dated 3rd August 1935.

From the Agent, South Indian Railway, No. 207/2, dated 2nd December 1935.

From the Agent, Madras and Southern Mahratta Railway, No. 2504/35, dated 12th December 1935.

From the Agent, His Exalted Highness the Nizam's State Railway, No. 38810, dated 13th January 1936.

From the Agent, Bengal-Nagpur Railway, No. B. 2138/142, dated 31st January 1936.

From the Agent, His Exalted Highness the Nizam's State Railway, No. 38810, dated 28th February 1936.

Order—Ms. No. 2056, P.H., dated 28th October 1936.

Recorded.

2. The Government do not consider it necessary to enforce the provisions of the Madras Prevention of Adulteration Act, 1918, in respect of railway refreshment rooms. The attention of the Railway Administrations is however invited to G.O. No. 1653, P.H., dated 16th September 1926. The Government trust that the Railway Administrations will take steps to improve, wherever necessary, the arrangements made for the regular inspection of the railway refreshment rooms and the supply of pure food. Copies of the Madras Prevention of Adulteration Act as amended up to date and the rules issued thereunder are furnished to the Railway Administrations in order that they may act in conformity with the measures adopted in municipal areas.

(By order of the Government, Ministry of Education and Public Health)

C. H. MASTERMAN,
Secretary to Government.

To the Surgeon-General.

„ Director of Public Health.

„ Agent, South Indian Railway

„ Agent, Madras and Southern Mahratta Railway

„ Agent, His Exalted Highness the Nizam's State Railway

„ Agent, Bengal-Nagpur Railway

with C.L. and copies of Acts and Rules.

[18th August 1938]

APPENDIX V.

[Vide item VI (1) at page 84 supra.]

L.A. BILL No. 8 OF 1938.

(As passed by the Assembly.)

A Bill further to amend the Indian Lunacy Act, 1912, in its application to the Province of Madras for certain purposes.

IV of 1912. WHEREAS it is expedient further to amend the Indian Lunacy Act, 1912, in its application to the Province of Madras for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Indian Lunacy Short title. (Madras Amendment) Act, 1938.

IV of 1912. 2. After section 33 of the Indian Lunacy Act, 1912 (hereinafter referred to as the said Act), the following section shall be inserted, namely:—

“ 33-A. If the person in charge of any asylum in which a lunatic is detained under the provisions of sections 14, 15 or 17, is satisfied that in the interests of the health of the lunatic, it is necessary to discharge him temporarily, the person aforesaid may order such discharge for such period as he may think fit and subject to such conditions as the Provincial Government may by rule prescribe.”

3. In section 88 of the said Act, for the words and figures “ on a reception order made under section 14, section 15, or section 17,” the words and figures “ on a reception order made under sections 7, 10, 14, 15 or 17 or on an order made under sections 8 or 16 ” and for the words “ authority which made the reception order ” the words “ authority which made the reception or other order aforesaid ” shall be substituted.

4. In sub-section (1) of section 89 of the said Act, for the words “ may make an order for the recovery of the cost of maintenance of such lunatic together with

Insertion of new section 33-A in Act IV of 1912.

Temporary order of discharge of lunatic in interests of his health.

Amendment of section 88, Act IV of 1912.

Amendment of section 89, Act IV of 1912.

[18th August 1938]

the costs of the application out of such estate or from such person," the following words shall be substituted, namely:—

"may make an order for the recovery of the whole or any portion of the cost of maintenance of such lunatic and of the costs of the application, out of such estate or from such person :

Provided that an order directing recovery out of such estate shall be made only after making due allowance for the needs of the wife, children and other dependants, if any, of the lunatic."

Amendment
of section 91,
Act IV of
1912.

5. In sub-section (1) of section 91 of the said Act, after clause (c), the following clause shall be inserted, namely:—

"(cc) to prescribe the conditions subject to which lunatics may be discharged temporarily under section 33-A."

APPENDIX VI.

[Vide item VI (2) at page 85 supra.]

L.A. BILL No. 9 OF 1938.

(As passed by the Assembly.)

A Bill further to amend the Madras Medical Registration Act, 1914, for certain purposes.

WHEREAS it is expedient further to amend the Madras Medical Registration Act, 1914, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Madras Act
IV of 1914

Short title.

1. This Act may be called the Madras Medical Registration (Amendment) Act, 1938.

Substitution
of new
section for
section 5.

2. For section 5 of the Madras Medical Registration Act, 1914 (hereinafter referred to as the said Act), the following section shall be substituted, namely:—

Madras Act
IV of 1914

Constitution
of Medical
Council.

5. (1) A Medical Council shall be established for the Province of Madras, consisting of the following fifteen members, namely:—

(a) one member elected by the Academic Council of the University of Madras from among the members of the Faculty of Medicine of that University;

18th August 1938]

(b) one member elected by the Academic Council of the Andhra University from among the members of the Faculty of Medicine of that University;

(c) one member elected from amongst themselves by such members of the staff of the Medical College at Madras, as are registered practitioners;

(d) one member elected from amongst themselves by such members of the staff of the Medical College at Vizagapatam, as are registered practitioners;

(e) one member elected from amongst themselves by such members of the staff of the Stanley Medical College, Madras, as are registered practitioners;

(f) seven members elected by the registered practitioners from amongst themselves; and

(g) three members nominated by the Provincial Government.

(2) In making nominations under clause (g) of sub-section (1), the Provincial Government shall have due regard to the claims of women, of medical missions, and of other groups of practitioners, representatives of whom have not been elected by the electorates referred to in clauses (a) to (f) of that sub-section.

(3) The president of the Council shall be elected by the members of the Council from amongst themselves in the prescribed manner:—

Provided that for a period of four years from the date of the reconstitution of the Council under the Madras Medical Registration (Amendment) Act, 1938, the President shall be a person nominated by the Provincial Government and holding office during their pleasure, and where he is not already a member, shall *ex officio* be a member of the Council in addition to the members specified in sub-section (1).

(4) The vice-president shall be elected by the members of the Council from amongst themselves in the prescribed manner."

[18th August 1938]

Amendment
of section 6,
Madras Act
IV of 1914.

3. The proviso to section 6 of the said Act shall be omitted.

Substitution
of new
section for
section 7,
Madras Act
IV of 1914.

4. For section 7 of the said Act, the following section shall be substituted, namely:—

Term of
office of
elected and
nominated
members.

“ 7. A member of the Council, other than a nominated president who is a member *ex officio*, shall hold office for a term of five years from the date of his election or nomination and shall be eligible for re-election or re-nomination.”

Amendment
of section 8,
Madras Act
IV of 1914.

5. In clause (7) of section 8 of the said Act, for the expression “ clause (b) or clause (bb), ” the expression “ clause (a) or clause (b) ” shall be substituted.

Amendment
of section 11,
Madras Act
IV of 1914.

6. In section 11 of the said Act, after the first sentence, the following sentence shall be inserted, namely:—

“ The names of the medical practitioners shall be arranged in the register in the alphabetical order, an asterisk being placed against the names of those who are entitled to vote at elections to the Medical Council of India under section 3 (1) (c) of the Indian Medical Council Act, 1933.”

XXVII
1933.

Amendment
of section 24,
Madras Act
IV of 1914.

7. In sub-section (1) of section 24 of the said Act—

(a) in clause (i), for the expression “ sections 5 and 6,” the expression “ section 5 ” shall be substituted; and

(b) in clause (ii), for the words “ election of the vice-president,” the words “ election and term of office of the president and vice-president ” shall be substituted.

Transitional
provisions.

8. (1) The Provincial Government shall fix a convenient date on which the term of office of the members of the Council holding office at the commencement of this Act shall expire:

Provided that the Provincial Government may, from time to time, postpone any date fixed by them under this sub-section and fix another date in lieu thereof.

18th August 1938]

(2) The Provincial Government shall cause arrangements to be made for the election of members of the Council, and nominate members thereto, so that the newly elected and nominated members may come into office on the date fixed under sub-section (1) for the expiry of the term of office of members holding office at the commencement of this Act.

(3) No vacancy in the office of any member of the Council which is in existence at the commencement of this Act or which occurs before the date fixed under sub-section (1), shall be filled.

(4) If any difficulty arises as to the reconstitution of the Council in accordance with the provisions of this Act, the Provincial Government, as occasion may require, may by order do anything which appears to them necessary for the purpose of removing the difficulty.

APPENDIX VII.

[Vide item VI (3) at page 87 supra.]

L.A. BILL No. 10 OF 1938.

(As passed by the Assembly.)

A Bill further to amend the Madras Estates Land Act, 1908, for a certain purpose.

Madras Act
I of 1908.

WHEREAS it is expedient further to amend the Madras Estates Land Act, 1908, for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Estates Land (Amendment) Act, 1938.

Madras Act
I of 1908.

2. In sub-section (1) of section 185-A of the Madras Estates Land Act, 1908, for the words “ within two years,” the words “ within three years ” shall be substituted.

Amendment
of section
185-A, Mad-
ras Act I
of 1908.

[18th August 1938]

APPENDIX VIII.

[Vide item VI (4) at page 88 supra.]

L.A. BILL No. 11 OF 1938.

(As passed by the Assembly.)

A Bill further to amend the Prisons Act, 1894, and the Indian Lunacy Act, 1912, in their application to the Province of Madras, for certain purposes.

WHEREAS it is expedient further to amend the Prisons Act, 1894, and the Indian Lunacy Act, 1912, in their application to the Province of Madras for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Prisons and Indian Lunacy (Madras Amendment) Act, 1938.

Insertion of new section 39-A in Act IX of 1894.

2. After section 39 of the Prisons Act, 1894, the following section shall be inserted, namely,

Power of Superintendent to send a prisoner to hospital or asylum for special treatment.

“ 39-A. The Superintendent may, if in his opinion, a prisoner requires special treatment in a hospital outside the prison or in an asylum as defined in the Indian Lunacy Act, 1912, send him to such hospital or asylum subject to the prisoner or any relative or friend of the prisoner executing such bond and abiding by such other conditions, if any, as the Provincial Government may by rule or order prescribe. Any period during which the prisoner is undergoing treatment in such hospital or asylum or spent by him in going thereto or returning therefrom shall be deemed to be part of the period of his detention in the prison.

Explanation.—Nothing contained in this section shall be deemed to affect the operation of section 30 of the Prisoners Act, 1900, in cases to which that section applies.”

Amendment of section 4 of Act IV of 1912.

3. In sub-section (1) of section 4 of the Indian Lunacy Act, 1912, for the words and figures “ save as provided by sections 8, 16 and 98 ”, the words, figures and letter “ save as provided by sections 8, 16 and 98 of this Act and by section 39-A of the Prisons Act, 1894 ” shall be substituted.

18th August 1938]

APPENDIX IX.

[Vide item VI (5) at page 88 supra.]

L.A. BILL No. 12 OF 1938.

(As passed by the Assembly.)

A Bill to amend the Madras Famine Relief Fund Act, 1936, for certain purposes.

Madras Act XVI of 1936.

WHEREAS it is expedient to amend the Madras Famine Relief Fund Act, 1936, as adapted by the Government of India (Adaptation of Indian Laws) Order, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Famine Relief Fund (Amendment) Act, 1938.

2. In clause (iv) of section 3 and section 6 of the Madras Famine Relief Fund Act, 1936 (hereinafter referred to as the said Act), for the words “ the securities of the Central Government,” the words “ the securities of the Central or of the Provincial Government ” shall be substituted.

3. In section 7 of the said Act, after sub-section (2), the following sub-section shall be added, namely:—

“(3) All sums payable to the Fund under sub-section (2) shall be expenditure charged on the revenues of the Province.”

[18th August 1938]

APPENDIX X.

[Vide item VI (c) at page 89 supra.]

L.A. BILL No. 13 OF 1938.

(As passed by the Assembly.)

A Bill to repeal certain enactments and to amend certain other enactments.

WHEREAS it is expedient that the enactments specified in the First Schedule which are spent or have otherwise become unnecessary, or have ceased to be in force otherwise than by expressed specific repeal, should be expressly and specifically repealed :

AND WHEREAS it is also expedient that certain amendments should be made in the enactments specified in the Second Schedule :

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras Repealing and Amending Act, 1938.

Repeal of certain enactments.

2. The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Saving

3. Where this Act repeals any enactment—

(a) which, while itself repealing another enactment, provided for the saving of rights, privileges, obligations or liabilities, acquired, accrued or incurred under that enactment or provided that references to the enactment by it repealed should be read as if made to the Act or Regulation by which that enactment was repealed, or that acts done under the enactment by it repealed should be deemed to have been done under the Act or Regulation by which that enactment was repealed, or

(b) which, while itself amending another enactment, provided that references to the enactment by it amended should be read as if made to that enactment as so amended, or that acts done under the enactment by it amended should be deemed to have been done under that enactment as so amended or by a new authority substituted in that enactment as so amended for a previously existing authority,

the repeal shall not affect the operation of any such provision as aforesaid.

18th August 1938]

4. The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

THE FIRST SCHEDULE.

REPEALS.

(See section 2.)

Year. (1)	Number. (2)	Short title. (3)	Extent of repeal. (4)
1884	III	The Madras Revenue Recovery (Amendment) Act, 1884.	The whole.
1885	II	The Madras Rivers Conservancy (Amendment) Act, 1885.	The whole.
1895	II	The Madras Canals and Public Ferries (Amendment) Act, 1895.	The whole.
1896	II	The Madras General Clauses (Amendment) Act, 1896.	The whole.
1897	I	The Madras Revenue Recovery (Amendment) Act, 1897.	The whole.
1898	III	The Madras City Police (Amendment) Act, 1898.	The whole.
1905	I	The Madras Abkari (Amendment) Act, 1905.	The whole in all local areas in the Province where the Act has not been repealed by Madras Act X of 1937.
1905	IV	The Madras City Police Act Amendment Act, 1905.	The whole.
1909	I	The Madras Revenue Recovery Amendment Act, 1909.	The whole.
1909	II	An Act to repeal the Madras Labour and Emigration Act, 1866 (Madras Act V of 1866).	The whole.
1909	III	The Madras District Police and Towns Nuisances Acts Amendment Act, 1909.	The whole.
1911	I	The Madras Court of Wards Act, 1902, Amendment Act, 1910.	The whole.
1913	I	The Madras Abkari (Amendment) Act, 1913.	The whole in all local areas in the Province where the Act has not been repealed by Madras Act X of 1937.
1914	III	The Madras Proprietary Estates' Village-Service (Amendment) Act, 1914.	Sections 3 to 7 and 9 to 14.
1914	V	The Canals and Public Ferries (Amendment) Act, 1914.	The whole.
1914	VIII	The Madras Decentralization Act, 1914.	So much of the Schedule as has not been repealed with the exception of the entries in the Schedule relating to Madras Acts III of 1885 and IV of 1889.

[18th August 1938]

Year. (1)	Number. (2)	Short title. (3)	Extent of repeal. (4)
1915	I	The Madras Abkari Act (Amendment) Act, 1915.	The whole in all local areas in the Province where the Act has not been repealed by Madras Act X of 1937.
1916	III	The Madras Civil Courts (Amendment) Act, 1916.	The whole.
1920	I	The Malabar Land Registration Amendment Act, 1920.	The whole.
1920	II	The Madras Village Courts (Amendment) Act, 1919.	Sections 3 to 24, 26 and 27 and the Schedule.
1921	I	The Deputy President's Salary Act, 1921.	The whole.
1921	III	The Madras Cattle Diseases (Amendment) Act, 1921.	The whole.
1921	IV	The Madras City Municipal (Amendment) Act, 1921.	The whole.
1923	III	The Madras City Municipal (Further Amendment) Act, 1922.	The whole.
1924	I	The Madras Children (Amendment) Act, 1924.	The whole.
1924	III	The Madras Stage Carriages and Hackney Carriage (Amendment) Act, 1924.	The whole.
1924	IV	The Madras City Municipal (Amendment) Act, 1924.	So much as has not been repealed.
1924	V	The President's Salary Act, 1924.	The whole.
1925	III	The Madras Civil Courts (Amendment) Act, 1925.	The whole.
1925	IV	The Madras District Municipalities and Local Boards (Further Amendment) Act, 1924.	The whole.
1925	VI	The Madras City Municipal (Amendment) Act, 1924.	The whole.
1925	VII	The Madras Agricultural Posts and Diseases (Amendment) Act, 1925.	The whole.
1926	VI	The Madras City Tenants Protection (Amendment) Act, 1926.	The whole.
1927	I	The Madras Local Boards (Amendment) Act, 1926.	The whole.
1928	I	The Madras Hindu Religious Endowments (Amendment) Act, 1927.	The whole.
1928	II	The Madras Prevention of Adulteration (Amendment) Act, 1927.	So much as has not been repealed.
1928	III	The Tuticorin Port Trust (Amendment) Act, 1927.	The whole.
1928	VI	The Madras Children (Amendment) Act, 1928.	The whole.
1928	VIII	The Madras State Aid to Industries (Amendment) Act, 1928.	The whole.
1929	V	The Madras Hindu Religious Endowments (Amendment) Act, 1929.	The whole.
1929	X	The Madras Medical Registration (Amendment) Act, 1929.	The whole.
1929	XIII	The Madras City Police (Amendment) Act, 1929.	The whole.

18th August 1938]

Year. (1)	Number. (2)	Short title. (3)	Extent of repeal. (4)
1929	XIV	The Madras Medical Registration (Second Amendment) Act, 1929.	So much as has not been repealed.
1929	XV	The Madras Village Courts (Amendment) Act, 1929.	The whole.
1929	XVII	The Madras District Municipalities (Amendment) Act, 1929.	The whole.
1929	XVIII	The Madras Abkari (Amendment) Act, 1929.	The whole in all local areas in the Province where the Act has not been repealed by Madras Act X of 1937.
1930	I	The Madras District Municipalities and Local Boards (Further Amendment) Act, 1929.	The whole.
1930	II	The Madras Town-Planning (Amendment) Act, 1930.	The whole.
1930	IV	The Madras Hindu Religious Endowments (Amendment) Act, 1930.	The whole.
1930	VI	The Madras State Aid to Industries (Amendment) Act, 1930.	The whole.
1930	X	The Madras District Municipalities (Amendment) Act, 1930.	Sections 2 to 178 and the Schedule.
1930	XI	The Madras Local Boards (Amendment) Act, 1930.	Sections 2 to 245 and rules 6 and 9 of the Schedule.
1931	II	The Madras Civil Courts (Amendment) Act, 1930.	The whole.
1931	III	The Madras Motor Vehicles Taxation Act, 1931.	Section 3 and Schedule I.
1931	VIII	The Madras District Municipalities (Amendment) Act, 1931.	The whole.
1931	IX	The Madras Local Boards (Amendment) Act, 1931.	The whole.
1931	XI	The Madras Hindu Religious Endowments (Amendment) Act, 1931.	The whole.
1932	I	The Madras Suppression of Immoral Traffic (Amendment) Act, 1931.	The whole.
1932	II	The Madras Elementary Education (Amendment) Act, 1931.	The whole.
1932	III	The Madras Prevention of Adulteration (Amendment) Act, 1932.	The whole.
1932	IV	The Madras Local Boards (Amendment) Act, 1932.	The whole.
1932	V	The Madras Motor Vehicles Taxation (Amendment) Act, 1932.	The whole.
1932	IX	The Madras Medical Registration (Amendment) Act, 1932.	The whole.
1933	III	The Madras City Municipal (Amendment) Act, 1933.	The whole.
1933	VI	The Madras City Police (Amendment) Act, 1933.	The whole.
1933	VII	The Madras Gaming (Amendment) Act, 1933.	The whole.

[18th August 1938]

Year.	Number.	Short title.	Extent of repeal.
(1)	(2)	(3)	(4)
1933	VIII	The Madras Co-operative Societies (Amendment) Act, 1933.	The whole.
1933	X	The Madras Local Authorities Entertainments Tax (Amendment) Act, 1933.	The whole.
1933	XI	The Madras District Municipalities and Local Boards (Further Amendment) Act, 1933.	The whole.
1933	XII	The Madras District Municipalities (Third Amendment) Act, 1933.	The whole.
1933	XIII	The Madras City Police (Second Amendment) Act, 1933.	The whole.
1933	XIV	The Madras Local Boards (Amendment) Act, 1933.	The whole.
1933	XV	The Madras District Municipalities (Amendment) Act, 1933.	The whole.
1933	XVII	The Madras Court of Wards (Amendment) Act, 1933.	The whole.
1933	XVIII	The Madras Local Boards (Third Amendment) Act, 1933.	The whole.
1933	XXIII	The Madras Local Boards (Fourth Amendment) Act, 1933.	The whole.
1933	XXIV	The Madras Wild Elephants' Preservation (Amendment) Act, 1933.	The whole.
1933	XXV	The Madras District Municipalities and Local Boards (Amendment) Act, 1933.	The whole.
1934	I	The Madras Forest (Amendment) Act, 1933.	The whole.
1934	II	The Madras Local Boards and Elementary Education (Amendment) Act, 1934.	Sections 2 to 60.
1934	III	The Madras Impartible Estates (Amendment) Act, 1934.	The whole.
1934	IV	The Madras Town-Planning (Amendment) Act, 1934.	The whole.
1934	VI	The Madras Co-operative Societies (Amendment) Act, 1934.	The whole.
1934	VII	The Madras Nurses and Midwives (Amendment) Act, 1934.	The whole.
1934	VIII	The Madras Estates Land (Amendment) Act, 1934.	Sections 2 to 126 and the Schedule.
1934	IX	The Madras Local Authorities Entertainments Tax (Amendment) Act, 1934.	The whole.
1934	XI	The Madras Hindu Religious Endowments (Amendment) Act, 1934.	The whole.
1934	XII	The Madras Impartible Estates (Second Amendment) Act, 1934.	The whole.
1935	I	The Madras City Civil Court (Amendment) Act, 1934.	The whole.
1935	II	The Malabar Land Registration (Amendment) Act, 1934.	The whole.
1935	III	The Madras Local Boards (Amendment) Act, 1934.	The whole.

18th August 1938]

Year.	Number.	Short title.	Extent of repeal.
(1)	(2)	(3)	(4)
1935	IV	The Madras District Municipalities (Second Amendment) Act, 1934.	The whole.
1935	V	The Madras Co-operative Societies (Second Amendment) Act, 1934.	The whole.
1935	IX	The Madras Compulsory Labour (Amendment) Act, 1935.	The whole.
1935	X	The Madras State Aid to Industries (Amendment) Act, 1935.	The whole.
1935	XI	The Madras Elementary Education (Amendment) Act, 1935.	Sections 2 to 12.
1935	XII	The Madras Hindu Religious Endowments (Amendment) Act, 1935.	The whole.
1935	XIII	The Madras Local Boards (Amendment) Act, 1935.	Sections 2 to 6.
1935	XV	The Madras Village Courts (Amendment) Act, 1935.	The whole.
1935	XVII	The Madras Co-operative Land Mortgage Banks (Amendment) Act, 1935.	The whole.
1935	XVIII	The Madras District Municipalities (Amendment) Act, 1935.	The whole.
1935	XIX	The Madras Prevention of Adulteration (Amendment) Act, 1935.	The whole.
1935	XXI	The Madras Medical Registration (Amendment) Act, 1935.	The whole.

THE SECOND SCHEDULE.

AMENDMENTS.

(See section 4.)

Year.	Number.	Short title.	Amendments.
(1)	(2)	(3)	(4)
		<i>Act of the Governor-General in Council.</i>	
1859	XXIV	The Madras District Police Act, 1859.	In the Schedule— (i) for the words and figure "in section 1" occurring after the word "conviction" the words and figure "in section 3" shall be substituted; and (ii) for the words, figures and brackets "(xviii) and (xx) of section 71" the words, figures and brackets "and (xviii) of section 71" shall be substituted.
		<i>Acts of the Governor of Fort St. George in Council.</i>	
1865	VII	The Madras Irrigation Cess Act, 1865.	In the first proviso to section 1, the article "the" occurring before the words "the Crown" shall be omitted.

[18th August 1938]

Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Acts of the Governor of Fort St. George in Council—cont.</i>			
1908	I	The Madras Estates Land Act, 1908.	In section 190, the word and figures "section 40" shall be omitted.
1919	IV	The Madras City Municipal Act, 1919.	(1) In section 387, between the words "regulations" and "shall" the words "are due by any person to the Corporation" shall be inserted. (2) In sub-rule (a) of rule 15 of Schedule IV, the words and figures "under rule 14" occurring for the second time shall be omitted.
1920	IV	The Madras Children Act, 1920.	In section 44, sub-section (3) shall be omitted and sub-section (4) shall be renumbered as sub-section (3).
1920	V	The Madras District Municipalities Act, 1920.	(1) In sub-section (1) of section 41, for the words "his opinion" the words "their opinion" and for the words "he may if he thinks" the words "they may if they think" shall be substituted. (2) In clause (c) of sub-section (2) of section 89, for the words "half-year preceding the demolition" the words "half-year succeeding the demolition" shall be substituted. (3) In clause (b) of sub-section (2) of section 90, for the words "half-year preceding such date" the words "half year succeeding such date" shall be substituted. (4) In clause (6) of rule 53 of Schedule IV, before the words "any other extraordinary charges" the word "defray" shall be inserted.
1920	VII	The Madras Town Planning Act, 1920.	In section 44, clause (p) of sub-section (2) shall be omitted.
1920	VIII	The Madras Elementary Education Act, 1920.	In the proviso to the Explanation to sub-section (2) of section 45, for the words 'as he may think fit' the words 'as they may think fit' shall be substituted.
1920	XIV	The Madras Local Boards Act, 1920.	(1) In sub-clause (i) of clause (f) of section 31, for the words 'an servant of the Crown' the words 'a servant of the Crown' shall be substituted. (2) In clause (c) of sub-section (2) of section 102, for the words "half-year preceding the demolition, the words "half-year succeeding the demolition" shall be substituted.

18th August 1938]

Year. (1)	Number. (2)	Short title. (3)	Amendments. (4)
<i>Acts of the Governor of Fort St. George in Council—cont.</i>			
1920	XIV	The Madras Local Boards Act, 1920—cont.	(3) In clause (b) of sub-section (2) of section 102-A, for the words "half-year preceding such date" the words "half-year succeeding such date" shall be substituted. (4) In sub-section (2) of section 123, for the word "board" the word "panchayat" shall be substituted. (5) In sub-section (1) of section 195, for the words "as they think fit" the words "as it thinks fit" shall be substituted. (6) In sub-rule (2) of rule 5 of Schedule IV, after the words "who pays any tax to the panchayat" the words "or his authorized agent" shall be inserted and the words "or his authorized agent" occurring at the end of the sub-rule shall be omitted.
<i>Act of the Madras Legislature.</i>			
1938	IV	The Madras Agriculturists Relief Act, 1938.	In section 23 between the words "the sale" and the words "shall be deemed" the words "or foreclosure" shall be inserted.

APPENDIX XI.

[Vide item VI (7) at page 89 supra.]

L.A. BILL No. 14 OF 1938.

(As passed by the Assembly.)

A Bill to amend the Madras Prohibition Act, 1937, for a certain purpose.

Madras Act X of 1937. WHEREAS it is expedient to amend the Madras Prohibition Act, 1937, for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Prohibition (Amendment) Act, 1938.

Madras Act X of 1937. 1937—2. In section 6 of the Madras Prohibition Act,

(i) in the first paragraph, the words and figures "or specially approved as of medicinal value by the Medical Council established by the Madras Medical Registration Act, 1914" shall be omitted; and

[18th August 1938]

(ii) in the proviso, clauses (b) and (c) shall be relettered (c) and (d) respectively, and the following shall be inserted as clause (b), namely:—

“(b) to advertisements in medical journals, or to notices and literature circulated exclusively to members of the medical profession, if such advertisements, notices or literature relate to any liquor or intoxicating drug which has been specially approved as of medicinal value—

(i) by the Medical Council established by the Madras Medical Registration Act, 1914; Madras Act IV of 1914

or
(ii) by any other Medical Council which has been established under any law for the time being in force in any other Province in British India or in any Indian State, or which has been recognized by the Government of such Province or State; or

(iii) by such authority in respect of Indian Medicine as may be notified by the Provincial Government; or.”

APPENDIX XII.

[Vide item VI (8) at page 90 supra.]

L.A. BILL No. 15 OF 1938.

(As passed by the Assembly.)

A Bill further to amend the Madras Borstal Schools Act, 1925, for certain purposes.

WHEREAS it is expedient further to amend the Madras Borstal Schools Act, 1925, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Borstal Schools (Amendment) Act, 1938.

2. In Section 6 of the Madras Borstal Schools Act, 1925 (hereinafter referred to as the said Act), after the words “a salaried Presidency Magistrate,” the words “or any other Presidency Magistrate empowered by the Provincial Government to sit singly” shall be inserted.

Short title.

Amendment of section 6, Madras Act V of 1926.

Madras Act V of 1926.

Madras Act V of 1926.

18th August 1938]

3. In section 7 of the said Act—

(i) in sub-section (1), for the words “and forward the adolescent offender to the District Magistrate or Subdivisional Magistrate to whom he is subordinate,” the following shall be substituted, namely:—

Amendment of section 7, Madras Act V of 1926.

“and forward the adolescent offender—

(a) in case the Magistrate is a Presidency Magistrate, to the Chief Presidency Magistrate or if he has designated a salaried Presidency Magistrate in this behalf by general or special order, to such salaried Presidency Magistrate; and

(b) in other cases, to the District Magistrate or Subdivisional Magistrate to whom he is subordinate”; and

(ii) in sub-section (2), for the words “The District Magistrate or Subdivisional Magistrate to whom the proceedings are so submitted,” the words “The Magistrate to whom the proceedings are so submitted” shall be substituted.

APPENDIX XIII.

[Vide item VI (9) at page 91 supra.]

L.A. BILL No. 16 OF 1938.

(As passed by the Assembly.)

A Bill further to amend the Madras Local Boards Act, 1920, and the Madras Local Boards (Amendment) Act, 1935, for certain purposes.

WHEREAS it is expedient further to amend the Madras Local Boards Act, 1920, and the Madras Local Boards (Amendment) Act, 1935, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Local Boards (Amendment) Act, 1938.

2. (1) Notwithstanding anything contained in the Madras Local Boards Act, 1920, or the Madras Local Boards (Amendment) Act, 1935, the Provincial Government may, by notification, direct that the term of office of the members of all or any of the local boards situated in any of the districts included in Groups II and III

Power of Provincial Government to reduce the term of office of the members of certain local boards.

Madras Act XIV of 1920.

Madras Act XIII of 1935.

Madras Act XIV of 1920.

Madras Act XIII of 1935.

[18th August 1938

of the Schedule to the Madras Local Boards (Amendment) Act, 1935, shall be reduced so that such term may expire on such date as may be specified in the notification, in accordance with the provisions of sub-section (2).

(2) The date specified in a notification issued under sub-section (1) shall not be earlier than—

- (a) the first day of November 1938, in the case of local boards situated in any of the districts included in Group II aforesaid; and
- (b) the first day of November 1939, in the case of local boards situated in any of the districts included in Group III aforesaid.

Explanation.—The provisions of this section shall also apply to any local board situated in any of the districts included in Groups II and III aforesaid, notwithstanding that the term of office of the members of such board commenced on a day later than the latest date specified in column (3) of the table in clause (b) (iii) of section 7 of the Madras Local Boards (Amendment) Act, 1935.

Madras
Act XIII
of 1935.

Madras A
XIII of
1935.

THE MADRAS LEGISLATIVE COUNCIL

Friday, the 19th August 1938.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. President (THE HON. DR. U. RAMA RAO) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Transfer of Sub and Deputy Collectors and consequent travelling expenses.

* 21 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: With reference to the answer to my unstarred question No. 18, dated 31st August 1937, will the Hon. the Minister for Revenue be pleased to state whether the Government have since received complete information; and, if so, to place it before the House?

THE HON. MR. T. PRAKASAM:—"Yes. A statement* containing the information is laid on the table of the House."

RAO BAHADUR M. RAMAKRISHNA REDDI:—"May I know whether the Government is aware that the division is suffering a good deal on account of the frequent transfers of the officers and that the people could not have the benefits of the grants given by Government to the Economic Council?"

THE HON. MR. T. PRAKASAM:—"The hon. Member has said about frequent transfers. Necessary steps will be taken to prevent it."

Credit facilities for ryots whose debts have been scaled down.

* 22 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state what measures Government have taken and propose to take for providing cheap credit facilities for poor ryots whose debts have been scaled down?

THE HON. MR. V. I. MUNISWAMI PILLAI:—"There are at present 102 land mortgage banks in the Presidency, and six more will be organized during the current year (1938-39). These banks can help the debtors to clear their scaled-down debts. The Government have provided a sum of Rs. 50 lakhs in the budget for disbursement to small debtors as takkavi loans for the same purpose. A carefully prepared scheme for the disbursement of these loans is being worked out."

[19th August 1938]

Incidence of levy of court-fees on applications for probates, etc., and legislation, if any, under proposal for succession or death duties.

* 23 Q.—MR. J. A. SALDANHA: With reference to the answer given to my unstarred question No. 20 of 1st February 1938, will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether there exist inequalities in the incidence of court-fees levied from several communities on applications for probates, letters of administration and succession certificates;

(b) if so, whether Government have decided upon or have in view, any legislation for succession or death duties in case of testamentary or intestate succession among all on a uniform basis or differential basis;

(c) if the answer to the question is in the affirmative, what the basis is or is to be; and

(d) whether Government have been in correspondence with the Government of India on the subject of such legislation and with what result?

THE HON. MR. K. RAMAN MENON:—“(a) There are no inequalities in the incidence of court-fees. The law as it stands makes it obligatory for certain communities to take out probate while in similar circumstances some other communities are not obliged to take probate.

“(b) & (c) The Government have recently appointed a special officer to examine the Court Fees Act and his report is awaited.

“(d) The answer is in the negative.”

MR. J. A. SALDANHA:—“May I enquire with reference to (a) whether inequalities don't arise from the fact that some communities are obliged to take probate?”

THE HON. MR. K. RAMAN MENON:—“They are not inequalities under the Court Fees Act. They are inequalities on account of other provisions of the law.”

Commutation rate of price of paddy.

* 24 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Revenue be pleased to state the commutation rate of the price of paddy on which the resettlement was based and its present price in each district in this Province?

THE HON. MR. T. PRAKASAM:—“The commutation rates calculated at resettlements served merely as an indication of the movement of grain prices for the fixation of the resettlement assessments. The percentage enhancements actually

19th August 1938]

imposed were invariably and usually considerably lower than the percentage increases in the commutation rates. As there was no direct relationship between commutation rates at resettlement and the resettlement assessments the resettlements cannot be said to have been based on the resettlement commutation rates. The question relating to commutation rates is under examination by the Government in relation to the main land revenue policy.”

RAO BAHADUR M. RAMAKRISHNA REDDI:—“May I know the rates of prices on which the last resettlement was based in 1914?”

THE HON. MR. T. PRAKASAM:—“The hon. Member must realize that the answer cannot be given straightaway. The hon. Member will have to give notice.”

Exemption of wine used for religious purposes from the operation of the Madras Prohibition Act.

* 25 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether Government have ascertained if wine required for the sacrifice of mass among Catholics and for religious purposes among other Christian denominations is exempted from the operation of Prohibition Acts in any other province in British India by a distinct and statutory provision and if so, to what extent; and

(b) whether Government in this Province have decided upon or contemplate any statutory exemption of wine required for sacrificial purposes among Catholics and for religious purposes among other Christian denominations?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) No. They note further that the Acts passed in other provinces contain provisions more or less similar to those enacted in Madras.

“(b) Ample and satisfactory provisions have been made by statute and rules framed thereunder, and further action is not contemplated.”

MR. J. A. SALDANHA:—“May I enquire, Sir, whether the term ‘more or less’ conveys exactly what it means? May I know what is more and what is less?”

THE HON. MR. V. I. MUNISWAMI PILLAI:—“Notice, Sir.”
(Laughter.)

List of prosecutions and convictions in connexion with anti-Hindi agitation.

* 26 Q.—MR. J. A. SALDANHA: Will the Hon. the Prime Minister be pleased to place before the House a statement showing the number of prosecutions, convictions and the minima and

[19th August 1938]

maxima of penalties (periods of imprisonment, rigorous and simple and fines) inflicted for picketing before the Hon. the Prime Minister's house and for speeches in connexion with anti-Hindustani agitation during the year ending the 31st July 1938?

THE HON. DR. T. S. S. RAJAN for the Hon. Mr. C. Rajagopalachariar:—"A statement^a is appended."

MR. J. A. SALDANHA:—"I have not seen the statement yet."

THE HON. DR. T. S. S. RAJAN:—"I would like the hon. Member to digest the statement and put supplementary questions next time."

Conversion of the rural dispensary at Kilayur into an ayurvedic dispensary.

* 27 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: With reference to his answer to starred questions Nos. 64 and 93 put at the meetings held on 22nd March and 25th March 1938, respectively, will the Hon. the Minister for Public Health be pleased to state—

(a) whether the District Medical Officer submitted his report after enquiry;

(b) if so, whether he will place the report of the District Medical Officer or the Surgeon-General and the order of the Government thereon on the table of this House; and

(c) whether the Government have passed final orders on the latest request of the District Board to convert the dispensary into an ayurvedic one, and if so, whether he will place the order on the table of the House?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) The District Medical Officer submitted a report regarding the rural dispensary at Kilayur but Government do not consider that it will be in the public interests to place the report on the table of the house.

" (c) A copy^b of G.O. No. 2606, P.H., dated 19th July 1938, is laid on the table of the House."

Alleged withdrawal of the power of Inspector of Local Boards for superseding panchayat boards.

* 28 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the power conferred on the Inspector of Local Boards and Municipal Councils for ordering the supersession of panchayat boards has been withdrawn;

^a Printed as Appendix II on page 160 infra.

^b Printed as Appendix III on pages 161-162 infra.

19th August 1938]

(b) if so, when that power was conferred on him and why it was withdrawn; and

(c) whether he will place on the table a statement showing the names of the panchayat boards superseded after the withdrawal of the power (districtwar) and the nature of the recommendation of the Inspector, if any, on each case?

THE HON. MR. B. GOPALA REDDI:—" (a) The answer is in the affirmative.

" (b) The power to supersede panchayats, except those that were unions on 25th August 1930, was delegated to the Inspector in February 1931. In December 1934 the power in respect of panchayats which were unions on 25th August 1930 was also delegated to the Inspector. The powers were withdrawn in April 1938 as the Government considered that orders superseding panchayats should be finally issued on their direct responsibility.

" (c) A statement^a showing the names of panchayat boards (districtwar) superseded after the powers were withdrawn from Inspector is placed on the table of the House. The Inspector's recommendations are confidential."

Travelling allowance drawn by Ministers and Parliamentary Secretaries.

* 29 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Prime Minister be pleased—

(a) to furnish a statement showing the amount of travelling allowance drawn by each of the Hon. Ministers and by each Parliamentary Secretary from 15th July 1937 to 15th July 1938; and to state

(b) whether any Minister travelled in first class at the expense of the State and if so, the name of the Minister or Ministers, and place or places to which he or they travelled in the first-class during the abovesaid period of one year?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) The attention of the hon. Member is invited to the first two statements placed on the table with reference to Legislative Council question No. 17 (starred) answered on 18th August 1938. Those statements give details of the expenditure incurred on travelling allowance of the Hon. Ministers and their Parliamentary Secretaries and establishment from the 15th July 1937 to 30th June 1938. Two supplemental statements^b showing the expenditure incurred on the same account from the 1st to the 15th July 1938 are also laid on the table.

^a Printed as Appendix IV on page 162 infra.

^b Printed as Appendix V on page 163 infra.

[19th August 1938]

“(b) Ministers are entitled to choose their class for railway travelling. They generally take one second-class berth only, but some Ministers took one first-class berth on occasions when they felt it was necessary to do so. A statement^a is laid on the table.”

MR. A. RANGASWAMI AYYANGAR:—“Will the Government be pleased to state in what class or classes the previous Ministers travelled?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“First-class compartment as a whole.”

MR. A. RANGASWAMI AYYANGAR:—“Will the Government be pleased to state how the travelling allowance of the present Ministers compares with the travelling allowance of the previous Ministers?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“The travelling allowances were drawn previously on the basis of a first-class compartment as a whole being reserved. To-day the Ministers can take only one berth of any class that they travel by and no more. As for actual figures it is hardly possible for me to give now.”

KHAN BAHADUR SIR MAHOMED USMAN SAHIB BAHADUR:—“In view of the statement of the Prime Minister that he had to change once to first class in order to avoid the company of a petitioner, is it not better to reserve a compartment for himself in the public interest?”

MR. D. M. REID:—“Is it not in the best interests of the State that the Ministers should travel alone as very important problems must be always in their mind?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“As long as Ministers are free to do so, it may not be necessary to frame the rule.”

KHAN BAHADUR SIR MAHOMED USMAN SAHIB BAHADUR:—“Can they go in a separate compartment?”

THE HON. MR. C. RAJAGOPALACHARIAR:—“Oh, yes.”

Gazetted and non-gazetted Government servants of 25 years' service and compulsory retirement.

* 30 Q.—MR. D. MANJAYA HEDGE: Will the Hon. the Prime Minister be pleased to state—

(a) the number of gazetted and non-gazetted Government servants in superior service in all departments under the Madras Government who have put in 25 years of pensionable service; and

(b) what will be the saving accrued to the Government if they are compulsorily made to retire?

^a Printed as Appendix VI on page 164 infra.

[19th August 1938]

THE HON. MR. C. RAJAGOPALACHARIAR:—“(a) The following figures collected with reference to clause (b) of unstarred question No. 264, which was answered at the meeting of the Assembly on the 30th March 1938, are furnished:—

Number of persons in superior service, who have put in 25 years of pensionable service.			
In gazetted ranks ...	...	...	338
In non-gazetted ranks ...	...	...	10,265
			10,603

“(b) The financial effect of the proposal cannot be estimated with any degree of accuracy, without a great deal of labour. There will no doubt be some saving on salaries, but this is likely to be offset by an increase in the non-effective charges of the Government, as the officers compulsorily retired will have to be paid full pension from the dates of retirement instead of from the dates on which they would attain 55 years and the substitutes will also count for pension their service during the period.”

Commencement of Torrigedda project.

* 31 Q.—MR. D. SRIRAMAMURTI: Will the Hon. the Minister for Public Works be pleased to state—

(a) when the ‘Torrigeedda’ project will be taken up; and
(b) the cause for the delay in taking it up?

THE HON. MR. YAKUB HASAN:—“(a) & (b) The project will be considered as a Part II Scheme for 1939-40.”

Defects, if any, in the working of the Debt Relief Act.

* 32 Q.—MR. D. SRIRAMAMURTI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether the Government received any report regarding any defects in working out the Debt Relief Act; and

(b) whether there is any intention to revise the said Act and to remove any defects in the procedure?

THE HON. MR. V. I. MUNISWAMI PILLAI:—“(a) There have been some amount of criticism and many suggestions for improvement.

“(b) The Government do not intend to introduce any amending Act now.”

[19th August 1938]

MR. J. A. SALDANHA:—" May I enquire whether the Government—if not now, at least at an early date—will introduce amending legislation to remove the defects which are admitted to exist and which cause great inconvenience—I know from my own personal experience? "

THE HON. MR. V. I. MUNISWAMI PILLAI:—" The Government do not admit that there are defects just now."

Attendance of Police Officers of the C.I.D. at certain functions conducted by certain institutions in Rajahmundry.

* 33 Q.—MR. D. SRIRAMAMURTI: Will the Hon. the Prime Minister be pleased to state—

(a) whether C.I.D. Police in Rajahmundry attended (1) the opening function of the Political School on 15th July 1938, (2) bus owners and drivers conference opened on 23rd July 1938, (3) Prohibition Committee meetings on 31st July 1938 in Rajahmundry, held under the auspices of the Prohibition Committee of Rajahmundry; and

(b) what the nature is of the conference or meeting which the C.I.D. Police are to watch and report?

THE HON. MR. C. RAJAGOPALACHARIAR:—" (a) & (b) The Government regret that they must decline in the public interest to answer such questions about the activities of the Intelligence department of the State."

MR. D. SRIRAMAMURTI:—" ఏ సందర్భములలో ఎట్టి మీటింగులకు C.I.D పోలీసు - ఫీసర్లు హాజరయి రిపోర్టు చేయవలయునో తెలియచేయుదురా? "

THE HON. MR. C. RAJAGOPALACHARIAR:—" That is just what I stated just now, Sir; the Government cannot give publicity to the instructions they have given to the Intelligence department."

Alleged grievances of village servants of Baruva, Sompeta taluk, Vizagapatam district, regarding their pay, pension, etc.

* 34 Q.—MR. V. V. JOGAYYA PANTULU: Will the Hon. the Minister for Revenue be pleased to state whether it is a fact that the village servants (talaiyaris) of Baruva, Sompeta taluk, Vizagapatam district, who are all Harijans, while presenting an address of welcome to the Hon. the Minister for Labour and Industries stated that their monthly pay was Rs. 6, that they were entitled to no pension, provident fund or leave (casual, medical

19th August 1938]

or privilege), that they were allowed no travelling allowance or batta and that they were sent to taluk, etc., officers situated at distances of 10, 15 or 20 miles bearing their own expenses for delivering office papers, though these papers can be sent by post at a cost of half an anna or one anna; if so, whether the Government propose to take steps for redressing the grievances mentioned in the address?

THE HON. MR. T. PRAKASAM:—" Yes. In view of the heavy financial commitments involved, the Government do not propose to take any action in the matter."

MR. V. V. JOGAYYA PANTULU:—" Does the Government consider it just that these poor talaiyaris who get a salary of Rs. 6 a month, should be sent long distances without even batta, in spite of the fact that they do not get any pension or provident fund or casual leave, etc.?"

THE HON. MR. T. PRAKASAM:—" The Government consider it just because they have been discharging their traditional duties; the Government are anxious that not only talaiyaris but also all the village officers and villagers should be asked to exercise their traditional rights and privileges; when any thing can possibly be done, the claims of the talaiyaris also will be taken into account."

MR. V. V. JOGAYYA PANTULU:—" Does the Government think it just, simply because it is traditional though the talaiyaris suffer very much and are put to much expenditure from their pockets?"

THE HON. MR. T. PRAKASAM:—" Certainly, Sir, under the present financial conditions, the Government consider it just ^{11-15 a.m.} that the traditional work of these people should not be disturbed and that the Government should attempt to make them and also the people do their traditional duties."

RAO BAHADUR M. RAMAKRISHNA REDDI:—" May I know if the Government are aware that the talaiyaris are not paid their salaries directly but through the village munsifs?"

THE HON. MR. T. PRAKASAM:—" I do not quite catch the question."

RAO BAHADUR M. RAMAKRISHNA REDDI:—" Are the Government aware that the salaries of the talaiyaris are not paid directly into their hands? Is not the amount paid through the village headmen? The money is paid by the treasury to the village munsif and the latter takes his own time to pay the talaiyaris?"

THE HON. MR. T. PRAKASAM:—" No complaints have been received so far; at the same time I may point out to the hon. Member that such complaints must be attended to by the representatives of the people on the spot; they should try to prevent such things as far as possible before they

[19th August 1938]

give notice of questions in the Council here. The primary duty is on the part of those who could exercise their elementary rights to prevent such abuses wherever they take place; the Government will certainly deal with them when the complaints come before them."

RAO BAHADUR M. RAMAKRISHNA REDDI:—"What are the powers entrusted to hon. Members in this direction?"

THE HON. MR. T. PRAKASAM:—"Hon. Members themselves must know what powers they have; they have got greater powers than those of the Ministers; they are the men on the spot and it is their duty to book the offenders and prevent such irregularities occurring or being repeated."

MR. J. A. SALDANHA:—"By what means? By going to courts, or by using their influence?"

THE HON. MR. T. PRAKASAM:—"By exercise of common-sense and human powers."

Minor irrigation works in Chittoor district.

* 35 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: With reference to the answer to my unstarred question No. 16, dated 31st August 1937, will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government have since received any information with regard to the number of minor irrigation works in Chittoor district;

(b) if so, whether the Government will place the same on the table; and

(c) if no such information has been received, whether the Government propose to call for the information on the points in question?

THE HON. MR. T. PRAKASAM:—" (a) to (c) The Government will soon take up the question of contributions from the ryots along with the general question of the Land Revenue Policy."

Remission of land-cess by East Tanjore District Board and Government's refusal to accept the proposal.

* 36 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the District Board, East Tanjore, resolved in its resolution No. 54, dated 2nd March 1938, to remit the land-cess due on the portion of the land revenue remitted by the Government for fasli 1347, and the Government by their Order Ms. No. 1572, dated 29th April 1938, refused to accept the said proposal;

(b) if so, why;

19th August 1938]

(c) whether they have refused to accord similar sanction to any other district board; and

(d) if so, the names of those district boards?

THE HON. MR. B. GOPALA REDDI:—" (a) & (b) Yes. The proposal was not accepted by Government as the President had at the same time asked for an equivalent Government grant to balance the Board's budget. The order has since been modified and the Board has been permitted to remit the cess on the understanding that no Government grant will be given to offset any deficit in the Board's funds due to such remission.

" (c) & (d) Yes. Sanction was refused in the case of the South Arcot District Board in 1935 and the Villupuram District Board (now defunct) in 1938."

Security to be furnished by the Executive Officer, Sree Karpaganathar temple, Tanjore district, and the income of the temple.

* 37 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: With reference to his answer to starred questions Nos. 35 and 70 put at the meetings held on 1st February and on the 23rd March 1938 respectively, will the Hon. the Minister for Public Health be pleased to state—

(a) whether the executive officer furnished the security asked for;

(b) if not, why; and

(c) what the actual income of the temple is for the fasli year ending with the 30th June 1938?

THE HON. DR. T. S. S. RAJAN:—" (a) & (b) Five share certificates of the Reserve Bank owned by the Executive Officer have been accepted by the Hindu Religious Endowments Board as security subject to a registered undertaking from him that he will not transfer them so long as they remain as security with the Board.

" (c) The information has been called for."

Appointments of Public Prosecutors under the recent revised Government Order.

* 38 Q.—RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state the names of persons recommended by each of the Bar Associations for the appointment of Public Prosecutors and for the Assistant or Additional Public Prosecutors as the case may be as

[19th August 1938]

per the recent orders of the Government and the name of the person appointed by the Government in each case?

THE HON. MR. K. RAMAN MENON:—"A statement" is placed on the table of the House."

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I know, Sir, whether the Government are considering the question of cancelling the Government Order?"

THE HON. MR. K. RAMAN MENON:—"The matter is under the consideration of the Government."

* 39 Q.—Withdrawn.

Extension of Rural Water-Supply Scheme to villages in Rajahmundry taluk.

* 40 Q.—MR. D. SRIRAMAMURTI: Will the Hon. the Minister for Public Health be pleased to state whether Rural Water-Supply Scheme is included for villages in the Rajahmundry taluk; if not, why not?

THE HON. DR. T. S. S. RAJAN:—"Villages in the Rajahmundry taluk are included in the rural water-supply programme for 1938-39. It was not possible to include them in the programme for 1937-38 owing to paucity of funds and because water scarcity in Rajahmundry taluk was not considered to be so general or so acute as in other parts of the Province."

Government Order reducing the usual terms for which text-books are prescribed.

* 41 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the reasons that weighed with the Government in the issue of G.O. No. 862, Education, dated 7th April 1938, reducing from five to two years the period for which a text-book was prescribed taking in view the fact that even before, such text-books could be changed under necessitating circumstances with the previous approval of the District Educational Officer or the Inspectress of Schools;

(b) whether any representation was received by the Government from any school, parent body, book-sellers or any other body urging the desirability of changing the old Government Order and if so, the grounds on which such representation was based;

• Printed as Appendix VII on pages 164-165 infra.

[19th August 1938]

(c) whether any public interests were supposed by the Government to have been affected necessitating the change in the old Government Order; if so, what interests; and

(d) whether any public interests are believed to have been promoted by the new Government Order; if so, what they are?

THE HON. DR. P. SUBBARAYAN:—" (a) to (d) Representations were made to the Government to the effect that the orders of 1935, whereby text-books once introduced in a school should not normally be changed within five years of their introduction, tended in some cases to confer a monopoly of business on particular publishers, discouraged experiment and prevented new ideas and methods of teaching from reaching schools. These considerations appealed to the Government and they therefore considered it desirable to reduce the normal period within which text-books should not be changed to two years.

"The Government believe that this reduction will stimulate enterprise and initiative in publishing work and thereby minimize the possibilities of the methods of teaching and testing pupils becoming stereotyped."

RAO BAHADUR M. RAMAKRISHNA REDDI:—"May I ask whether the Government is aware of the fact that frequent changes will operate as hardship on the parents of poor boys?"

THE HON. DR. P. SUBBARAYAN:—"The Government do not admit the proposition made by the hon. Member."

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"What is the date of the original order?"

THE HON. DR. P. SUBBARAYAN:—"The original order was passed in the year 1935."

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Has there been any complaint about the misuse of the Government Order?"

THE HON. DR. P. SUBBARAYAN:—"I am sorry I am not able to hear the hon. Member; if he will try to be more audible, I will be able to answer his question."

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I ask whether any complaint has been received in giving effect to the Government Order?"

THE HON. DR. P. SUBBARAYAN:—"Yes, Sir; there was a deputation of publishers and others connected with the publication of books who felt that a monopoly was being created by the said order."

[19th August 1938]

RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—" May I know whether the Government enquired into the matter and found the complaint to be real? "

THE HON. DR. P. SUBBARAYAN:—" Yes, Sir; the answer itself says that, in the opinion of the Government, it tended to afford a monopoly."

Election of a panel by the Mangalore Bar Association for Public Prosecution.

* 42 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased—

(a) to place before the House the several Government Orders as to election by legal practitioners of a panel for selection by Government for the post of Government Pleader and Public Prosecutor; and to state—

(b) whether the Bar Association of Mangalore was called upon to elect a panel accordingly;

(c) whether a panel of elected legal practitioners was elected by the Bar Association of Mangalore;

(d) whether this election was set aside by Government and if so, on whose application and on whose official report and for what reasons mentioned in the application and for what grounds set forth in the official report;

(e) whether the Bar Association was called upon to submit its explanation on the alleged defects in the method of election and whether Government awaited the Bar Association's explanation before passing orders;

(f) what orders Government passed thereon;

(g) what action the Bar Association of Mangalore took on the Government Orders;

(h) what orders have Government passed finally; and

(i) what rules of procedure as to election of a panel for the selection for the post in question have Government decided to prescribe?

THE HON. MR. K. RAMAN MENON:—" (a) Copies of the proceedings * of Government on the subject are placed on the table of the House.

" (b) & (c) The answer is in the affirmative.

" (d) The election was set aside as it was not conducted in accordance with the following instructions contained in the proceedings of the Government on the subject:—

(1) That the election should be by open voting and process of successive elimination.

* Printed as Appendix VIII on pages 165-167 infra.

[19th August 1938]

(2) That gentlemen who will attain the age of 55 within three years of the date of the vacancy should not be included in the panel.

" (e) The Government did not call upon the Bar Association to submit any explanation.

" (f) Does not arise.

" (g) The Bar Association has declined to hold a fresh election.

" (h) The Government have appointed Sri Krishnan Nambiyar, B.A., B.L., Bar-at-Law, as Government Pleader and Public Prosecutor.

" (i) Does not arise."

MR. J. A. SALDANHA:—" May I enquire whether the person who has been appointed was within the panel of four persons who were elected by the Bar Association? "

THE HON. MR. K. RAMAN MENON:—" He was not."

MR. J. A. SALDANHA:—" May I ask on what grounds the Government did not respect the voice of the majority of the Bar Association? "

THE HON. MR. K. RAMAN MENON:—" The answer is already given in clause (d)."

MR. J. A. SALDANHA:—" Was it not a fact that the Bar Association unanimously preferred to have ballot voting instead of open voting, the former being the better and the more real way of expression of the will of the majority? "

THE HON. MR. K. RAMAN MENON:—" The Government is the best judge in the matter; there is no discretion when once the Government has issued instructions as to how the election will have to be held."

MR. T. C. SRINIVASA AYYANGAR:—" Arising out of the answers to the various clauses, may I ask the Hon. Minister whether he will not consider it advisable to take the opinions of senior judicial officers and revise the Government Order? "

THE HON. MR. K. RAMAN MENON:—" I have already answered the question that the matter is under the consideration of the Government."

MR. D. MANJAYA HEGDE:—" May I know whether the Government have considered the claims of the minor communities in this matter? "

THE HON. MR. K. RAMAN MENON:—" Ordinarily, the claims of the minor communities are not particularly considered by the Government but preference will be given if there are suitable candidates from such minor communities."

[19th August 1938]

MR. J. A. SALDANHA:—“ May I know, Sir, whether in the case of this appointment the recommendations of the Collector were concurred in by the District Judge? ”

THE HON. MR. K. RAMAN MENON:—“ Yes, both of them agreed.”

MR. J. A. SALDANHA:—“ May I ask, Sir, whether in view of the objections raised all over the Presidency or from several parts of the President, the Government will change the method of election? ”

THE HON. MR. K. RAMAN MENON:—“ I have answered it twice over.”

Measures for the protection of the interests of British subjects who invest money in banks incorporated in and outside British India.

* 43 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) what measures Government took for the protection of the interests of British subjects in this province, who had invested their money as shareholders and depositors in the Travancore National and Quilon Bank, Limited, when the bank suspended business; and

(b) whether Government have any recommendations for being placed before the Government of India with a view to introducing banking legislation with adequate provisions for the protection of the interests of British Indian investors in banks incorporated in British India as also banks incorporated outside British India and operating in British India particularly this province?

THE HON. MR. V. V. GIRI:—“ (a) The attention of the hon. Member is invited to the Press Communiqués, dated the 30th June 1938 and the 9th August 1938.

“ (b) The matter is under consideration.”

MR. J. A. SALDANHA:—“ May I enquire, Sir, whether in this case the Government will take into their confidence the bankers and others who are concerned in this affair before making recommendations? ”

THE HON. MR. V. V. GIRI:—“ Certainly, that suggestion will receive the consideration of the Government.”

The port of Masulipatam and certain improvements thereto.

* 44 Q.—MR. D. M. REID: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there are any proposals under the consideration of the Government—

(i) to improve the drainage and put an end to water-logging in the port of Masulipatam;

19th August 1938]

(ii) to dredge the bar and widen the canal;

(iii) to increase the Marine Police Force and improve their equipment;

(iv) to increase the present godown accommodation in the port; and

(b) whether the Government are aware that the roads in Masulipatam have been in a bad condition especially since the cyclone and floods of 1936; and, if so, what action do the Government propose to take to improve those roads?

THE HON. MR. YAKUB HASAN:—“ (a) A four-year programme of improvements costing about Rs. 3 lakhs is under 11-30 a.m. the contemplation of the Presidency Port Officer, but it has not yet come before the Government for their consideration. In a report submitted in November last, the Presidency Port Officer stated that the dragline excavator sanctioned in 1936 and purchased at a cost of over 30 thousand was successfully employed in deepening and widening the creek and channel at the port, since April 1937, that the finances of the port did not permit the purchase of a dredger for improving the condition of the bar, that the question of consolidating wharf No. 1 was under consideration, that five experimental road-bunds across this wharf were under construction and would be completed shortly, and that arrangements were in progress to take over, widen and improve the road within port limits. Recently Government sanctioned the estimate for the wharf wall costing Rs. 30,000. The proposal to sanction a special police staff to prevent pilferage of cargo, and purchase of a motor launch involving a cost of Rs. 8,600 and a recurring cost of Rs. 5,000 is under the consideration of Government. Government are not at present aware that the godown accommodation requires any increase but they will make enquiries.

“ (b) The Collector recently remarked that the general condition of the roads in the municipality had considerably deteriorated and that urgent steps should be taken to repair at least the main roads in the town. This remark has been brought to the notice of the municipal council in the Government's review on the Council's Administration Report for 1936-37. A proposal for the taking over by the Port department of the district board road within the limits of the port is also under consideration.”

MR. D. M. REID:—“ Before putting a supplementary question or two, may I thank the Hon. Minister very much for the very useful and full information which he has been able to give at very short notice? I realize that the Minister has taken very great trouble, as also his department, in regard to this matter.

[19th August 1938]

" May I ask if the Hon. Minister has any approximate idea of the total value of money that need be spent to put that port in order and whether I am correct in saying that it would be between 10 to 20 lakhs? "

THE HON. MR. YAKUB HASAN:—" According to the question, the improvements consist of two things. I have already stated in the answer that a four-year programme costing three lakhs is under the contemplation of the Presidency Port Officer and that has not come before us for consideration and when it comes it will be considered. As for the roads, we have asked the municipality to improve them; but in respect of the road within the port area, the question of taking it over from the district board is under consideration. Of course that will cost some money, but I cannot now give any idea of the amount that it may involve. Then with regard to the dredger, that question has not also come before us yet and if it comes up and if it is considered necessary to supply one, it will be supplied and if necessary, sufficient funds also will be provided for it."

DR. SIR K. V. REDDI NAYUDU:—" Arising out of the answer that the finances of the port are not adequate for the purchase of a dredger, may I ask, Sir, whether it is not a fact that during the last four or five years the trade of the port, both imports and exports, has considerably increased especially on account of the produce in the Nizam's States? "

THE HON. MR. YAKUB HASAN:—" I require notice for that, Sir."

DR. C. RAMALINGA REDDI:—" May I enquire, Sir, whether the Hon. Minister is aware that in respect of two of the important export commodities, the port of Masulipatam does much bigger business than even Madras? "

THE HON. MR. YAKUB HASAN:—" I know that the port of Masulipatam is doing large export business in these two commodities, but I cannot say that it is bigger than that of Madras."

DR. C. RAMALINGA REDDI:—" May I ask the Hon. Minister to call for the figures of exports from the different ports in South India and further may I request him, in view of the large number of items of improvement that have to be attended to in regard to the Port of Masulipatam, not to be satisfied with the present proposals of the Port Officer, but to hold an expert enquiry or call for a complete programme of improvements to be executed and try to provide the necessary funds because of the special importance of the port to the entire groundnut producing tract? "

THE HON. MR. YAKUB HASAN:—" I shall call for the information about the export of these two commodities. As

19th August 1938]

regards the other matter, the Presidency Port Officer is in a position to say what improvements are required and so no investigation is necessary and there is nothing for any committee to investigate and as a matter of fact nobody can be in a better position than the Presidency Port Officer to advise the Government about these matters."

DR. C. RAMALINGA REDDI:—" Sir, if I had conveyed the impression that we on this side were not satisfied with the proposals of the Port Officer, I must correct myself. What I intended was that the Government should kindly instruct the Port Officer to give them a complete and comprehensive programme of improvements in view of the great importance of the port to the Andhra country."

THE HON. MR. YAKUB HASAN:—" The Presidency Port Officer knows his duty and he will himself bring it up before the Government for consideration and there is no need to ask him."

MR. J. A. SALDANHA:—" I have assumed that there are no surplus funds available for these improvements and so I want to know whether the Government are willing to spend the amount from out of their general funds for these improvements."

THE HON. MR. YAKUB HASAN:—" Sir, the hon. Member has only made a speech and has not put it in the form of a question."

MR. J. A. SALDANHA:—" I am now putting it, Sir. If there are no surplus funds available, may I ask whether the Government are going to spend money out of the general funds for the improvement of this port? "

THE HON. MR. YAKUB HASAN:—" I have stated that all the necessary improvements will be attended to and from what source the money will be found, that question does not now arise."

MR. D. M. REID:—" May I know, Sir, if the Hon. Minister will draw the attention of the Health department to the need for removing the mosquitoes breeding in the locality owing to stagnant water and to the past history of a severe epidemic of cholera about 2½ years ago? "

THE HON. MR. YAKUB HASAN:—" Masulipatam is not the only port which is infested with mosquitoes and if anything could be done by the Health department in regard to this matter I am sure they will do it and confer a great boon to the people of Masulipatam."

MR. D. M. REID:—" May I say, Sir, that there is a great labour force who are engaged in handling 178,000 tons there who are likely to be affected? "

[19th August 1938]

THE HON. DR. T. S. S. RAJAN:—"May I inform the hon. Member that mosquitoes do not germinate cholera."
(Laughter.)

Restrictions placed on ryots in regard to 'pentas in forest areas.'

* 45 Q.—RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether it is a fact that penalty is levied on the ryot for sleeping in a "penta" in a range other than where he is permitted by Forest department though he is allowed to graze his cattle in all the "pentas" in that range;

(b) why such restriction is placed on the ryot;

(c) whether the Government have received representations from the ryots in this connection; and

(d) if so, what action they propose to take in the matter?

THE HON. MR. V. I. MUNISWAMI PILLAI:—" (a) No penalty is charged if the cattle-owner sleeps in any penta other than the one where his cattle are licensed for penning. But the penning of cattle in a penta other than the penta specified in the licence is prohibited. It is however open to the ryot to obtain a licence for penning his cattle anywhere in a range or even a division on payment of the fees prescribed for the purpose. The conditions in the various divisions are not uniform and the rates charged for penning differs in different divisions. The fees for penning are generally independent of the fees levied for grazing.

" (b) The object with which cattle are prohibited from being penned in a penta other than the one specified in the licence is to prevent the overcrowding of cattle in a particular penta

" (c) The answer is in the negative.

" (d) Does not arise."

Fees charged by lawyers and reflections alleged to be made by the Hon. the Prime Minister and the Hon. the Minister for Courts and Prisons on legal profession.

* 46 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Government are aware of the resolution passed by the Bar Association, Mangalore, at its meeting on 2nd August 1938, protesting against the alleged reflections by the Hon. the Prime Minister and the Hon. the Minister for Courts and Prisons on the legal profession in regard to the high fees charged by lawyers on litigants and the judicial officers in regard to the salaries drawn by them;

[19th August 1938]

(b) if so, what action Government have taken or contemplate taking on the resolution; and

(c) whether Government have decided to adopt measures to reduce such fees and salaries, and if so, to what extent and in which directions?

THE HON. MR. K. RAMAN MENON:—" (a) A resolution of the nature described has come to the notice of Government.

" (b) The Government do not believe that the resolution calls for any action on their part.

" (c) Salaries of certain judicial officers have been reduced to some extent. No further action is contemplated now."

MR. J. A. SALDANHA:—"May I enquire, Sir, whether the Government contemplate any reduction of fees of pleaders also, because the Hon. the Prime Minister always makes reflections as to the high fees drawn by pleaders?"

THE HON. MR. K. RAMAN MENON:—"No, Sir."

MR. J. A. SALDANHA:—"I am asking this because the Hon. the Prime Minister has been persistent in harping upon the salaries of judges and fees of pleaders?"

THE HON. MR. C. RAJAGOPALACHARIAR:—"The Hon. the Minister for Courts and Prisons cannot answer that question."

MR. A. RANGASWAMI AYYANGAR:—"Is it not a fact, Sir, that there are lawyers and lawyers and that some lawyers charge ridiculously low fees?"

THE HON. MR. K. RAMAN MENON:—"Government have no information."

MR. A. RANGASWAMI AYYANGAR:—"Is it not a fact that the large fees charged by lawyers are due to the present judicial system which allows the purchase of brains by rich men to keep them out of their scrapes?"

THE HON. MR. K. RAMAN MENON:—"I am not able to answer a question like that."

UNSTARRED QUESTIONS

Debt Conciliation Boards and steps taken for enlisting retired Revenue and Judicial officials as members thereof.

13 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased—

(a) to place before the House a statement showing the several Debt Conciliation Boards constituted under the Debt Conciliation

[19th August 1938]

Act with names of the chairmen and their qualifications; and to state—

(b) what steps have been taken to enlist as members of the boards competent and reliable retired Revenue and Judicial officials and legal practitioners; and

(c) what allowances the members of the boards are paid?

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

(b) The members are selected after due enquiry.

(c) The attention of the hon. Member is invited to rules 26 and 27 of the Madras Debt Conciliation Rules, 1937, copy of which is available in the Council Library.

Publication of District Manuals and Gazetteers.

14 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Revenue be pleased—

(a) to place before the House a statement showing the old manuals in stock and gazetteers published for the various districts in this Presidency or in contemplation, the year of the publication of those issued and the probable date of others to be published; and to state—

(b) why there has been delay, if any, in the publication;

(c) how the need of the public for districtwar geographical, historical and statistical information is satisfied in the absence of District Manuals or Gazetteers; and

(d) what staff and establishment are employed for the purpose and at what cost?

A.—(a) to (d) A statement^b is annexed. No proposal to publish any more District Gazetteers is under the contemplation of the Government and no establishment is at present employed for purpose.

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

II.—ELECTION TO THE ANNAMALAI UNIVERSITY SENATE.

* MR. PRESIDENT:—“ I have to announce to the House that the following two candidates were duly nominated for election to the Senate of the Annamalai University:—

(1) Mr. A. Rangaswami Ayyangar.

(2) Mr. S. A. S. Rm. Ramanathan Chettiyar.

“ As the number of candidates nominated for election is equal to the number of vacancies to be filled, namely, two, I hereby declare them duly elected to the Senate of the Annamalai University.”

^a Printed as Appendix IX on page 167 infra.
^b Printed as Appendix X on page 168 infra.

[19th August 1938]

II-A.—MESSAGE FROM THE ASSEMBLY.

MR. PRESIDENT:—“ I have to announce to the House that the following message, dated Chepauk, the 18th August 1938, has been received by me from the Hon. the Speaker of the Madras Legislative Assembly:—

‘ In accordance with rule 94 of the Madras Assembly Rules, I transmit a copy of the Removal of Civil Disabilities Bill (L.A. Bill No. 9 of 1937), as passed by the Assembly on the 17th August 1938, and signed by me, for the concurrence of the Council.’ ”

III.—DISCUSSION RE PROPRIETY OF CONSIDERING THE RESOLUTION ON BURMA RIOTS.

* THE HON. DR. T. S. S. RAJAN:—“ Mr. President, there is a communication from two hon. Members of this Council asking me to allow them and to get the permission of this House to move a resolution of a very important nature which had a fairly long discussion in the Assembly yesterday. The subject-matter of the resolution relates to the recent happenings in Burma. The matter is not placed in the agenda to-day. But if it is unanimously decided to discuss that matter and give the opinion on it I have no objection to have this matter discussed after the official items in the agenda to-day are finished. The agenda has been circulated to hon. Members and they know the contents of the resolution. I think I have got the full support of the House to include that resolution in the agenda of to-day.”

DR. C. RAMALINGA REDDI:—“ I have got one thing to place before you. As regards the merits of the matter there won't be any difference of opinion in the House. But these relate to happenings in a place which is under a separate Government altogether. The question is whether matters of such dire and serious import could be discussed here in so far as they have happened in a place under some other Government independent of the Madras Government and whether a resolution can be adopted by this legislature. This is a matter on which we should have guidance.”

THE HON. MR. C. RAJAGOPALACHARIAR:—“ Would it not be better if this matter is also taken up when the resolution is discussed? ”

DR. C. RAMALINGA REDDI:—“ The reason why I raise the question now is this. The Hon. Member was asking permission as it were and he dealt only with the procedure and not the merits. I thought it is proper that this should be submitted to you at this stage.”

[19th August 1938]

THE HON. MR. C. RAJAGOPALACHARIAR:—"I also mean the same thing that, while it is substantially a question of jurisdiction, it can be discussed when the resolution is taken up at the end."

DR. C. RAMALINGA REDDI:—"This is a matter more for diplomatic negotiations by Government rather than for popular legislatures to give a verdict upon. I should be very glad if the Prime Minister also will give us the benefit of his opinion."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"I would like to dispose of the matter now. I submit it would be a new departure if this Legislature were not to take up a matter in which the people of this Province, people who still remain domiciled in this Province, have been affected very seriously, but make it a matter of convention not to discuss it, it would become a very bad principle. At the same time one can very well understand the delicate point brought to attention by Dr. Ramalinga Reddi. In this particular case the matter has been fully discussed in the other House already yesterday and the resolution has been passed. I think it will be sent up to the Governments concerned. The question now raised is therefore one which can be decided one way or the other in this Chamber of the Legislature. Personally I feel that there is nothing much lost by not having another discussion if this House could agree to it, because it had been thoroughly discussed in the other House. We may at least prevent further additions to the embarrassments that were touched upon by Dr. Ramalinga Reddi, if the House would not consider a loss of opportunity to help us. I have personally no objection to allow the resolution to go on. But I leave it to the House."

* THE HON. DR. T. S. S. RAJAN:—"I desire to add only a few words. This is not a question on which the House should pass a resolution by way of judgment one way or the other. It will be only a resolution which will show to the other Governments how much feeling there is especially when so large a number of people are affected by the recent riots. This Government will send up not only its view points, but on the other hand the resolution will add strength to the representations of this Government."

THE RT. HON. V. S. SRINIVASA SASTRI:—"May I put in a word, Sir? I think it would be quite proper for this House to consider this subject inasmuch as our brother nationals are concerned. Their lives and fortunes have been imperilled and I think it would be quite appropriate for us to pass a resolution. The question the Prime Minister raised is whether it is necessary and if so, whether it is within our power. I submit, Sir, that the terms of the resolution admit of some discussion. I wonder

19th August 1938] [Rt. Hon. V. S. Srinivasa Sastri]

whether Mr. T. C. Srinivasa Ayyangar has adopted a resolution exactly in the terms of the resolution passed in the Assembly. In that resolution as I read it there is no emphasis on the fact that we are dealing with the recent danger that beset the lives and fortunes of our nationals. In the middle part of the resolution we seem to be giving a direction to the Burma Government that they had better order their administration to administer better with greater watchfulness. Sir, it occurs to me that in this country in which racial conflicts occur almost everyday, it is rather strange for the Government to advise a brother Government with regard to the latter's administration. The third resolution also seems to me to be cast in very wide terms. I was sorry I was not in the Assembly. But I am not responsible for it. I would have asked that the resolution be so cast as to make it clear that we are dealing with what exactly is our business, that we are not dealing with matters outside the Government and that we do not in the slightest way give room for any kind of animadversion that we are dealing with the affairs of another Government and we are telling them as to how to do their business."

DR. C. RAMALINGA REDDI:—"If we have any suspicion of our Government or with the Government of Burma that they are not doing their duty properly, then it would be open for this Legislature to take up this question more as a matter of censure of its own Government rather than a remonstrance with a foreign independent Government. I think we have full confidence in the Madras Government as we have known from the recent communications that the Government are doing their very best as also the Government of Burma. I think therefore a popular deliberative Chamber should withhold discussion till they know what results are achieved by the friendly diplomatic achievement of the Government."

* THE HON. MR. T. PRAKASAM:—"Sir, this is a matter that should be taken into consideration along with the resolution, as pointed out by the Prime Minister. I have got to say one word because it has been emphatically put that it is not within the province of this Legislature. It is within the province of this Legislature, because so many people of this Presidency are domiciled subjects of Burma and such happenings have taken place there. This Legislature will be failing in its duty if it does not take these facts into account and express its opinion."

* MR. PRESIDENT:—"Ordinarily I would not have any objection to admit this resolution. The only objection was that notice was not given. On that account I ask whether hon. Members have any objection to the resolution being discussed. (After a pause.) I see nobody objects and I allow this resolution to be moved at the end of the official business."

148 DISCUSSION re PROPRIETY OF CONSIDERING THE RESOLUTION
ON BURMA RIOTS

[Mr. President] [19th August 1938]

"The Council will now proceed with the general debate on the Supplementary Statement of Expenditure."

IV.—SUPPLEMENTARY STATEMENT OF EXPENDITURE FOR 1938-39.

THE HON. MR. C. RAJAGOPALACHARIAR:—"I had the honour of presenting the Supplementary Statement of Expenditure for 1938-39 a few days ago. The demands are all more or less in my opinion non-controversial. So far as the general principles of these demands are concerned, we discussed or will discuss them at the usual time. On these supplementary estimates I do not think any hon. Member has anything to say. If not, there will be nothing more to do on the subject."

12 noon. * MR. PRESIDENT:—"I take it that no hon. Member has anything to say about the Supplementary Statement of Expenditure."

MR. J. A. SALDANHA:—"They may be put to vote."

* MR. PRESIDENT:—"There is no question of passing the supplementary grants; the debate on this item will cease and we will pass on to the next item."

V.—RESOLUTION REBURMA RIOTS.

* MR. T. C. SRINIVASA AYYANGAR:—"Mr. President. Sir, I beg to move the following resolution:—

"That this Council recommends to the Government—

"(1) to bring to the notice of the Government of Burma that the people of this province greatly deplore the recent riots in Burma and hope that effective measures to preserve life and property have been adopted and that adequate measures will be continued to prevent a recurrence; and

"(2) to recommend the appointment of a committee to enquire fully into the disturbances and suggest that measures may be adopted to maintain permanent peace and goodwill between various communities; "

"This Council further recommends to the Government to bring to the notice of the Government of Burma that it is the earnest wish of all communities in this province that peace and tranquillity will be speedily restored and maintained, and that a fair and satisfactory measure of relief will be afforded to all sufferers."

"I thank, in the first place, the Hon. the Leader of the House for the kindness and promptitude with which he sympathized with the proposal to move the resolution. He was good enough to invite your attention and made a request to you to take the sense of the House. I must also thank hon. Members of the House for the permission they have granted. I do not think that, on

19th August 1938] [Mr. T. C. Srinivasa Ayyangar]

the resolution itself many words will be required from me to commend it to the acceptance of the House. It is fairly clear that upon the merits of the subject there are no two opinions at all. The reason why this House desires to have a discussion after the elaborate discussion yesterday in the other House, is that the matter is felt so keenly by every one that it is desirable that the feelings and sentiments in this matter should be made known to the Government and peoples of Burma. As I said, it will be unnecessary to go into details. Friendly relations had subsisted between Indians and Burmans for decades for a very long time. It has been only during the last seven or eight years that we have been hearing, now and then, of riots, bloody riots. In the year 1930, there was a riot in the City of Rangoon in which many lives were lost and properties were damaged. About the years 1932-33 there was a disturbance over a considerable area in the interior parts of Lower and Upper Burma in which also persons and properties on a vast scale were involved; life was very insecure and there was great loss of lives and considerable loss of property; in this riot also, there has been serious loss of life and property; the riots began on the 26th July and during the five days that the riot raged in Rangoon very many were killed; and many times more were injured. Actual figures are not even now available. To the enquiries made by the Madras Government, the Burma Government was unable to give any accurate information. But from the press reports, we are able to see that even on a modest estimate, there were about 70 deaths and about 400 people who were injured in the City of Rangoon. But the riots did not stop with the City of Rangoon but like an epidemic, riots spread to Mandalay and to many other districts where similar tales were told. It appears there have been 80 deaths and about 300 persons were injured in the districts. Most of the persons who were involved and met with death or injuries and suffered loss of their properties, are South Indians. It is therefore essential that our Government backed by the support of this Council should move the Government of India to cause enquiries to be instituted into the matter so that we might know what was the extent of loss in life and property. What are the real causes of these riots and their consequences? Many people have become destitute on account of loss of property; the tales that have been told by the people who are arriving from Rangoon are sufficiently harrowing; it is a matter for gratitude that the Madras Government promptly instructed the Collector of Madras to interview the people who are arriving, by going to the harbour on the days when steamers come and to get first-hand information. Many people have been rendered destitute. It is essential to know in what way the resultant situation can be remedied.

"For a very long time happy and harmonious relations have subsisted among the peoples of Burma and South India; riots of this character have of late become rather frequent in Burma."

[Mr. T. C. Srinivasa Ayyangar] [19th August 1938]

Are there any sinister influences at work? One more question is what steps should be taken to bring back the older relationship and to avoid in that area the recent unhappy state of affairs. India and Burma are not strange countries. They are neighbours with intercourse in various ways for ages. There are a large number of Indians there, some of them permanently settled. Many of them who have gone there have large interests; many more are pursuing peacefully their avocations. It is absolutely essential that the situation should be understood properly in order to see what the root causes are which lead to disturbances of this character. Then appropriate measures may be taken by the Government there for the purpose of remedying the effects of the riots and of avoiding a recrudescence of the disturbance and of assuring a certain amount of safety to Indian residents there.

"One suggestion was made by Kumararaja Muthiah Chettiyar during the discussion in the Assembly yesterday, of a goodwill mission and it was suggested that a Minister might be deputed. The Hon. the Prime Minister did not reject that proposal but on the other hand he entertained it as a good idea but said that it would be better for a non-official and leading gentleman to go on such a mission. May I make a suggestion? I would suggest that a Minister, a member like the Leader of the Opposition of the Assembly and a leading member of this House, Sir Mahomed Usman Sahib, might be deputed for the purpose of visiting Burma; it is not for the purpose of enquiry, nor is it to invade another country or to bring any trouble with reference to the autonomy of that province or of the other privileges of the Government there; it is for the purpose of meeting Members of the Government and leading members of the Burman communities lay and spiritual and Indian residents and exploring the ways and means of improving the relationship between the Indians and Burmans. Apart from this it is absolutely essential that a committee will have to be appointed in Burma through the intervention of the Government of India in a proper and constitutional manner to investigate the causes of the riots and the remedies. Many hon. Members may be anxious to speak on the resolution on its merits; it does not require much of an argument for the purpose of commending the resolution for the acceptance of the House. I move the resolution."

* RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Mr. President, Sir, I beg to second this resolution and associate myself with the sentiments expressed by my hon. Friend, Mr. Srinivasa Ayyangar. The matter was discussed also in the Assembly yesterday and I do not want to take up much of the time of the House."

* MR. R. SRINIVASA AYYANGAR:—"Sir, in rising to give my support to this resolution I should like to say only a few words. The resolution is, as one is able to see, very modest in its terms and it is a request ~~to~~ which no exception can be taken

19th August 1938] [Mr. R. Srinivasa Ayyangar]

The object of this resolution is, I understand, to strengthen the hands of this Government in any recommendation they might make to the sister Government of Burma with respect to the recent happenings that have taken place and with respect to the steps they should take to see that there is no such unrest hereafter. As we are all aware, South Indians have considerable vested interests in Burma. Notwithstanding the separation of Burma from India by the recent Government of India Act, brotherly feeling still continues to exist and Burmans look upon Indians as brothers. It is up to this Government to see that the people of South India who have considerable stake and who have been carrying on trade for a number of years, are protected against ruthless disturbances or considerable shaking of their vested interests. This resolution is not in the nature of a censure on the part of anybody but it makes a fervent appeal to the other Government to do the thing we want and that will satisfy all interests concerned; as I am able to see, it is in the nature of an attempt to strengthen the hands of this Government whose attitude is, I am able to see, one of sympathy."

KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR:—"Sir, I strongly support the resolution on the ground that South Indians have been most seriously affected by the recent happenings in Burma. Coming as I do from Malabar I may say that my community has taken to migration to Burma from time immemorial. I can say that there are large numbers of Mappillas scattered all over Burma; some of them are doing business; some are very rich merchants settled in Rangoon and Mandalay. What has appeared in the papers would be one-thousandth part of what had happened there. I have seen many emigrants after my coming here for this session, at the railway station and at the harbour. Thanks to the present Government and the Police Commissioner for the help they have rendered; if that help was not forthcoming, they would have been starving and all of them would have been detained at Madras; many of them got passages from the Government; some Mappilla friends organized relief of a small nature; the harrowing tale told by them is still making me shiver; many Mappillas have been injured; their properties are lost; all their belongings have been destroyed and they are in a pitiable condition. I was told that there were five thousand people waiting for steamers to go over to India. I know that many of them who have survived this trial cannot come to Malabar as they have lost all they had got in Burma. I know that the postman takes money orders in bunches to the villagers everyday, to the poor people whose parents or guardians are in Burma. In the circumstances it is only fitting that this Government should make a strong recommendation to the Burma Government to compensate the people for the loss incurred by them as it was done in the case of Colombo when there was a riot there. In Colombo very many Mappillas have got business relations. I know that after the rebellion they were

[Mr. T. M. Moidu] [19th August 1938]

paid adequately for the damage done to their business and properties. So, in this case also if the Government makes a strong recommendation, I think the Burma Government will see its way to compensate the South Indians for the losses incurred by them; that Government cannot compensate them for the loss of lives; they can compensate them the loss of properties. With these words I strongly commend this resolution for the acceptance of the House."

12-15
p.m.

DR. SIR K. V. REDDI NAYUDU:—"Mr. President, Sir, I wish to associate myself with the intention of this resolution and with some of the remarks that have fallen from other hon. Members. Coming as I do from the Godavari district, which is now divided into East Godavari and West Godavari, I know that from both of these districts thousands and thousands of men and women have gone to Rangoon and are now residing there. In fact the Indians in Rangoon and in Moulmein are known as 'Koringees,' Korangi being the original port about eight miles from Cocanada, from which people first used to go to Burma. Such being the case, I naturally feel and agree with some of my hon. Friends in sympathizing with those who have suffered and the relations of those who have died. It is only natural especially when we remember that they are our Nationals and that they are our countrymen belonging to this Province. It has been said however that most of those who suffered in this matter have come from Northern India. Of course, as has been already stated, full facts are not before us. But it makes no difference whether they belong to Northern India, or even whether all of them or most of them are Mussalmans; but they are our countrymen and it is therefore our duty to sympathize with them in this great disaster that has befallen them. It is true that the Hon. Minister has stated that this House has got every right to pass any resolution which it considers fit. It is equally true, as my esteemed friend the Rt. Hon. Sastri stated that this is rather a delicate matter and that we should not give room to the Government of Burma to say that we are interfering with their internal administration or that we give room even to a semblance of suspicion of dictating to them or of assuming that we can make them do things. That is purely a diplomatic affair but it ought to be possible to reconcile both these ideals.

"This resolution, as far as I could see, is a recommendation to our Government and it is for our Government to draft the letter to the Government of Burma in a suitable manner. Probably it will have to pass through the Government of India; I do not know whether the letter could be directly sent to the Burma Government from this Government because I think it is a matter of foreign affairs and as such it may have to pass through the hands of the Central Government. The matter may therefore be left entirely to the Government and they have got expert draftsmen—there are ten statesmen

19th August 1938] [Dr. Sir K. V. Reddi Nayudu]

here who can manage it—and they can certainly draft it in such a way as to make it agreeable without infringing the rules of diplomacy. Therefore I do not mind very much as regards the wording of this resolution. It is enough that this Council expresses its eagerness and anxiety in regard to what has happened in Burma and an anxiety to see that those who have suffered are given some sort of compensation, and if necessary, perhaps it might be that we may have to pay compensation. That again is a matter which we have to leave to the Government. We will have to show that we are very keen on this matter and whether it is the Government of India or it is the Government of Madras that should deal with the question, does not matter for us. The Government will take care of themselves and the resolution can be passed."

THE RT. HON. V. S. SRINIVASA SASTRI:—"I would like just to say a word. With the object and the spirit of this resolution no Indian will fail to express the utmost sympathy. I have heard the speeches made so far with the greatest attention and I find every single speaker has confined himself to the troubles and injuries caused to our brethren and to the compensation. I should suggest, Sir, that we should say what we mean in our resolution and no more. Let us take it that our resolution is rigid and observes the proprieties of diplomatic intercourse. If we mean what has been said to-day, I find that the resolution as it is worded in the three sub-clauses, goes a great deal farther and says more than we intend. I therefore propose, with your leave, Sir, to amend the resolution in this way. I am sorry I could not give previous notice of it, because the resolution has just been handed over to us. My amendment is—

"This Council recommends to the Government to bring to the notice of the Government of Burma that the people of this province greatly deplore the recent riots in Burma which have resulted in great loss of life and property to the Indian community and hopes that a fair and satisfactory measure of relief will be afforded to those sufferers."

"Clause (2) of the original resolution, if you will allow me to say so, suggests a procedure for the Government of Burma, not necessarily connected with the Indians, but generally speaking, to maintain permanent peace and goodwill between the various communities of Burma. That I suggest, is not within our province, and as I can see, it is not part of the intention of any Member here, that we should say that.

"Again, Sir, in the third sub-clause also, we say that it is the earnest wish of all communities in this province that peace and tranquillity will be speedily restored and maintained. That is a goodwill proposition that can travel all over the globe and that can be said by anybody to anybody. There is no occasion for our saying that now."

* KHAN BAHADUR SIR MAHOMED USMAN SAHIB BAHADUR:—"Sir, I beg to second the amendment. If the resolution as originally proposed is passed, the Burma Government may resent

154

RESOLUTION *re* BURMA RIOTS

[Sir Mahomed Usman] [19th August 1938]

it. The proper place to request the Burma Government to appoint a committee is the Legislature of Burma and not the Madras Legislative Council. I therefore suggest that we pass the amendment as proposed by the Rt. Hon. Sastri."

* MR. T. C. SRINIVASA AYYANGAR:—"Sir, I desire only to say a few words by way of reply to the amendment suggested by the Rt. Hon. Sastri."

* MR. PRESIDENT:—"Are you accepting the amendment?"

MR. T. C. SRINIVASA AYYANGAR:—"I desire to say a few words to enable the hon. Members to decide. One point that the Right Hon. Sastri was anxious about was that clause (2) of the resolution looks as if we are dictating the method and the manner in which the Government of Burma should go into the affair. That aspect of the question was also indicated by my hon. Friend, Sir Mahomed Usman. But I may mention that in this particular instance, at any rate, there is no likelihood of any difference of opinion, for I see from the press reports—I do not know whether it is the intention express or understood of the Government of Burma—that in a conference of Indian leaders and Burman leaders at which the Prime Minister of Burma was also present, a widely expressed desire for the appointment of a committee to investigate was mooted and it was practically accepted."

12-30
p.m.

THE RT. HON. V. S. SRINIVASA SASTRI:—"They were all subjects of Burma."

MR. T. C. SRINIVASA AYYANGAR:—"But, they are all our kinsmen and even if Burmans, they are not strangers and I am sorry I have to differ from my Right Hon'ble Friend. I do believe that a recommendation for the appointment of a committee, not only originating in Burma but also desired here, will enable both the Governments to go forward and have a committee appointed. Whatever may be the diplomatic difficulties in other cases, I think in this case, it is not likely to arise. I therefore think we will be doing well in adopting the resolution as passed by the other House of the Madras Legislature, because it will enable us to go forward with a certain amount of united strength."

* MR. PRESIDENT:—"I will now put the amendment of the Rt. Hon. Sastri to vote."

(Before the result was actually declared by the Hon. the President, the Hon. Mr. C. Rajagopalachariar rose and spoke.)

* THE HON. MR. C. RAJAGOPALACHARIAR:—"May I make a suggestion, Sir, with your permission. The object is not one of constitutional accuracy, but the attainment of what we have in mind, namely, the restoration of peace and the affording of speedy relief for those who have been the victims of this unfortunate riot. Whatever might be the delicacy in the matter, whatever might be the difficulties in putting forward a claim like this on the

19th August 1938] [Mr. C. Rajagopalachariar]

part of one province against the administration of another province, yesterday, the Lower House unanimously, after very great discussion and debate and without any difference of opinion, adopted a certain resolution—and a serious resolution too—to be presented to the Government of India through this Government for taking certain steps. I do not think, therefore, it would be wise to strike any unnecessary notes of discord in regard to this matter. It is true there is no real difference, but only a difference in the line of procedure.

"Much can be made of these differences as things progress and we will be weakening our position by an attitude of opposition. Once a step has been taken, I will be perfectly willing to support the Rt. Hon. Mr. Srinivasa Sastriar in regard to the point of constitutional independence and it will be to our interest to enable provincial Governments to progress in that direction."

THE RT. HON. V. S. SRINIVASA SASTRI:—"If I may correct the Hon. the Prime Minister, the Prime Minister is talking of Burma as though it is an integral part of India."

* THE HON. MR. C. RAJAGOPALACHARIAR:—"I never wished so. The smaller includes the large and therefore it would be in the interests of all of us to further the progress of constitutionalism in the Provinces as well as in the separate States. At the same time what we have done in the interests of our nationals who have suffered ought not to be interfered with or retarded in efficacy by anything that we do here. Whatever constitutional impropriety we have committed, we have committed already and it cannot be remedied by this Chamber by striking a new note on this subject. I submit therefore that we need not make any amendments as an expression of opinion itself is sufficient to remove any possibility of misconception in the matter. The resolution having been adopted in the other House, it will be but wise to adopt it here or a general resolution approving of the resolution passed in the other House. I may take this opportunity to do something more useful than merely discussing in a constitutional manner. I would like to give the House the latest information that I have had. The total number of Indian destitutes in Rangoon is reported to be estimated by the Indian Community as about 6,000, of whom 4,000 are from Rangoon and 2,000 from districts. Relief Committees have sent 300 persons back to their homes in India and propose to send 600 more this week. These are almost entirely women and children. The men are reported to be gradually returning to their work. In Rangoon about 1,000 are stated to be now in receipt of charity relief and this number is steadily diminishing as refugees return to their homes in districts. It is understood that the Government of Burma will institute an enquiry. (Hear, hear.) The question now is, with the knowledge of the state of feeling of the various communities in India, we would not be doing well, if

[Mr. C. Rajagopalachariar] [19th August 1938]

we do not assist the formation of a committee which will go thoroughly into the matter and will leave no stone unturned to get at the causes as well as the actual steps taken to meet the situation immediately and make suggestions as to future procedure with reference to the permanent improvement of the situation. I therefore submit to hon. Members not to press the amendment and to leave the blame to be taken by the Lower House as far as constitutional impropriety goes."

THE RT. HON. V. S. SRINIVASA SASTRI:—"Mr. President, I wish the Hon. Premier had intervened at the proper moment without waiting. He had intervened when the President was about to declare the result of the voting. I should have been in my place to withdraw before that. Now I cannot withdraw. You had taken the votes 'Ayes' and 'Noes'. It has only got to be declared."

THE HON. MR. C. RAJAGOPALACHARIAR:—"I will explain my own conduct. It should have been improper for me at that moment. As the doubts were there and as there was no declaration made, I had to intervene."

THE RT. HON. V. S. SRINIVASA SASTRI:—"If the Hon. the President were to consider it regular, I have no objection to withdraw."

The amendment was by leave withdrawn.

MR. S. K. AHMED MEERAN:—"Mr. President, Sir, as far as this resolution is concerned, everybody knows it admits of no controversy. The recent happenings in Burma have created untold misery and sorrow and we are thankful to our Government for having taken adequate and prompt measures for the destitute Indians and for having called for reports from the Government of India and having kept themselves in touch with the Government of Burma. Sir, about the happenings in Burma, we have not had accurate information. We do not know the number who were dead, the exact number of those who were injured and the exact amount of loss of life and property. Perhaps, it will take some months before we can get a true picture of the loss of life and property. But this much is certain, that the happenings have wrought now untold harrowing suffering, unprecedented in the history of Burma between Indians and Burmans. It is racial in its aspect. If the riot has taken place on any other ground Indians will not have any quarrel. The reason for the institution of a committee to go into the matter is not only to enquire into the extent of loss of life and property but to go into the causes of the incident. I do not see any constitutional impropriety which the constitutional pandits who have spoken in favour of the amendments raise. I do not see any impropriety in asking for the appointment of any committee to go into these matters and even to suggest to the Government of Burma to see that such things do not happen. In all these matters, I for my part would like to

19th August 1938] [Mr. S. K. Ahmed Meeran]

look at it from a practical point of view. Suppose our Indians are ill-treated in other parts of the globe, whether it is under the British suzerainty or otherwise, why should we not see that some committee is appointed to go into the origin of the quarrel especially because it has taken a racial aspect? Otherwise there is no reason why Indians alone of all people should be specially earmarked for being butchered and slaughtered. I do not see any impropriety in it. I had even known in some cases that foreign Governments have requested other foreign Governments to institute committees and go into the question. You are not saying that they must be committees of solely Indians or Burmans. We leave it to Burmans themselves. Supposing we dictate to them that that committee must consist only of Indians, or only of Europeans or some such thing, it may be said that we are dictating as regards their internal administration. So far as this resolution is concerned, we are thereby requesting them, in a most humble manner, to take into consideration the situation especially because it has taken a racial turn and especially because it is to some extent a second instance, because some years back also there was some such instance. I must say one thing, i.e., that in big cities Indians to some extent may have some protection because they are good and fairly large in number. But there are people living in outlying districts where there may be only one Indian family or two Indian families situated miles and miles away in the interior. If adequate protection is not given by the Burma Government, if special protection is not given, if we do not show our unqualified and unrestricted sympathy that we must show to Indian nationals, however unfortunate they may be, I do not think we deserve our position as Indians here. With these words, I associate myself with the previous speakers and hope that this resolution will be passed unanimously."

* THE HON. DR. T. S. S. RAJAN:—"Sir, very few people, perhaps, here know that I have been a resident of Burma for four years. This is nothing strange to those who have been living with Burmans. Burman people know no caste. There are absolutely no differences with regard to their social customs and usages. The peculiar feature is that in a Burman family, we will find all nationalities mixed together. I have known sisters marrying people of different nations; and in a family there may be sisters each of whom has married an Englishman, an Indian-Christian, a Brahman, a Mussalman or perhaps a Parsi. And they all live together, dine together and they have lived happily and harmoniously. This state of affairs still continues in the social life of Burma. But there are certain things more than merely communal and religious behind what has happened to-day in Burma. It is not as if it has come suddenly although the onslaught of it has been sudden. There has been an under current of ill-will and distrust for the past few years and this outbreak of violence is simply a recrudescence of what happened sometime ago."

[Dr. T. S. S. Rajan] [19th August 1938]

12-45
p.m.

“There has been a subtle force at work in Burma whereby Indians are gradually made to understand that Burma is not the place for them and Burmans unfortunately were led to believe that Indians were primarily responsible for all the evils of Burma. This insidious poisoning of the Burman mind has been going on for the last 20 years nearly. In fact the Government thought that the separation of Burma from India was in a way, a solution of the problem. Those who are aware of the very intense agitation that was going on amongst the Burmese people for the separation of Burma from India would have noticed the enormous amount of feeling in the Burman mind on the question of the races inhabiting their land. It is not my purpose to go into the causes and assess the blame; nor am I here to say as to who is at fault. But everybody would concede that this orgy of violence that has been repeated in Burma is not a strange or stray event which can be ignored. It is a disease in the communal life of Burma which has got to be properly investigated and for which remedies have to be found; the remedies so far found have proved to be futile. Therefore when we recommend the appointment of a committee to go into the question, it is with a desire to see that the whole question of races that inhabit Burma might be considered and the land made safe for them.

“It is true political institutions have come into being and Burma to-day stands separated from India. But we have not left our countrymen in Burma or in the colonies of the British Empire where they have migrated, in the lurch. When they are ruthlessly murdered and when their properties are looted, we in India cannot afford to keep quiet. With what little powers that are entrusted to us, it is our duty to ask the Burman people and the Burman Government to give us that security of life, person and property which we are entitled to have in any civilized country. That is exactly what we mean by passing this resolution and sending it to the Government of Burma. The responsibility of the Government of Burma—now they are separated from India is much greater to-day than it was at a time when Burma was part of India. Then at least we had the Indian Government and it was responsible for the administration of the whole of the provinces of India including Burma. But now that Burma has been separated and made into a separate province, it must be conceded that our only weapon is to focus public opinion and to bring it to the notice of the Burma Government so that they may know how we feel in the matter. Sir, the Burman is essentially a good neighbour and genial fellow. He loves sports; he loves good things; he likes fine dress; he is more or less a sociable creature. At the same time he is very emotional; emotional as he is, he refuses to think; he acts on the spur of the moment; when once a wave of fanaticism or emotion comes, he simply

19th August 1938] [Dr. T. S. S. Rajan]

commits offences even without his knowledge, which make him subject to the penalty of the law; but it is not sustained; the Burman is incapable of harbouring any animosity or enmity towards any people of his country or outside. There is something more at the bottom to-day; it is not merely racial. I think it is more economic and there are forces and interested parties behind this movement to whose interest it is that the Indian element has got to be excluded from Burma at any cost. The last riot which caused hundreds of deaths amongst Indians must be an eye-opener to anybody to know that the whole struggle has been simply lying dormant and any small incident is likely to make the whole thing burst like a volcano. That is exactly what is happening in Burma to-day. Therefore in passing this resolution, this Council is voicing the opinion of the entire population of this province as well as of the Government that is responsible for the administration of this province. You will understand, Sir, that this Government have spared no pains in doing what they can to deal with the situation, both by way of representing all they want to the Government of Burma and also by way of providing adequate relief for all those helpless victims that are arriving here and are still expected to arrive. Beyond doing these two things, our responsibility is to tell the Government of Burma as to how we feel in the matter and to suggest to them—if they would accept the suggestion—a way or method by which they can get over this unhappy and unpleasant situation that has arisen. This is all that we mean to do and I on behalf of the Government, shall accept the resolution and take such action as may be necessary consequent on accepting the resolution.”

The resolution was put and carried *nem con*.

* MR. PRESIDENT:—“It is probable the House will meet early in December next. As soon as the date of the meeting is decided upon, it will be communicated to hon. Members. The House will now adjourn *sine die*.”

[19th August 1938]

APPENDIX I.

[Vide answer to starred question No. 21 asked by Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 19th August 1938, page 123 supra.]

Statement.

Name of the officer who held charge of the Chandragiri division, Chittoor district.	Period of charge from 1st April to 31st July 1937.	Expenditure incurred on travelling allowance.
		RS. A. P.
1 Sri N. V. Vaidyanatha Ayyar ..	1st to 10th April 1937 ..	108 14 0
2 Sri A. V. Subbayya Pillai ..	11th April to 25th May 1937.	190 10 0
3 Mr. D. Krishna Rao, I.C.S. ..	26th May to 11th June 1937.	432 11 0
4 Mr. T. Bhaskara Rao, I.C.S. (Collector in additional charge).	12th to 25th June 1937 ..	..
5 Sri M. Varadarajulu Nayudu ..	From 26th June to 31st July 1937.	287 13 0

APPENDIX II.

[Vide answer to starred question No. 26 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 19th August 1938, page 126 supra.]

Statement.

Nature of offence.	Number of persons prosecuted up to and including 31st July 1938.	Convictions up to and including 31st July 1938.	Remarks.
Picketing before Hon'ble Prime Minister's residence.	113	Seven to 3 months' rigorous imprisonment. Sixty to 4 months' rigorous imprisonment. Twenty-one to 5 months' rigorous imprisonment. Seven to 6 months' rigorous imprisonment.	Eighteen left off with admonition (without fine).
Speeches in connexion with anti-Hindustani agitation (figures for the whole province).	10	One to 9 months' rigorous imprisonment. One to 1 year's rigorous imprisonment.	Seven under trial. One admonished.

19th August 1938]

APPENDIX III.

[Vide answer to starred question No. 27 asked by Rao Bahadur N. R. Samiappa Mudaliyar at the meeting of the Legislative Council held on the 19th August 1938, page 126 supra.]

G.O. No. 2606, P.H., dated 19th July 1938.

READ—the following papers:—

G.O. No. 1487, P.H., dated the 21st April 1938.

From the President of the East Tanjore District Board, dated 6th May 1938, No. 843-D.B./37.

From Dr. Subbaroya Bhutt, Rural Medical Practitioner, Kilayur, dated 6th June 1938.

Petition from the residents of Kilayur, dated 15th June 1938.

From the Surgeon-General, dated 12th July 1938, No. 9944-6-Hospls.

Order—No. 2606, P.H., dated 19th July 1938.

The President, District Board, East Tanjore, is informed—

- (1) that the six months' notice given to the rural medical practitioner, Kilayur, on 30th June 1937, under clause 12 of the agreement entered into with him is not valid as the district board can terminate the agreement under that clause only in the event of its being unable to maintain the dispensary on account of financial stringency or for any of the other reasons mentioned in that clause and none of these were applicable in this case; and
- (2) that as there has been no valid termination of the agreement, it should be deemed to continue to subsist and that fresh notice should be given.

2. With reference to the resolution of the District Board, No. 78, dated 28th May 1938, the Government under clause 13 of the agreement direct, that the rural medical practitioner should be given a fresh notice of six months. A rural Ayurvedic dispensary should not be opened in the village immediately on the expiry of the notice to be given to the existing rural medical practitioner. The district board should wait and see whether the medical practitioner continues to practise in the same village even after the termination of his services and if he decides not to

[19th August 1938]

leave the village, no rural Ayurvedic dispensary should be opened in the same village. In that case the district board may, with the sanction of Government, utilize the provision for the existing rural dispensary, for the opening of a rural dispensary in some other suitable village.

(By order of His Excellency the Governor)

C. H. MASTERMAN,
Secretary to Government.

To the President of the East Tanjore District Board,
.. Surgeon-General.

APPENDIX IV.

[Vide answer to starred question No. 28 asked by Rao Bahadur N. R. Samiappa Mudaliyar at the meeting of the Legislative Council held on the 19th August 1938, page 127 supra.]

List of panchayats superseded by Government after withdrawal of powers from Inspector.

Name of panchayat and district.

Vriddhachalam (South Arcot district).
Nandalur (Cuddapah district).
Samalkot (East Godavari district).
Pulla (West Godavari district).
Dokiparru (Kistna district).
Kilakarai (Ramnad district).
Papanasam (Tanjore district).
Puliyangudi (Tinnevely district).
Salur (Vizagapatam district).

[19th August 1938]

APPENDIX V.

[Vide answer to clause (a) of starred question No. 29 asked by Rao Bahadur N. R. Samiappa Mudaliyar at the meeting of the Legislative Council held on the 19th August 1938, page 127 supra.]

I

Supplemental statement showing the expenditure incurred on the travelling allowance of the Hon'ble Ministers from 1st to 15th July 1938.

Number. (1)	Name. (2)	Expenditure. (3) RS. A.
1	Hon'ble the Prime Minister	155 11
2	.. the Minister for Revenue	Nil.
3	.. the Minister for Public Works	85 3
4	.. the Minister for Education and Legal	326 2
5	.. the Minister for Public Health	108 5
6	.. the Minister for Agriculture and Rural Development	543 3
7	.. the Minister for Industries and Labour	85 2
8	.. the Minister for Administration Reports and Public Information	346 14
9	.. the Minister for Courts and Prisons	42 0
10	.. the Minister for Local Administration	59 14
Total ..		1,752 6

II

Supplemental statement showing the expenditure incurred on the travelling allowance of the Parliamentary Secretaries and establishment of the Hon'ble Ministers from 1st to 15th July 1938.

Number. (1)	Name. (2)	Expenditure. (3) RS. A.
	Parliamentary Secretary and establishment of the Hon'ble the—	
1	Prime Minister	Nil.
2	Minister for Revenue	93 7
3	.. for Public Works	115 1
4	.. for Education and Legal	268 5
5	.. for Public Health	98 8
6	.. for Agriculture and Rural Development	133 3
7	.. for Industries and Labour	Nil.
8	.. for Administration Reports and Public Information	403 0
9	.. for Courts and Prisons	245 14
10	.. for Local Administration	344 7
Total ..		1,701 13

[19th August 1938]

APPENDIX VI.

[Vide answer to clause (b) of starred question No. 29 asked by Rao Bahadur N. R. Samiappa Mudaliyar at the meeting of the Legislative Council held on the 19th August 1938, page 128 supra.]

Statement showing the names of the Hon'ble Ministers who travelled in first class at the expense of the State and the place or places to which they travelled in that class from the 15th July 1937 to the 15th July 1938.

Name of the Hon'ble Minister.	Place or places to which travelled in first class.
1 The Hon'ble Mr. C. Rajagopalachariar.	Changed once to first class, Madras to Delhi and back, when he found an important petitioner deliberately got into the same compartment with him.
2 The Hon'ble Dr. P. Subbaroyan.	Travelled in first class in all his tours reserving one first class berth on the train he travelled.
3 The Hon'ble Mr. B. Gopala Reddi.	Mettupalaiyam to Coonoor as there is no second class in that line.
4 The Hon'ble Mr. V. V. Giri ..	Travelled in first class on particular occasions.
5 The Hon'ble Mr. Yakub Hasan Sahib Bahadur.	Madras to Chirala. Madras to Bezvada and back, Rajampet to Madras. Bitragunta to Madras. Madras to Katpadi and back.
6 The Hon'ble Dr. T.S.S. Rajan ..	Madras to Trichinopoly and back.
7 The Hon'ble Mr. K. Raman Menon.	Sholavandan to Madras. Madras to Vridhachalam.

APPENDIX VII.

[Vide answer to starred question No. 38 asked by Rao Bahadur N. R. Samiappa Mudaliyar at the meeting of the Legislative Council held on the 19th August 1938, page 134 supra.]

District.	Post.	Bar Association by which election was held.	Names of candidates on the panel.	Name of candidate appointed by Government.
Ramnad ..	Government Pleader.	Madura Bar Association.	1 Sri M. K. Sundararaja Ayyangar (B). 2 Sri S. Venkatachala Ayyar (B). 3 Sri K. V. Ranga Ayyangar (B). 4 Sri K. Kuppuswami Ayyar (B).	Sri K. V. Ranga Ayyangar.
Guntur ..	Additional Public Prosecutor.	Guntur Bar Association.	1 Sri M. V. Narasimhacharyulu (B). 2 Sri K. Venkatasundara Rao (B). 3 Sri S. Vishnubhotla (B). 4 Sri K. Lakshminantha Rao (B).	Sri K. Venkatasundara Rao.
South Kanara.	Government Pleader and Public Prosecutor.	Mangalore Bar Association.	1 Sri K. Sadasiva Rao (B). 2 Sri B. Narasinga Rao (B). 3 Sri U. C. Subrahmanya Bhat (B). 4 Sri S. Nagarajiah (N.B.).	Mr. M. Krishnan Nambiyar.

[19th August 1938]

District.	Post.	Bar Association by which election was held.	Names of candidates on the panel.	Name of candidate appointed by Government.
Tinnevely.	Government Pleader and Public Prosecutor.	Tinnevely Bar Association.	1 Sri S. V. Gopalakrishna Ayyar (B). 2 Sri A. S. Kuppuswami Ayyar (B). 3 Sri R. Krishnaswami Ayyar (B). 4 Sri A. S. Narayanaswami Ayyar (B).	1 Sri A. S. Kuppuswami Ayyar (Government Pleader).
Do.	Additional Public Prosecutor.	Do.	1 Sri S. P. Rajendram (C). 2 Sri G. Subrahmanya Pillai (N.B.). 3 Sri M. R. Narayana Ayyar (B). 4 Sri V. Subrahmanya Ayyar (B).	2 Mr. P. A. Thangaswami (Public Prosecutor). Proposals under consideration.
East Godavari.	Government Pleader and Public Prosecutor.	Rajahmundry Bar Association.	1 Sri S. Kameswara Rao (B). 2 Sri S. L. Prakasa Rao (N.B.). 3 Sri M. V. Cheyanulu (B). 4 Sri Suryanarayana (B).	Sri C. Suryanarayana.
Do.	Additional Public Prosecutor.	Do.	1 Sri C. Suryanarayana-murthy (B). 2 Sri N. Muncyya (N.B.) 3 Sri K. V. Narayana (N.B.). 4 Sri A. Venkataramayya (No information as to caste).	Proposals under consideration.
Chingleput.	Public Prosecutor.	Chingleput Bar Association.	1 Sri D. K. Varadachariar (B). 2 Sri R. Subba Ayyar (B). 3 Sri M. E. Narasimhachariar (B). 4 Sri G. Krishnamachariar (B).	Sri R. Subba Ayyar.
West Godavari.	Additional Public Prosecutor.	Ellore Bar Association.	1 Sri J. Lakshmana. 2 Sri A. Rama Rao. 3 Sri K. Narayana Rao. 4 Sri N. Chidambaram. (No information furnished as to caste.)	Proposals under consideration.

B. = Brahman, NB. = Non-Brahman Hindu, C = Indian Christian.

APPENDIX VIII.

[Vide answer to starred question No. 42 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 19th August 1938, page 136 supra.]

I

Memorandum No. 1338 F-1, Home, dated 15th February 1938.

In selecting persons for appointment as Government Pleaders, Public Prosecutors, and additional Public Prosecutors, the Government consider that the Bar Association of the place where the District Court is situate should be requested to select a panel of

[19th August 1938]

four candidates and submit their names to the District Judge. In selecting this panel the Bar Association should be requested to adopt the procedure of open voting and process of successive elimination. The District Magistrates in consultation with the District and Sessions Judges should forward to Government the names of the candidates on the panel giving their views on the qualifications and merits of each and making a definite recommendation for the appointment.

2. District Magistrates are also requested to submit their recommendation at least three weeks before the expiry of the term of appointment of the existing incumbent.

H. M. Hood,
Secretary to Government.

To all District Magistrates.
„ District and Sessions Judges.

II

Circular Memorandum No. 8694 F-3, Home, dated 23rd June 1938.

In Memorandum No. 1338 F-1, Home, dated 15th February 1938, the Government have issued instructions that the Bar Association where the District Court is situated should be requested to choose a panel of four candidates for appointment as Government Pleader, Public Prosecutor or Additional Public Prosecutor and should submit their names to the District Judge.

Certain doubts have been raised as to the scope of those instructions and the Government desire to make their intentions clear.

It is intended that all lawyers practising regularly in courts at the place where the District Court is situated whether they are or are not members of the Bar Association, should be eligible to vote as electors for the panel and to be elected to the panel. It is not the intention of the Government that advocates practising ordinarily in subordinate courts elsewhere in the district should take part in the proceedings.

District Judges are therefore requested, when the occasion arises, to request the Bar Association to hold such a meeting and submit a panel of four names and it will be taken that the gentlemen whose names appear on the panel have consented to accept the post which then is or is about to be vacant.

District Magistrates should submit the list to Government with such recommendation as they consider desirable after consulting the District Judges. If the District Magistrate considers

19th August 1938]

that the panel does not include a lawyer who according to him is the most suitable for the post, it is open to the District Magistrate to set out his reasons and to recommend for appointment such a person.

The Government consider that gentlemen who will attain the age of 55 within three years of the date of the vacancy should not be included in the panel.

H. M. Hood,
Secretary to Government.

To all District Magistrates.
„ District and Sessions Judges.

APPENDIX IX.

[Vide answer to unstarred question No. 13 put by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 19th August 1938, page 144 supra.]

Statement showing the Debt Conciliation Boards now working under the Madras Debt Conciliation Act, 1936.

Name of district.	Jurisdiction of Debt Conciliation Board.	Headquarters.	Chairman.
1 Guntur ..	The revenue taluks of Guntur, Sattenapalle, Tenali, Repalle and Bapatla.	Guntur ..	Headquarters, Revenue Divisional Officer.
2 Nellore ..	The whole district	Nellore ..	Do.
3 Ramnad ..	Do.	Madura ..	Collector of Ramnad.
4 South Arcot ..	Kallakurchi taluk— Kallakurchi firka Tyagadurgam firka Tirukkoyilur taluk— Elavanasur firka Ulundurpettal firka Tirunamanallur firka Tiruvannaimallur firka Vridhdachalam taluk— Nallur firka Sirupakkam firka	Cuddalore.	Headquarters Revenue Divisional Officer.
5 Bellary ..	The whole district	Bellary ..	Do.
6 Coimbatore ..	The revenue divisions of Coimbatore and Pollachi	Coimbatore..	

[19th August 1938]

APPENDIX X.

[Vide answer to unstarred question No. 14 put by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 19th August 1938, page 144 supra.]

Statement showing the old District Manuals and the Gazetteers published for various districts with the year of the publication.

Serial number and name of district.	Whether a manual or a gazetteer was published for the district.	Year of publication.		Number of copies available with the Superintendent, Government Press.	
		Descriptive volumes.	Statistical volumes (including additions and alterations to the descriptive volumes).	Descriptive volumes.	Statistical volumes (including additions and alterations to the descriptive volumes).
(1)	(2)	(3)	(4)	(5)	(6)
1 Vizagapatam ..	Gazetteer ..	1907	1935	Nil.	99
2 Godavari, East ..	Do. ..	1907 (Reprint 1915).	1935	16	94
3 Godavari, West ..	Nil. ..	1883	1934	Nil.	322
4 Kistna ..	Manual ..	1883	1934	Nil.	320
5 Guntur ..	Nil. ..	1883	1929	Nil.	295
6 Nellore* ..	Manual ..	1873	1929	Nil.	311
7 Kurnool ..	Do. ..	1886	1922	Nil.	298
8 Cuddapah ..	Gazetteer ..	1915	1932	154	308
9 Anantapur ..	Do. ..	1905	1930	Nil.	301
10 Bellary ..	Do. ..	1904 (Reprint 1916).	1930	28	311
11 Chittoor ..	Nil ..	1928	1933	..	306
12 North Arcot ..	Manual ..	1895	1928	..	301
13 Chingleput ..	Do. ..	1879	1932	..	313
14 South Arcot ..	Gazetteer ..	1908	1929	Nil.	291
15 Tanjore ..	Do. ..	1906	1933	Nil.	301
16 Trichinopoly ..	Do. ..	1907	1928	Nil.	298
17 Madura ..	Do. ..	1906	1933	Nil.	315
18 Ramnad ..	Nil ..	1906	1930	Nil.	298
19 Tiruvelly ..	Gazetteer ..	1917	1933	..	309
20 Salem ..	Do. ..	1918	1933	..	290
21 Coimbatore ..	Manual ..	1887	1929	..	307
22 The Nilgris ..	Gazetteer ..	1908	1933	..	296
23 Malabar ..	Do. ..	1908	1933	..	315
24 South Kanara ..	Manual ..	1894	1935	..	300
				Part I—162 Part II—167 Volume II, 12 copies.	301
				Nil.	297
				Nil.	324
				Nil.	335
				..	276
				Final copies are not yet ready for sale.	

* A gazetteer for Nellore district is under compilation.

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.

COUNCIL OF MINISTERS.

I. THE HON. SRI C. RAJAGOPALACHARI, Prime Minister. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT).

Provincial subjects—

Agency tracts.

Assumption of office by Governor.

Business and Secretariat Rules.

Business of Government—Distribution among Departments of the Secretariat.

Cabinet—Arrangements for meetings.

Civil Lists—Preparation.

Committees and conferences not pertaining to any other department of the Secretariat.

Correspondence—Objectionable—Censorship.

Criminal Investigation Department—Other than establishment.

Elections to the Provincial legislature including election offences and disputed elections.

Examinations—Government—Departmental—

Board of Examiners.

Foreign Governments and Indian States—Correspondence with.

General—Questions of a general nature which cannot be allotted to any particular department.

Government House—

(i) Establishments—

Band.

Bodyguard.

Governor's Secretary's office.

Medical.

Military Secretary's office.

(ii) Grants—

Contract.

Furniture.

Sumptuary.

Tour.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—cont.

Provincial subjects—cont.

Government House—*cont.*

(iii) Personal staff of the Governor.

(iv) Works—

Construction.

Maintenance and furnishing.

Government Servants' Conduct Rules.

Handbook of Procedure and Precedents.

High Court Judges—Leave.

Holidays.

Indian Civil Service including annuities and listed posts.

Internal Security.

Islands—Laccadives, Amindivi and Minicoy.

Judicial and Executive functions—Separation of.

Land returns—General questions.

Legislative bodies (other than Madras)—Proceedings—

Marking of subjects for the perusal of Members of Government.

Legislative Council and Legislative Assembly.

Madras Public Service Commission.

Magistrates (other than Honorary)—Suspension, removal, etc.

Ministers—Appointments and resignation.

Newspapers and Periodicals—Perusal of.

Office procedure.

Officers—European—Casualty report.

Ootacamund, Stonehouse Hill—Move to and from.

Petition Rules.

Political Handbook.

Political offences—Prosecutions.

Precedence—Warrant of—

Darbari Zamindars.

Prisoners, State.

Provincial works and buildings under the administrative control of the Chief Secretary.

Public Peace—Disturbance of.

Public Services—

Communal representation—General questions.

General questions and commissions of enquiry.

Notification (including exemptions).

Revised scales of pay.

Service associations.

Services under the control of the Local Government—

Statutory rules to regulate the method of recruitment, conditions of service, pay, allowances and pension—

General revision and amendments of existing rules.

Special tests—General questions and exemptions.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—cont.

Provincial subjects—cont.

Public Services—*cont.*

Statutory Rules and Orders—

Civil Services (Classification, Control and Appeal) Rules.

Superior Civil Services Rules.

Subordinate Services—

Discipline and Appeal Rules.

Passage Rules:

Railway lands—Jurisdiction.

Religious or communal disputes.

Reports—

Fortnightly.

Matters of political and administrative importance.

Returns—Next of kin.

Secretariat—

Central Issue Branch.

Central Records Branch.

Establishment.

Library.

Manual.

Telegrams—Reuters and News Agency.

Visits—

Commander-in-Chief.

Distinguished foreigners.

Flag Officer, Commanding Royal Indian Navy.

Governors of other provinces.

Indian Chiefs.

Naval Commander-in-Chief.

Viceroy.

Warships, British and foreign.

Concurrent subjects—

Periodicals, Newspapers, Books and printing presses—Control of.

Federal subjects—

Conduct of elections to the Federal legislature including election offences and disputed elections.

Consuls—

British.

Foreign.

Council of State—Nomination of members.

Defence of India—

Army in India Reserve of Officers.

Auxiliary and Territorial forces.

Ex-army men.

Movement of troops.

Naval, military and air forces in India.

Ecclesiastical affairs.

A. CHIEF SECRETARIAT (PUBLIC DEPARTMENT)—cont.

Federal subjects—cont.

External affairs.
Federal Public Services.
Federal Public Service Commission.
French Settlements in India.
Indian Chiefs and States.
Naval, military and air force works.
Political charges.
Political detenus from Indian States.
Political Pensions.
Preventive detention for reasons of State connected with defence, external affairs or the discharge of the function of the Crown.
Reforms.
Regulation of ceremonials, titles, orders, precedence and civil uniform.
Relations with States in India.
Territorial Changes.

B. HOME DEPARTMENT.

Provincial subjects—

Police including C.I.D. (Establishment), railway police and village police.
Provincial works and buildings under the administrative control of the Police Department.

Concurrent subjects—

Persons subject to preventive detention under Federal authority.

Federal subjects—

Central Intelligence Bureau.
Police—Extension of the powers and jurisdiction of members of a Police force belonging to any part of British India, to any area, in another Governor's province or Chief Commissioner's province, and the extension of the powers and jurisdiction of the members of a Police force belonging to any unit to railway areas outside that unit.

C. FINANCE DEPARTMENT.

Provincial subjects—

Accounts, Provincial (including classification and prescription of units).
Annual financial statement (Budget).
Appropriation Accounts and Auditor-General's report thereon.
Audit of receipts and accounts of stores and stock.
Commercial accounts.
Economies in expenditure.
Famine Relief Fund.
Financial Rules.

C. FINANCE DEPARTMENT—cont.

Provincial subjects—cont.

Fundamental Rules (including Revised Leave Rules).
Loans and Advances.
Local Fund Audit.
Provincial balances.
Public Debt of the Province including borrowings from the Government of India.
Reappropriations.
Re-employment of civil pensioners.
Secretariat—Cash Bureau.
Service Pensions including Provident Funds, but not including Indian Civil Service annuities.
Supplementary Statements of expenditure.
Taxation and allied measures—initiation of.
Travelling allowance rules.
Treasury Rules.
Ways and Means.

Federal subjects—

Corporation Tax.
Currency, coinage and legal tender.
Federal pensions, that is to say, pensions payable by the Federation or out of Federal revenues.
Federal taxes and duties in which the Provinces are interested, such as income-tax, Federal excises, etc.
Indian Audit and Accounts Service examination.
Post Office Savings Bank.
Public Debt of the Federation.

2. THE HON. SRI T. PRAKASAM, Minister for Revenue.
Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Betting Tax Act.
Board of Revenue (general).
City Tenants' Protection Act.
Constitution of districts, divisions and taluks.
Court of Wards and Zamindars—
Impartible Estates Act.
Deputy Collectors.
District Gazettes and Gazetteers.
Duties in respect of succession to agricultural land.
Estates Land Act.
Famine relief.
Floods.
Inams.
Irrigation (minor works)—
Minor irrigation establishments.
Minor irrigation works.
Navigation.
Water-rate.

Provincial subjects—cont.

Land Revenue administration as described under the following heads, namely:—

Alienation of land revenue.

Assessment and collection of land revenue.

Colonization and disposal of Crown lands.

Establishment.

Land improvement and agricultural loans.

Laws regarding land tenures—Easements—Relations of landlord and tenant—Collection of rents—Transfer and devolution of agricultural land.

Maintenance of land records—Survey for revenue purposes—Records of rights.

Management of Government estates.

Miscellaneous.

Revenue Recovery Act.

Lands—

Acquisition.

Alienation.

Assignment.

Encroachment.

Land records.

Military lands.

Railway lands.

Transfer of lands between Central and Provincial Governments.

Malabar Tenancy Act.

Pensions—Hereditary not being political.

Pounds and prevention of cattle trespass.

Procedure in rent and revenue courts.

Provincial works and buildings under the administrative control of the Land Revenue and Registration Departments.

Registration.

Sale of Cloth Act.

Season.

Settlement—Kistbandi.

Special funds.

Stamp duty on documents—Rates of.

Survey—Boundary disputes.

Taxes on agricultural income.

Transfer of villages.

Treasure trove.

Treasuries.

Village accounts.

Village establishments.

Water-supply.

Yeomiah.

Concurrent subjects—

Recovery in a Governor's province or a Chief Commissioner's province of claims in respect of taxes and other public

Concurrent subjects—cont.

demands, including arrears of land revenue and sums recoverable as such, arising outside that province.

Registration of deeds and documents.

Stamp duties other than duties or fees collected by means of judicial stamps, but not including rates of stamp duty.

Federal subjects—

Duties in respect of succession to property other than agricultural land.

Excise duties on tobacco and other goods manufactured or produced in India except those assigned to the province.

Lands vested in or in the possession of His Majesty for the purposes of Federation.

Opium so far as regards cultivation and manufacture or sale for export.

Salt.

Stamp duty—Rates of in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, proxies and receipts.

Survey of India.

3. THE HON. MR. YAKUB HASAN, Minister for Public Works. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Canals—Irrigational and navigable.

Drainage and embankments, water-storage and water-power.

Gas and gas works.

Hydro-electric schemes.

Inland waterways and traffic thereon.

Irrigation—Major works.

Isolated tombs of European Government servants and their families including isolated tombs of historical or archaeological interest and of British soldiers, non-commissioned officers and their families.

Minor ports.

Minor railways, light and feeder railways.

Provincial works and buildings under the administrative control of the Public Works and Electricity Departments.

Public works (roads, bridges, ferries, ropeways, etc.).

Railway—Accidents.

Rivers—Conservancy.

Taxes on boats.

Tramways—Extra municipal.

Concurrent subjects—

Boilers.

Electricity.

Shipping and navigation on inland waterways as regards mechanically propelled vessels, carriage of passengers and goods on inland waterways.

Federal subjects—

Air craft and air navigation; regulation and organization of air traffic and of aerodromes.
 Carriage of passengers and goods by sea, or by air.
 European cemeteries.
 Lighthouses, including light ships and beacons.
 Major ports—Constitution and powers of port authorities therein.
 Marine—Maritime shipping and navigation, including shipping and navigation on tidal waters; admiralty jurisdiction.
 Port quarantine and marine hospitals.
 Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.
 Railways other than minor railways—Construction and regulation.
 Taxes on railway fares and freights.
 Terminal taxes on goods or passengers carried by railway, water or air.
 Works and buildings vested in or in the possession of His Majesty for the purposes of the Federation.

4. THE HON. DR. P. SUBBARAYAN, Minister for Education and Legal Departments. Took his seat on the 30th July 1937 and is in charge of the following portfolios:—

A. EDUCATION.

Provincial subjects—

Appeals from educational staff employed under local boards and municipal councils.
 Books—
 Copyright—
 Registration of.
 Books and periodicals—Questions relating to their purchase and supply to public offices.
 Certificate of age and qualification.
 Civil Orphan Asylum.
 Education including, European and Anglo-Indian education and educational questions relating to the Corporation of Madras and local bodies.
 Examinations except Public Service Notification and Board of Examiners.
 Government Presses.
 Libraries.
 Literary, scientific, religious and other societies and associations.
 Liveries and clothing.
 Madras Record Office.
 Museums.

A. EDUCATION—*cont.**Provincial subjects—cont.*

Preservation and translation of ancient manuscripts.
 Provincial gazetteers.
 Stationery and printing.
 Translators to Government.
 Zoological gardens.

Concurrent subjects—

Legal, medical and other professions.

Federal subjects—

Ancient and historical monuments.
 Archæology and Epigraphy.
 Copyright.
 Federal agencies and institutes for research, for professional or technical training, or for the promotion of special studies.
 The Imperial Library, the Indian Museum and any other similar institution controlled or financed by the Federation.

B. LEGAL.

Acts.

Advising Government—

- (a) in matters of litigations, appeals, etc.;
- (b) on legal questions which are not of sufficient importance to necessitate a reference to the Advocate-General.

Bills, non-official—Scrutiny of.

Government Bills—Drafting and scrutiny.

Law Officers—References to.

Legal assistance to Government servants.

Legal and legislative publications, such as Codes, Acts, Manuals, etc.

Legislation—Secretariat work connected with.

Legislature—Rules of procedure and standing orders of—
 Scrutiny.

Notifications—Scrutiny of.

Subsidiary legislation, viz., Statutory Rules and Orders (other than Service Rules) and generally assist other departments in all matters of a legal nature that may be referred to it.

5. THE HON. DR. T. S. S. RAJAN, Minister for Public Health. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Adulteration of foodstuffs and other articles.
 Appeals from medical and public health staff employed under local boards and municipal councils.
 Burials and burial grounds other than European cemeteries.
 Choltries.
 Fairs.

Provincial subjects—cont.

Hospitals and dispensaries.

Inns and inn-keepers.

Langarkhanas including Triplicane Poor House.

Medical Administration, including medical questions relating to the Corporation of Madras and local bodies.

Pilgrimages within British India.

Places of Public Resort Act.

Provincial works and buildings under the administrative control of the Public Health Department.

Public Health, including public health questions relating to the Corporation of Madras and local bodies.

Registration of births, deaths and marriages.

Religious and charitable endowments.

Sanitation.

Stores—Rules and general questions.

Town-planning.

Vital statistics.

Concurrent subjects—

Health insurance, including invalidity pensions; old age pensions.

Lunacy and lunatic asylums.

Prevention of the extension from one unit to another of infectious or contagious diseases affecting men.

6. THE HON. SRI V. I. MUNISWAMI PILLA, Minister for Agriculture and Rural Development. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

A. DEVELOPMENT DEPARTMENT.

Provincial subjects—

Agriculture including agricultural education.

Agricultural statistics.

Cinchona.

Cottage industries.

Fisheries.

Forests, including ryots' and panchayat forests.

Money-lending and money-lenders.

Protection of wild animals and birds.

Provincial works and buildings under the administrative control of the Agricultural, Cinchona, Fisheries, Forest and Veterinary Departments.

Rural indebtedness.

Statistics for purposes of provincial matters.

Veterinary department including Veterinary Education.

Weights and measures.

Concurrent subjects—

Prevention of the extension from one unit to another of infectious or contagious diseases or pests affecting animals or plants.

Statistics for the purpose of any of the matters in the concurrent field.

A. DEVELOPMENT DEPARTMENT—*cont.**Federal subjects—*

Botanical survey.

Census.

Fishing and fisheries beyond territorial waters.

Meteorology—Federal organizations.

Standards of weight.

Statistics for the purpose of any of the Federal matters.

Zoological survey.

B. REVENUE DEPARTMENT.

Provincial subjects—

Excise duties on the following goods manufactured or produced in India—

(a) Alcoholic liquors for human consumption.

(b) Opium, Indian hemp and other narcotic drugs and narcotics; non-narcotic drugs.

(c) Medicinal and toilet preparations containing alcohol, opium, etc.

Production, manufacture, possession, transport, purchase and sale of intoxicating liquors, opium and other drugs and narcotics.

Provincial works and buildings under the administrative control of the Excise Department.

7. THE HON. SRI V. V. GIRI, Minister for Industries and Labour. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Co-operative Societies.

Depressed classes and labour.

Development of industries other than cottage industries.

Economic conditions including wages and prices (not famine relief).

Marketing.

Mines and oil-fields and development of mineral resources.

Provincial works and buildings under the administrative control of the Co-operative Industries and Labour Departments.

Taxes on mineral rights.

Trade and commerce.

Unemployment; relief of the poor.

Unincorporated trading associations.

Concurrent subjects—

Contracts, including partnership, agency, contracts of carriage and other special forms of contract.

Factories.

Indian Partnership Act.

Industrial and Labour disputes.

Trade unions.

Unemployment insurance.

Concurrent subjects—cont.

Welfare of labour—
Employer's liability and workmen's compensation.
Provident Funds.

Federal subjects—

Banking—Conduct of banking business by corporations.
Cheques, bills of exchange, promissory notes and other like instruments.
Corporations—Incorporation, regulation and winding up of trading corporations, including banking, insurance and financial corporations but not including co-operative societies.
Customs duties including export duties.
Development of industries where development under Federal Control is declared by Federal Law to be expedient in the public interest.
Emigration and immigration in their relation to Labour.
Geological survey.
Import and export across customs frontiers.
Indian Companies Act.
Insurance—The Law of insurance and the conduct of insurance business.
Inventions, designs, trade marks and merchandise marks.
Mines and oil-fields and mineral development—Regulation of (to the extent to which such regulation and development under Federal Control is declared by Federal Law to be expedient in the public interest) and regulation of labour and safety in mines and oil-fields.
Provident insurance societies.
Repatriation, in its relation to Labour.
Tariffs.
Taxes on the capital of individuals or of companies.

8. THE HON. SRI S. RAMANATHAN, Minister for Public Information. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Publicity—General.
Publicity—Free of concessional supply of Government publications.
Presidency Administration Report.

9. THE HON. SRI K. RAMAN MENON, Minister for Courts and Prisons. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Administration of justice, civil and criminal, including constitution, jurisdiction, powers, maintenance and organization of courts within the province—
Additional and Assistant Sessions Judges.
Bench Courts.
Civil Courts including High Courts.

Provincial subjects—cont.

Administration of justice, civil and criminal, including constitution, jurisdiction, powers, maintenance and organization of courts within the Province—*cont.*
Civil Rules of Practice.
Criminal appeals.
Criminal justice report.
Criminal powers.
Criminal Rules of Practice.
Honorary Magistrates.
Presidency Magistrates and Courts.
Remission and commutation of sentences.
Betting and gambling—except State lotteries.
Breach of Contract Act.
Carbide of Calcium.
Child Marriage Restraint Act.
Children Act.
Cinematograph Act.
Civil Law.
Control of motor vehicles—
Motor Vehicles Act.
Control of vehicles other than mechanically propelled vehicles.
Coroners.
Criminal lunatics.
Discharged Prisoners' Aid Society.
Escheats.
Hackney Carriages Act.
Immoral Traffic.
Indian Bar Councils Act.
Jails—
Borstal institutions.
Jails and sub-jails.
Prisoners' homes.
Reformatories.
Justices of Peace.
Kazis Act.
Law officers.
Madras Motor Vehicles Taxation Act.
Malabar and Rampa Rebellion prisoners.
Petitions for mercy from sentences of death.
Petitions from convicts including Port Blair convicts.
Preventive detention and persons subject to such detention.
Prisoners.
Prisons Act and rules thereunder.
Provincial law reports.
Provincial works and buildings under the administrative control of the Jail and Judicial departments.
Stage Carriages Act.
Theatres, Dramatic performances and cinematographs.
Towns Nuisances Act.
Village Courts Act.

Concurrent subjects—

Administrator-General and Official Trustee.
 Adoption.
 Arbitration.
 Bankruptcy and insolvency.
 Cinematograph films for exhibition.
 Civil Procedure including the law of Limitation and all matters included in the Code of Civil Procedure at the date of the passing of the Government of India Act, 1935.
 Criminal law including all matters included in the Indian Penal Code at the date of the passing of the Government of India Act, 1935.
 Criminal Procedure including all matters included in the Code of Criminal Procedure at the date of the passing of the Government of India Act, 1935.
 Criminal tribes.
 European Vagrancy Act.
 Evidence and oaths.
 Indian Christian Marriage Act.
 Indian Poisons Act.
 Infants and minors.
 Insolvency Act and Rules.
 Jurisdiction and powers of all courts except the Federal Court, with respect to any of the matters in the concurrent legislative list.
 Marriage and Divorce.
 Mechanically propelled vehicles.
 Poisons and dangerous drugs.
 Prevention of Cruelty to Animals Act.
 Prisoners and accused persons—Removal from one unit to another unit.
 Recognition of laws, Public Acts and records and judicial proceedings.
 Royal Humane Society.
 Transfer of property other than agricultural land.
 Trusts and Trustees.
 Wills, intestacy and succession save as regards agricultural land.

Federal subjects—

Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India, subjects of any Federated State, or British subjects domiciled in the United Kingdom excluding subjects domiciled in the United Kingdom excluding Emigration and Immigration in their relation to labour.
 Arms, firearms, ammunition and explosives.
 Extradition including the surrender of criminals and accused persons to parts of His Majesty's Dominions outside India.
 Foreign missions.

Federal subjects—cont.

Migration within India.
 Naturalization.
 Passports including certificates of identity and visas.
 Petroleum and other liquids and substances declared by Federal law to be dangerously inflammable so far as regards possession, storage and transport.
 Pilgrimages to places beyond India including Hedjas.
 Repatriation except in its relation to Labour.
 State lotteries.

10. THE HON. SRI B. GOPALA REDDI, Minister for Local Administration. Took his seat on the 14th July 1937 and is in charge of the following portfolios:—

Provincial subjects—

Appeals from employees of local boards and municipal councils other than educational, medical and public health staff.
 Capitation taxes, taxes on professions, trades, callings and employments.
 Cesses on the entry of goods into a local area.
 Charities and charitable institutions.
 Corporation of Madras.
 Local boards—General administration and all matters relating to them not specifically assigned to other departments.
 Local bodies—Audit reports of.
 Local self-government including village administration and panchayats.
 Markets.
 Monigar Choultry.
 Municipal councils—
 General administration and all matters relating to them not specifically assigned to other departments.
 Taxes on animals.
 Taxes on land and buildings, hearths and windows.
 Taxes on luxuries, including taxes on entertainments, amusements, betting and gambling.
 Taxes on the sale of goods and on advertisements.
 Tolls.
 Tramways within municipalities.

Federal subjects—

Local self-government in cantonment areas.

PRINCIPAL OFFICERS OF THE MADRAS
LEGISLATIVE COUNCIL.

President.

THE HON. DR. U. RAMA RAO.

Deputy President.

SRI K. VENKATASWAMI NAYUDU.

Panel of Chairmen.

- 1 KHAN BAHADUR SIR MAHOMED USMAN SAHIB BAHADUR.
- 2 THE RT. HON. V. S. SRINIVASA SASTRI.
- 3 SRI T. A. RAMALINGAM CHETTIYAR.
- 4 „ V. V. JOGAYYA PANTULU.

Secretary to the Council.

SRI D. K. V. RAGHAVA VARMA, B.A., B.L.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS
LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1 Abdul Wahab, Munshi ..	Madras North, Muhammadan.
2 Abdul Wahab Bukhari, Syed.	Madras North Central, Muhammadan.
3 Ahmed Meeran, S. K. ..	Madras South, Muhammadan.
4 Alagannan Chettiyar, Rao Sahib A. S.	Madura, General.
5 Bheema Rao, B.	Bellary, General.
6 Daivasigamani Mudaliyar, Diwan Bahadur K.	Chingleput, General.
7 Ganga Raju, V. alias Ganguyya.	West Godavari, General.
8 Ghulam Jilani Quraishi, Khan Bahadur Moulavi.	Madras South Central, Muhammadan.
9 Gonsalves, S. J.	Indian Christian.
10 Hamid Sultan Marakkayar, Khan Bahadur.	Madras South Central, Muhammadan.
11 Hensman, Mrs. M.	NOMINATED.
12 Kumaraswami Mudaliyar, Medai Dalavoi.	Tinnevely, General.
13 Madhava Menon, K.	Malabar, General.
14 Malikarjunudu, K. P. ..	Kistna, General.
15 Mammu Keyi, C. P.	Madras West Coast, Muhammadan.
16 Manjaya Hegde, D.	South Kanara, General.
17 Moidu, Khan Bahadur T. M.	Madras West Coast, Muhammadan.
18 Narayana Menon, M.	Malabar, General.
19 Narayana Rao, M.	Anantapur, General.
20 Narayanaswami Nayudu, B.	Kistna, General.
21 Peddi Raju, P.	West Godavari, General.
22 Perumalswami Reddiyar, C.	North Arcot, General.
23 Rajan, The Hon. Dr. T. S. S. (Minister).	NOMINATED.
24 Ramakrishna Reddi, Rao Bahadur M.	Chittoor, General.
25 Ramalingam Chettiyar, T. A.	Coimbatore cum Nilgiris, General.
26 Ramalinga Reddi, Dr. C. ..	NOMINATED.
27 Raman, Rao Bahadur M. ..	NOMINATED.
28 Ramanathan Chettiyar, S. A. S. Rm.	Tanjore, General.
29 Rama Rao, The Hon. Dr. U. (President).	Madras City, General.
30 Rangaswami Ayyangar, A.	Ramnad, General.
31 Reid, D. M.	European.

Name of member.	Name and class of constituency.
32 Runganathan, Diwan Bahadur S. E.	Indian Christian.
33 Saldanha, J. A.	Indian Christian.
34 Samiappa Mudaliyar, Rao Bahadur N. R.	Tanjore, General.
35 Sankara Reddi, N.	Kurnool, General.
36 Satagopa Mudaliyar, S. K.	Salem, General.
37 Sivasubrahmanya Ayyar, K. S.	Tanjore, General.
38 Srinivasa Ayyangar, K. V.	Trichinopoly, General.
39 Srinivasa Ayyangar, R. . .	South Arcot, General.
40 Srinivasa Ayyangar, T. C. . .	Ramnad, General.
41 Srinivasan, Diwan Bahadur R.	NOMINATED.
42 Srinivasa Sastri, P.C., C.H., The Rt. Hon. V. S.	NOMINATED.
43 Sriramamurti, D.	East Godavari, General.
44 Subba Raju, Nadimpalli . .	East Godavari, General.
45 Subbarama Reddi, L. . . .	Nellore, General.
46 Subba Rau, L.	East Godavari, General.
47 Thomas, Dr. P. J.	NOMINATED.
48 Usman, K.C.I.E., Khan Bahadur Sir Mahomed.	NOMINATED.
49 Vasanta Rao	Cuddapah, General.
50 Veerabhadraswami, P. . . .	Vizagapatam, General.
51 Venkatachalamaji, N. . . .	Vizagapatam, General.
52 Venkata Jogayya Pantulu, V.	Vizagapatam, General.
53 Venkatapunnayya, V. . . .	Guntur, General.
54 Venkata Reddi Nayudu, K.C.I.E., D. LIT., Dr. Sir Kurma.	NOMINATED.
55 Venkataswami Nayudu, K. (Deputy President).	Madras City, General.

THE MADRAS LEGISLATIVE COUNCIL.

THIRD SESSION OF THE LEGISLATIVE COUNCIL UNDER THE GOVERNMENT OF INDIA ACT, 1935.

Monday, the 12th December 1938.

The House met at eleven of the clock in the Council Chamber, Fort St. George, Mr. President (THE HON. DR. U. RAMA RAO) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Preference given to Indian-made articles and Indian agencies in purchasing Medical Stores.

* 47 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Health be pleased to state the measures adopted for requisitioning Medical Stores for Government hospitals, and how far preference is given to Indian articles and Indian agencies for obtaining them?

THE HON. DR. T. S. S. RAJAN:—“ Medical Stores required for Government medical institutions have hitherto been obtained in the following ways:—

- (1) From the Medical Store Depot, Madras.
- (2) By local purchase.
- (3) By indents on the India Office for special medical stores and other articles of European manufacture required for Presidency State hospitals and district headquarters hospitals.
- (4) By direct purchase abroad of medical stores required for experimental or research purposes.

“ The Government have issued instructions to heads of departments and indenting officers to encourage the local purchase of stores of foreign manufacture and have indicated the order of preference to be given in making purchases. According to these instructions all articles of equipment apparatus, instruments, hospital furniture appliances, etc., required for use in Government medical institutions will hereafter be purchased in India through local agencies. The Government have also ordered that spare bottles of Indian manufacture should be purchased

[12th December 1938]

for use in Government medical institutions provided they are more or less equal in all respects to those manufactured elsewhere."

MR. J. A. SALDANHA:—"May I enquire whether the stores which can be obtained in India are not still obtained from the India Office?"

THE HON. DR. T. S. S. RAJAN:—"As far as possible those that are available in India are purchased in India. But where they are not available in India, the Stores department are asked to purchase for the India Office."

MR. J. A. SALDANHA:—"How do Government ascertain that these instructions are carried out? What is there to check and audit the whims and wishes of the institutions from doing as they liked?"

THE HON. DR. T. S. S. RAJAN:—"Once the Government have passed orders it is expected that heads of departments responsible for the discharge of duties will do their work, and if they do not do so, the Government will see that they do it."

MR. J. A. SALDANHA:—"May I know how the Government know this? My information is that the rule is honoured more in the breach than in observance in some offices."

THE HON. DR. T. S. S. RAJAN:—"I am sorry that the experience of the hon. Member is so much in variance with ordinary practice. I am sure people who are in charge of Government and those subordinate to them do carry out Government Orders and if they do not, that is the occasion for the Government to take whatever action they think necessary. So far as Government are concerned, they are satisfied that the heads of departments to whom these orders are communicated are discharging their duties."

Tirupati Government Hospital and adequacy of accommodation therein.

* 48 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—Will the Hon. the Minister for Public Health be pleased to state—

- (a) the year in which the Tirupati Government hospital came under Government management;
- (b) the statistics of out-patients, in-patients and number of operations carried out for the five years succeeding the taking over of control by the Government and the five years preceding;
- (c) whether the present accommodation for in-patients is sufficient;

(d) whether admission into the hospital was refused to some by the medical officer-in-charge on the ground of insufficient accommodation;

[12th December 1938]

(e) whether any representation was received urging for an increase in the accommodation; and

(f) if so, whether any action was taken thereon; if not, why?

THE HON. DR. T. S. S. RAJAN:—" (a) The hospital was taken over by the Government with effect from 1st May 1928.

" (b) The statistics of in-patients and out-patients will be found in statement C appended to the annual report on the civil hospitals and dispensaries in the Madras Presidency. The statistics of operations carried out are as follows:—

Year.	Number of operations.	Year.	Number of operations.
1923	879	1929	1,448
1924	723	1930	1,222
1925	2,145	1931	1,142
1926	2,770	1932	1,081
1927	1,374	1933	984

" (c) The in-patient accommodation cannot be said to be sufficient; but it is not so urgently in need of additional accommodation as many other hospitals.

" (d) The answer is in the affirmative; but no acute, serious or emergent cases were refused admission.

" (e) Except the resolutions of the Hospital Advisory Committee, no other representation has been received by the District Medical Officer, Chittoor. No definite proposals for additions and improvements to the hospital have been received by the Surgeon-General or the Government.

" (f) In view of the position explained in the latter portion of the answer to clause (e) above, no action from the Government was called for."

SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"May I request the Hon. Minister to consider the desirability of extending the present building having regard to the large number of in-patients that are coming day after day to the hospital?"

THE HON. DR. T. S. S. RAJAN:—"I have explained in my answer that comparatively there is not such a great demand as there is in very many other hospitals which require the first attention of the Government."

Damages caused in Mangalore and Calicut by excessive rainfall in May, June and July 1938, and concession, if any, in the collection of land revenue.

* 49 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Revenue be pleased—

(a) to place before the House a statement showing the rainfall in Mangalore and Calicut from the 1st of May 1938 to 31st

[12th December 1938]

July 1938, and the extent to which it was in excess of the average, indicating the basis on which the average is calculated; and to state—

(b) the extent of the damages caused in each of the two districts on account of floods as a result of the excessive rainfall;

(c) the measures adopted for the relief of the people that have suffered thereby;

(d) whether Government have decided or contemplate any reduction or putting off collection of the land revenue in areas affected by the floods; and

(e) if so, to what extent?

THE HON. SRI T. PRAKASAM:—“(a) A statement^a showing the rainfall in Mangalore and Calicut from 1st May 1938 to 31st July 1938 and the extent to which it was in excess or deficient of the average is contained in the annexure^a which is laid on the table.

“The averages are furnished by the Director-General of Observatories, India Meteorological Department, Poona, and are based on the actuals of a series of years.

“(b) & (c) The reports of the Collectors of the districts concerned are contained in the annexure^a which has been laid on the table.

“(d) & (e) No such proposals are under the consideration of the Government.”

Schools wherein Hindustani has been introduced and employment of teachers qualified in that language.

* 50 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education and Legal Departments be pleased to place before the House a statement showing the schools in this Presidency in which Hindustani has been introduced and to state whether qualified Hindustani teachers have been found and employed for teaching the language in those schools and if so, with what grant-in-aid from Government?

THE HON. DR. P. SUBBARAYAN:—“A statement^b showing the 125 secondary schools in which the teaching of Hindustani has been sanctioned is laid on the table. Teachers have been appointed for 124 out of the 125 schools; all except 21 teachers possess the prescribed qualifications. The Government grant in the case of each school managed by a district board, a municipal council or a private agency is one-half of the pay of the teacher, subject to a maximum of Rs. 15 a month.”

^a Printed as Appendix I on pages 69–72 infra.

^b Printed as Appendix II on pages 73–75 infra.

[12th December 1938]

Grazing facilities in the reserved forests in South Kanara.

* 51 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to refer to the judgment of the Madras High Court reported on page 257 of Indian Law Reports, Madras Series, Volume 28, especially the references on pages 277, 279, 280 and 281 and to state what grazing facilities and subject to what conditions are enjoyed by cultivators in the reserved forests adjacent to their warg lands in South Kanara?

THE HON. SRI V. I. MUNISWAMI PILLAI:—“Wargdars enjoy no special grazing facilities in the reserved forests adjoining their wargs.”

MR. J. A. SALDANHA:—“From the answer given I do not exactly catch. I gather the privileges do not exist now at all.”

THE HON. SRI V. I. MUNISWAMI PILLAI:—“When the forest boundary was cut the distance between private land and reserve forest was observed.”

Candidates for training in paper manufacture under the auspices of Wardha Village Industries Association.

* 52 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Industries and Labour be pleased—

(a) to place before the House a statement showing

(1) the number of candidates that applied for training in paper manufacture under the auspices of the Wardha Village Industries Association;

(2) the number that was recommended by the Director of Industries for selection by the Ministers for Industries and Labour and Agriculture and Rural Development;

(3) the number selected by the Ministers from each of the communities Brahman, Non-Brahman Hindu, Muslim and Christian; and to state—

(b) whether a notice was published in the *Fort St. George Gazette* and the dailies of Madras and other papers inviting applications and, if so, on what date and in which papers; and

(c) if no Christian was selected, what the grounds were for the omission?

THE HON. SRI V. V. GIRI:—“(a) About 1,000 candidates applied for training in the manufacture of paper-making at Wardha. Sixty-three applicants were recommended by the Director of Industries for selection and the Government selected finally 2 Brahmans, 5 non-Brahman Hindus, 1 Muslim, 1 Christian and 1 Harijan.

[12th December 1938]

“(b) Advertisement inviting applications was published in the *Fort St. George Gazette*, in the *Hindu*, *Madras Mail* and *Indian Express*, dated the 17th May 1938.

“(c) The question does not arise.”

MR. J. A. SALDANHA:—“May I know why only one Christian was selected?”

THE HON. SRI V. V. GIRI:—“There were only 10 selected out of 1,000.”

Groundnut cultivation and trade in the Presidency.

* 53 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) what the area under groundnut cultivation was in each of the districts of the Madras Presidency during the year 1937–38 and what the quantity of shelled and unshelled nut that was sold out for export was in each district during the said year; and

(b) what the facilities offered or provided for the export of groundnut are in the matter of railway freight and steamer freight?

THE HON. SRI V. V. GIRI:—“(a) Figures of actual area are not yet available, but according to the final forecast released in January 1938, the estimated acreage in different districts in 1937–38 was as follows:—

District.	Estimated average of groundnut in 1937–38.
Vizagapatam	195,000
East Godavari	1,500
West Godavari	48,500
Kistna	207,000
Guntur	400,000
Kurnool	600,000
Bellary	370,000
Anantapur	425,000
Cuddapah	285,000
Nellore	20,000
Chingleput	80,000
South Arcot	475,000
Chittoor	197,000
North Arcot	450,000
Salem	186,000
Coimbatore	193,000
Trichinopoly	118,000
Tanjore	67,000
Madura	160,000
Ramnad	60,000
Tinnevely	22,000
Malabar	4,800
Total	4,564,800

12th December 1938]

“Figures of exports from different districts are not available. Nor is it possible to arrive at such figures with reference to the existing publications of railborne and seaborne trade as they do not give figures on a district basis. The exports of groundnut (shelled) from this Province in 1937–38, however, amounted to 607,471 tons being distributed as follows:—

	TONS.
Exports by sea (foreign)	562,536
Exports coastwise	14,367
Exports by rail	30,568
Total	607,471

“(b) Special station to station rates are offered from many important assembling centres in the interior to the ports. These rates are generally less than the ordinary schedule rate of As. 4–6 per maund per mile at owners' risk.

“On the South Indian Railway, special station to station rates exist from Panruti, Acharapakkam, Agramsibandi, Anamalai Road, Arni Road, Chettipalayam, Chinnasalem, Conjeeveram, Dharmapuri, Dindigul, Kannamangalam, Kinathukadavu, Kovilpalayam, Madimangalam, Podanur, Pollachi, Polur, Tindivanam, Tirukoilur, Tirumalpur, Ulundurpet, Valavanur, Vellore, Vriddhachalam, Karur, Sankaridrug and Omalur to any one or more of the ports of Madras Beach, Pondicherry, Cuddalore and Negapatam. The Madras and Southern Mahratta Railway has introduced special station to station rates from Adoni to Bombay, Dronachalam to Madras, Anakapalle to Vizagapatam, from about 60 other stations to Cocanada Port and from Kolakalur and Chilakalurpet to Masulipatam.

“As regards steamer freight, no special facilities are offered. The three main exporting firms in this Presidency make their own arrangements for shipping their groundnuts. Sometimes they charter special ships to transport groundnuts.”

SRI B. NARAYANASWAMI NAYUDU:—“May I request the Hon. Minister that, in view of the large amount of trade involved in this, the correct figures may be called for and obtained from each district?”

THE HON. SRI V. V. GIRI:—“There will be some difficulty.”

SRI B. NARAYANASWAMI NAYUDU:—“At least in cases where long statements are necessary will the Government put down the answer in writing?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“It will be advisable for Members not to star such questions. Then they will be printed and placed on the table when they will be more useful.”

[12th December 1938]

MR. PRESIDENT:—“Lengthy answers to interpellations might be typed or printed and placed on the table of the House, so that the time of the House may be saved.”

Machines for shelling groundnut and quantity shelled.

* 54 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state how many machines there are in each district for shelling groundnut, in how many towns there are such shelling machines and in how many villages; what the quantity shelled is as per each machine in the several places during the year 1937-38 and whether the owners of the shelling machines are ryots or merchant-men shelling for profit?

THE HON. SRI V. V. GIRI:—“A statement^a showing the number of groundnut shelling factories coming under the Factories Act in the several villages and towns in this Province districtwar is placed on the table of the House. The Government believe that most of the factories are owned by merchants shelling for profit. Other detailed information asked for in the question is not available.”

SRI B. NARAYANASWAMI NAYUDU:—“It is stated in the answer that the machines are in the hands of the merchants. May I know whether these machines are in the hands of the ryots themselves and operated by them? Will the Hon. Minister see that the machines are controlled by the ryots themselves and that the ryots themselves get the benefit?”

THE HON. SRI V. V. GIRI:—“It is advisable to do so; the Government will see how far it is possible to do so.”

Revenue from groundnut trade and quantity of groundnut oil exported from the Presidency.

* 55 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state—
(a) what the total export value of the groundnut trade is for the Madras Presidency and what the revenue derived by the Imperial Government or by the Provincial Government is from the cultivation and export of groundnuts; what expenses the Government incur upon groundnut in the matter of its production or sale or otherwise; and

(b) what the total export is during each year from 1932 of groundnut oil from the Madras Presidency and the places of its destination; what the total inland consumption of groundnut oil each year is since 1932?

^a Printed as Appendix III on pages 76-77 infra.

12th December 1938]

THE HON. SRI V. V. GIRI:—“(a) A statement^a—Statement No. 1, furnishing information regarding the total export value of groundnut trade of this Province is laid on the table of the House. Beyond the land revenue which is not special to groundnut, neither the Central Government nor the Provincial Government derive any income by the cultivation or export of groundnut. The Government have established an agricultural Research Station at Tindivanam to carry out researches in regard to the improvement of groundnut crop. The average expenditure on such research work including the proportionate cost of the Oil-seeds Section at Coimbatore is estimated at Rs. 24,350 per annum. Experiments are also carried out at other Agricultural Research Stations in the Province.

“The Marketing Section has carried out a marketing survey of groundnut among other commodities. The non-credit inspectors of the Co-operative department assist sale societies which deal in groundnut in Vizagapatam, South Arcot, Salem, Coimbatore and Madura districts. It is not possible to estimate the proportionate cost of these items of work.

“(b) A statement^b—Statement No. II, showing the total quantity of groundnut-oil exported since 1932 and the places of its destination is laid on the table of the House. No exact figures of the annual inland consumption of groundnut-oil are available. The local consumption may roughly be estimated at 148,450 tons annually.”

Groundnut and articles having imperial preference.

* 56 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state whether groundnut is an article coming within the range of imperial preferences?

THE HON. SRI V. V. GIRI:—“The answer is in the affirmative.”

Groundnut cake business in the presidency.

* 57 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state what the total value of groundnut cake export trade of the Madras Presidency is since 1932; what the places of destination and quantities destined are; what the total inland consumption is; what the total requirement for inland consumption is?

THE HON. SRI V. V. GIRI:—“Two statements^b are laid on the table, one furnishing information regarding the total value of groundnut cake exported by the sea and the other showing the destination of these exports. Information relating to coastwise exports and exports by rail is not available.

^a Printed as Appendix IV on pages 78-79 infra.

^b Printed as Appendix V on pages 79-80 infra.

[12th December 1938]

The total inland consumption is estimated at 189,000 tons. No definite information is available regarding the total requirement for inland consumption."

SRI B. NARAYANASWAMI NAYUDU:—"In view of what has been stated, may I know whether the Government will not undertake planning with regard to this industry?"

THE HON. SRI V. V. GIRI:—"Certainly the matter will be considered."

Enquiry into the alleged death of one Sanku Shetty of Mangalore in the police lock-up.

* 58 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Prime Minister be pleased to state—

(a) what the result is of the final enquiry into the death of one Sanku Shetty, a motor driver, in the Mangalore police lock-up in about March 1937; and

(b) whether a copy of the report of the enquiry will be placed on the table of this House?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) The enquiry showed that death was probably due to heart failure. But it was proved that there were some irregularities in the manner in which certain police officers and men and the Assistant District Medical Officer discharged their duties. They have been suitably punished, the punishments inflicted being—

- (1) the Sub-Inspector who was in charge of the Law and Order branch of the Police station was reverted as head constable and his name was removed from the list of head constable fit for promotion to the rank of Sub-Inspector.
 - (2) The station writer head constable was permanently reduced from the rank of head constable to that of constable and removed from the post of station writer.
 - (3) Of the two other head constables who were also involved, one was reduced from the first grade to the second grade for a period of one year and the other was given a black mark.
 - (4) One of the two sentry constables who were involved, was given two black marks and warned for dismissal and the other was reduced from the first to the second class for a period of six months.
 - (5) The Assistant District Medical Officer was censured.
- " (b) No single officer was appointed to enquire into the case. The Government do not deem it desirable to place departmental reports on the table."

[12th December 1938]

Difficulties in the working of Madras Agriculturists Relief Act in regard to scaling down of debts.

* 59 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether it is a fact that the debtors experience difficulties in getting the necessary information from the creditors for the purpose of arriving at the correct figure for scaling down the debt due under simple bond like pro-note as per the provisions of the Madras Agriculturists Relief Act of 1938; and

(b) whether the Government propose to frame rules under the powers vested in them under section 28, clause (2), sub-clause (c)—

(i) compelling the creditors to supply details regarding the loan concerned if and when required by the debtors; and

(ii) to enable the debtors to deposit the money in court for loans due under simple debts also even as provided for under section 83 of Transfer of Property Act?

THE HON. SRI V. I. MUNISWAMI PILLAI:—" (a) The Government have received representations about the difficulties referred to.

" (b) The matter is under consideration."

* 60, 61, & 62 Qs.—SRI D. SRIRAMAMURTI:—"I do not wish to put these questions."

SRI B. NARAYANASWAMI NAYUDU:—"If rules permit, I would like to put these questions (Nos. 60, 61 and 62) and I request they may be answered."

MR. PRESIDENT:—"This is not the time for the hon. Member, Sri D. Sriramamurti, to withdraw his questions. He is, however, given permission to withdraw them."

Government grant for Khadder in Andhra and Tamilnad.

* 63 Q.—SRI D. SRIRAMAMURTI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state what the institutions or individuals are that received Khadder grant from Government; how many in Andhra and how many in Tamilnad; and whether the rules are published and if so, when and where?

THE HON. SRI V. I. MUNISWAMI PILLAI:—"The Government are expending the grant for the development of hand-spinning and khadi manufacture movement through the All-India Spinners' Association, Ahmedabad, which carries on its work in this province through the agency of the Andhra, Tamilnad and Kerala branches of the association. Detailed information relating to the utilization of the grant will be

[12th December 1938]

found in G.O. No. 2597, Development, dated 22nd November 1937, and the annual report of the All-India Spinners' Association, Ahmedabad, for the year 1937, copies of which are available for reference in the Library of the Madras Legislature."

Resolution passed by Negapatam Municipal Council for constructing a separate bathing ghat for Depressed Classes.

* 64 Q.—SRI DIWAN BAHADUR R. SRINIVASAN: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government are aware that the Negapatam Municipal Council has passed a resolution to construct a separate bathing ghat for the Depressed Classes from those that are in use by the caste Hindus at Akkaraikulam; and

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

THE HON. SRI B. GOPALA REDDI:—“(a) The Government understand that there are already different bathing ghats reserved for women and men of caste-Hindu, Muhammadan and Adi-Dravida communities in the Akkaraikulam tank, that the municipal council has resolved to extend the small ghat reserved for Adi-Dravidas and that an estimate for the purpose is under preparation.

“(b) Government do not propose to take any action.”

SRI B. NARAYANASWAMI NAYUDU:—“Do the Government countenance separate bathing ghats for separate communities?”

THE HON. SRI B. GOPALA REDDI:—“It is not a question of countenancing it; the ghats exist there already.”

SRI B. NARAYANASWAMI NAYUDU:—“May I ask whether the present state of things will continue or whether the ghats will be amalgamated?”

THE HON. SRI B. GOPALA REDDI:—“This is a matter left to the discretion of the municipal council.”

Restrictions placed on non-officials in regard to their visits to girls' schools.

* 65 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the reasons that led to the issue of G.O. No. 1358, Education, dated 15th June 1938, reiterating G.O. No. 4590, L. & M., dated 7th November 1935, prohibiting certain non-officials mentioned in the Government Order from paying visits to girls' schools except under certain conditions; and

12th December 1938]

(b) what “public interests” the Government fear are likely to be affected by the unhampered visits by the said non-officials to girls' schools?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The Government were led to issue G.O. No. 1358, Education, dated 15th June 1938, as a result of allegations made against a certain vice-president of a district board regarding his conduct towards women teachers employed in elementary schools. The orders in the Government Order have since been modified by G.O. No. 2210, Education, dated 16th September 1938, which has been placed at the disposal of the Press.”

Government's policy in regard to co-education and visits of non-officials to mixed schools.

* 66 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) what the future policy of Government is regarding co-education and mixed schools;

(b) whether the Government are in favour of such co-education;

(c) if the Government are in favour of co-education, whether they think that visits of adult non-officials and not presence of boys studying in mixed schools are likely to affect “public interests”;

(d) if the Government think that presence of boys is not likely to affect “public interests” at which age of the boys the Government think there will be a necessity for the imposition of restrictions mentioned by the Government Order; and

(e) whether the opinion of the Director of Public Instruction was obtained before the passing of the Government Order and if so, whether a copy of the same will be placed on the table?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The policy continues to be the same as it has been. The hon. Member is referred to rule 70 of the Madras Educational Rules.

“(c) to (e) The hon. Member apparently refers to the orders in G.O. No. 1358, Education, dated 15th June 1938. The Government Order has since been modified by G.O. No. 2210, Education, dated 16th September 1938, which has been placed at the disposal of the Press.”

Alleged imposition of fine on an European and its subsequent reduction.

* 67 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that a fine of Rs. 500 was imposed on a European for an offence committed under the Prohibition Act, which was subsequently reduced to Rs. 50;

[12th December 1938]

(b) if so, what is the nature of the offence which he committed and the section of the Prohibition Act which he offered thereby; and

(c) by whom the fine was imposed and by whom the fine was reduced?

THE HON. SRI C. RAJAGOPALACHARIAR:—“(a) The answer is in the affirmative.

“(b) & (c) He was convicted under section 4 (i) (a) of the Prohibition Act by the Subdivisional First-class Magistrate of Sankari for importing three bottles of whisky into the prohibited area. On 14th October 1937 shortly after prohibition came into force in the Salem district the accused's father who was residing in Salem district applied for a permit under section 20 of the Act. A permit was duly issued on 20th November 1937. The conviction was for the despatch to him of three bottles of whisky in the interval on 10th November 1937 as a birthday present from his son from outside the district. The offence was technical and the fine was therefore reduced by Government.”

SRI B. NARAYANASWAMI NAYUDU:—“May I ask if the fine imposed was not technical?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“I do not quite understand the joke; the offence is technical, the hon. Member will agree.”

SRI B. NARAYANASWAMI NAYUDU:—“May I know whether this is not a substantial offence, which the Government is trying its utmost to put down?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“The man who was fined had applied for a permit and he got it within the first fortnight of the introduction of prohibition; in the interval, his son sent him a birthday present from outside the district; that was therefore a technical offence.”

Land, if any, that can be brought under cultivation and appointment of necessary staff for working out the cost.

* 68 Q.—SRI V. V. JOGAYYA PANTULU: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that during the last year there was an increase in the acreage of cultivation in this Presidency; if so, what is the extent of the increase;

(b) whether this increase, if any, resulted in an increase of revenue; if so, to what extent; and

(c) whether there are still vast areas, which could be brought under cultivation with increased irrigational facilities; if so, whether any steps are taken to estimate the extent of these areas; if not, whether Government propose to take steps to appoint an

[12th December 1938]

officer or officers, with the necessary staff, to ascertain this extent and furnish the Government an estimate of the cost of bringing these lands under cultivation?

THE HON. SRI T. PRAKASAM:—“(a) Figures for fasli 1347 are not yet available.

“(b) Does not arise.

“(c) A scheme designed to give effect to Government's policy of assigning land to the landless poor is under consideration. In that connexion the question of what land can be brought under cultivation with increased irrigation facilities will be investigated by the Government. The suggestion of the hon. Member for the appointment of an officer or officers with the necessary staff will also be considered by the Government at the proper time.”

Panchayats and withdrawal of powers to supersede them from the Inspector of Local Boards and Municipal Councils.

* 69 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Local Administration be pleased to place on the table of this House a statement showing the names of the Panchayats superseded from 15th July 1937 up to the date of the withdrawal of the power to supersede the Panchayats from the Inspector of Local Boards and Municipal Councils, with the following particulars districtwar:—

(a) date of the order of supersession; and

(b) by whom the supersession was ordered, i.e., whether by the Government or by the Inspector of Municipal Councils and Local Boards?

THE HON. SRI B. GOPALA REDDI:—“(a) & (b) A statement^a containing the required information is placed on the table.”

Alleged attack of the Police on the premises of the East Godavari District School of Economics and Politics.

* 70 Q.—SRI D. SRIRAMAMURTI: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that on the 24th July, the premises of the East Godavari District School of Economics and Politics at Rajahmundry were attacked by the police;

(b) whether the said attack was under the orders of Government, or of the superior officer of the district; and

(c) what the necessity was for the attack on the school?

[12th December 1938]

THE HON. SRI C. RAJAGOPALACHARIAR:—“(a) No. There was no attack on the premises by the Police.

“(b) & (c) Do not arise.”

SRI B. NARAYANASWAMI NAYUDU:—“Will the Hon. the Premier be pleased to state whether there was entry into the premises, if not an attack?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“There was no entry; you can call it by any name you like; there was enquiry.”

Alleged watching of the Police of the movements of an accused in the Cocanada bomb case.

* 71 Q.—SRI D. SRIRAMAMURTI: Will the Hon. the Prime Minister be pleased to state why the police are still watching the movements of Kakarala Kameswara Sastry—First accused in the Cocanada bomb case?

THE HON. SRI C. RAJAGOPALACHARIAR:—“The Government regret that they must decline in the public interest to answer the question.”

Administration of various ports under the control of the Local Government.

* 71-A Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Works be pleased—

(a) to place before the House a statement showing—

(1) the various ports under the management of the Provincial Government;

(2) by what body each is administered and under what legislative enactment, and if under an Indian Act, from what date;

(3) the income and expenditure for two years ending 31st March 1937 and for the year ending 31st March 1938 (if figures are available) of each of the ports;

(4) the net saving in the case of each of the ports and for all ports for the years mentioned; and to state

(b) whether Government, in the interests of the public, have enquired and ascertained the wants and needs of the public in the case of the several ports, as to the following:—

(i) sheds for the embarking and landing of passengers;

(ii) wharfs and landing places;

(iii) signal posts for signalling the sighting of vessels coming into the port from a distance or the departure of vessels from a neighbouring port and other facilities for the convenience and comforts of passengers; and

[12th December 1938]

(c) whether Government have laid down a scheme with standard plans and approximate estimates on a minimum and maximum scale for the guidance of Port Authorities or contemplate laying down such a scheme?

THE HON. MR. YAKUB HASAN:—“(a) (1) The attention of the hon. Member is invited to the statement printed as Appendix I on page 91 of the Council Debates, Volume III, No. I.

“(2) All the ports are administered by the Presidency Port Officer subject to the control of the Provincial Government under the Indian Ports Act (XV of 1908). At 10 of the 12 ports to which the Madras Outports Landing and Shipping Fees Act (Madras Act III of 1885) has been extended, advisory bodies called port conservancy boards at four ports, and landing and shipping fees committees at six of them, advise the Port department authorities on matters relating to the administration of the ports. These ports are enumerated in the Appendix II on page 92 of the Council debates above mentioned. The Indian Ports Act was applied to the ports in this Province from time to time, the earliest applications being in 1858 under the old Act XXII of 1855. There were subsequent enactments in 1867, 1875 and 1889, all of which have been repealed. The Indian Ports Act of 1908 is the one now in force.

“(3) & (4) A statement^a relating to 1936–37 and 1937–38 giving particulars as far as available under Landing and Shipping Funds is placed on the table. Similar accounts under the Minor Ports Fund are not maintained for each port and hence the information is not available.

“(b) The Government have not recently made any such enquiries, but the Presidency Port Officer has formulated a comprehensive scheme for the improvements of ports, and each proposal is being dealt with on its merits.

“(c) The answer is in the negative.”

MR. J. A. SALDANHA:—“May I know, Sir, why separate accounts are not kept for each port under the Indian Ports Act?”

THE HON. MR. YAKUB HASAN:—“Some years ago separate accounts were kept. Afterwards there were two groups of ports called the Eastern and Western and since it was found difficult to keep separate accounts, all the minor ports were declared as one port and since then amalgamated accounts are being kept.”

^a Printed as Appendix VII on page 81 infra.

[12th December 1938]

MR. J. A. SALDANHA:—"May I know, Sir, whether before the amalgamation each port did not keep separate accounts under the Indian Ports Act?"

THE HON. MR. YAKUB HASAN:—"Before the amalgamation each port was keeping a separate account but after the amalgamation, there is only one combined account for all ports."

MR. J. A. SALDANHA:—"Is it not a serious irregularity that such accounts are not kept for each port?"

THE HON. MR. YAKUB HASAN:—"I do not see any irregularity in it."

Port Conservancy Boards and Landing and Shipping Fees Committees and their function in respect of the ports.

* 71-B Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Works be pleased—

(a) to place before the House the rules by which the Port Conservancy Boards and the Landing and Shipping Fees Committees are governed; and to state—

(b) what objects these bodies have in view in connexion with the administration of ports, respectively;

(c) what their respective powers and duties are;

(d) what defects exist in the statutory constitution and basis of these bodies;

(e) how they are sought to be mended;

(f) what powers of control can be exercised by the Provincial Legislature over the administration of the ports under the Government of India Act;

(g) whether details of income and expenditure of the several ports may be made available to the public in connexion with their administration by the Madras Ports department;

(h) by which officer of Government are the accounts kept by the port authorities audited, and whether the audit notes are submitted to Government and orders passed thereon; and

(i) the income and expenditure of the ports of Mangalore and Malpe for the year 1937-38 with the audit notes of the auditing officer thereon and Government Orders thereon?

THE HON. MR. YAKUB HASAN:—" (a) to (c) The attention of the hon. Member is invited to the answer given to starred question No. 4 on page 21 of Council Debates, Volume III, No. I, dated 21st December 1937. As stated therein, paragraphs 194-195 of the Port Manual (Sixth Edition) contain the rules in regard to the constitution,

12th December 1938]

powers and duties of Landing and Shipping Fees Committees and Port Conservancy Boards. These committees and boards are to attend to the proper working and conservancy of the ports concerned.

"(d) The Government are not aware of any defects.

"(e) Does not arise.

"(f) The Provincial Legislature have absolute control over the minor ports in this Province (i.e., other than the major ports of Madras, Vizagapatam and Cochin).

"(g) Statement of financial transactions of port and marine funds for each official year is published for the information of the public, in the *Fort St. George Gazette*.

"(h) The Examiner, Local Fund Accounts, audits the accounts of the Port department and submits a report to Government. The report is examined by Government and necessary orders are passed thereon.

"(i) The income and expenditure of the ports of Mangalore and Malpe for the year 1937-38 are as follows:—

(a) Minor Ports Fund.

					Income.	Expenditure.
					RS.	RS.
Mangalore	..	..	..	..	34,779	15,520
Malpe	..	..	..	..	1,782	2,118

(b) Landing and Shipping Fund.

Mangalore	..	..	..	..	78,702	1,69,906*
Malpe	..	..	..	..	2,294	1,501

(* Includes Rs. 30,000 towards repayment of loan to Minor Ports Fund.)

"No separate audit report for each port is submitted by the Examiner of Local Fund Accounts. His consolidated audit report for 1937-38 has not yet been received."

MR. J. A. SALDANHA:—"I submit, Sir, that the lot of figures quoted in the answer are difficult to catch and much less to remember and therefore, may I suggest, Sir, that these figures be printed and placed before the House, in the form of statements to enable members to scrutinize them and put supplementary questions?"

MR. PRESIDENT:—"They will be printed with the answers."

MR. J. A. SALDANHA:—"What I submit, Sir, is that since there are so many figures quoted, it is not possible for anybody to catch them when read out or to remember them?"

MR. PRESIDENT:—"The hon. Member may refer to them when they are printed along with the proceedings."

[12th December 1938]

MR. J. A. SALDANHA:—"My point is, what is the use of giving a number of figures without our being able to ask supplementary questions on them?"

MR. PRESIDENT:—"The hon. Member must be quick and smart enough to understand them."

MR. D. M. REID:—"May I know, Sir, whether this amount of Rs. 30,000 represents the instalment of the loan taken from the Minor Ports Fund?"

THE HON. MR. YAKUB HASAN:—"Rupees 30,000 was paid towards the repayment of the loan from the Mangalore Landing and Shipping Fund."

MR. D. M. REID:—"Is it customary for separate ports to obtain loans from the Minor Ports Fund for their purposes?"

THE HON. MR. YAKUB HASAN:—"Yes, Landing and Shipping committees sometimes take loans for their purpose from Government and those loans are given from the Minor Ports Fund."

MR. D. M. REID:—"May I know, if there is a regular practice of giving loans for works from the Minor Ports Fund and not to give grants from their very considerable funds?"

THE HON. MR. YAKUB HASAN:—"Sometimes full grants are given, sometimes half-grants are given and sometimes loans are also given according to the nature of the purpose for which such amounts are asked."

MR. D. M. REID:—"If loans are given for particular ports from the fund, how can the Government correctly look after them if the accounts of all the ports are merged into one? I do not see how loans to ports can be separate if the accounts are merged in the whole bunch of ports?"

THE HON. MR. YAKUB HASAN:—"These loans are taken by the Landing and Shipping Committees and there are ten such committees functioning. Their accounts are kept separate. They borrow from the Minor Ports Fund and repay."

MR. D. M. REID:—"If the Hon. Minister would give it, may I have the total amount of all the loans taken by the various Landing and Shipping Funds from the Minor Ports Fund?"

THE HON. MR. YAKUB HASAN:—"I cannot give the figure off-hand for all the loans taken from the Minor Ports Fund by the various Landing and Shipping Committees, how much was repaid and how much is still owing."

Minor ports and funds for their improvement and proposal, if any, to open a port at Point Calimere.

* 71-C Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: With reference to his speech in moving the Minor Ports

[12th December 1938]

Fund Bill in the Madras Legislative Assembly, will the Hon. the Minister for Public Works be pleased to place on the table—

(a) a statement showing the names of all the minor ports in the Presidency (districtwar);

(b) the surplus amount which each port had got to its credit on 1st April 1938;

(c) the estimated, or approximate amount, required for each port for improvement as per the proposal of the Presidency Port Officer, if any;

(d) whether Point Calimere (Tanjore district) is a recognized minor port or not; and

(e) if not, whether there is any proposal to open a port at Point Calimere, and if so, at what stage the matter stands?

THE HON. MR. YAKUB HASAN:—" (a) A statement * is laid on the table.

" (b) As the minor ports are worked on a consolidated basis, the particulars required by the hon. Member are not available.

" (c) A statement * showing the works and the amounts of estimates submitted by the Presidency Port Officer is laid on the table. These proposals are under examination.

" (d) In 1931 Point Calimere was closed for foreign trade and it is now a sub-port of Thopputhorai.

" (e) The Central Government has been addressed for opening Point Calimere Port for foreign trade and travel and their reply is awaited."

Provisions of Non-official Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885, which was dropped by Government in 1930.

* 71-D Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Works be pleased to refer to the answer given on 21st December 1937 to my unstarred question No. 5 as to the proposed legislation for amending or replacing the Madras Outports Landing and Shipping Fees Act, 1885 (III of 1885), and to state—

(a) whether the proposed legislation contemplates the amalgamation of the provisions of that Madras Act and the Indian Ports Act, 1908, for the administration of the minor ports in this Province and the several funds thereunder;

(b) whether a Bill by a non-official Member of the Legislative Council for amending the abovementioned Madras Act was submitted to the Government Finance (Marine) through the Secretary to the Legislative Council in 1925 and under what circumstances that Bill was dropped;

[12th December 1938]

(c) whether the Bill proposed to be introduced by Government in 1930 and dropped in 1934 was drafted after getting the sanction of the Government of India;

(d) whether there were provisions in it for introducing the elective principle for any members of the local port administrative bodies as representatives of payers of taxes and fees; and

(e) on what grounds the Presidency Port Officer, it is stated, considered that legislation in the matter of amending or replacing the abovementioned Madras enactment was neither necessary nor desirable and the Government then concurred in that view and now do not propose to take any action?

THE HON. MR. YAKUB HASAN:—“(a) The answer is in the negative.

“(b) Yes; the Central Government expressed inability to give sanction to the Bill.

“(c) The answer is in the affirmative.

“(d) The Bill provided *inter alia* for the election of members by a municipal council or a Chamber of Commerce or any other body representing commercial interests.

“(e) Legislation was not recommended by the Presidency Port Officer on the ground that the provisions of the Indian Ports Act XV of 1908 and the Madras Outports Landing and Shipping Fees Act were adequate for the purpose of the administration of the minor ports. The hon. Member's attention is in this connexion invited to the answer to starred question No. 71-B (d).”

MR. J. A. SALDANHA:—“May I know, Sir, whether the Government have at least now found that the administration of these ports has been very unsatisfactory?”

THE HON. MR. YAKUB HASAN:—“The Government have found that the administration of these ports has been quite satisfactory.”

UNSTARRED QUESTIONS

Fixity of tenure to tenants of ryotwari landholders in South Kanara.

15 Q.—MR. J. A. SALDANHA: With reference to the answer given to my question No. 3 on 21st December 1937, will the Hon. the Minister for Revenue be pleased to state whether, during his visit to Mangalore in June 1938 the Hon. the Prime Minister received a representation from any body for granting fixity of tenure to tenants of ryotwari landlords in South Kanara, if so what the terms of the prayer made are, what reply the Hon. the Prime Minister gave and what action Government have taken on the proposed fixity of tenure for such tenants and subject to what conditions?

12th December 1938]

A.—The giving of fixity of tenure to lessees under ryotwari owners of land means taking away from the full ownership of the pattadar, and such a step is not under contemplation. But the difficulties of tenants in South Kanara and how for they can be relieved are under consideration of local authorities.

Maintenance of ghaut and non-ghaut portions of Mangalore-Mysore Trunk road and funds for construction of capital works in 1938-39.

16 Q.—MR. J. A. SALDANHA: With reference to the answer given on 31st August 1937 to my question No. 11, will the Hon. the Minister for Local Administration be pleased to state—

(a) what action has been taken on the proposal to increase the maintenance of the ghaut and non-ghaut portions of the Mangalore-Mysore Trunk road;

(b) what amount of the Road Development Fund has been found available for the construction of capital works in the whole Presidency in 1938-39 and what portion of it is assigned to the district of South Kanara and to which office or local body; and

(c) what funds are placed at the disposal of the Collector of South Kanara for construction of roads and bridges and subject to what conditions?

A.—(a) Owing to want of funds, an increased grant could not be sanctioned in the current year. The proposal will be considered in connexion with the budget for 1939-40.

(b) The total amount provided for sanctioned schemes is Rs. 9.97 lakhs of which Rs. 1.62 lakhs relates to works to be carried out by the South Kanara District Board.

(c) No funds have been placed at the disposal of the Collector specifically for the construction of roads and bridges. He has at his disposal his district allotment of Rs. 46,670 out of the Government of India Rural Reconstruction Grant. Improvement of village communications is one of the objects on which it could be spent but the villagers to be benefited have to make a contribution of one-third of the cost of each scheme.

Forest concessions in South Kanara regarding use of green and dry produce.

17 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether Government have granted to cultivators in South Kanara recently any concessions in regard to the use of produce—green as well as dry—in reserved forests adjacent to their lands;

[12th December 1938]

- (b) if so, to what extent and in which villages; and
 (c) subject to what conditions?

A.—(a) Yes.

- (b) & (c) The attention of the hon. Member is invited to paragraph (c) of the Press Communiqué, ^a dated 27th August 1938, on the forest concession given to ryots in South Kanara district, a copy of which is appended.

Extension of service granted to the staff in civil courts in South Kanara.

18 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased to refer to the answer given to my question No. 84 on 25th March 1938, and to state—

- (a) how many members of the staff on the superior subordinate service of the civil courts in South Kanara have been given extension of service since 1st July 1937; and

- (b) whether Government have decided to restrict or contemplate restricting the number of extensions in civil courts in South Kanara?

A.—(a) Since 1st July 1937, 17 (seventeen) members of the Superior Subordinate Service of the Civil Courts in South Kanara have been given extension of service.

- (b) The question is under the consideration of the Government.

Alleged preferential treatment in Subordinate Judicial Service to officers holding University degrees.

19 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased to refer to rule 14 (b) of the Special Rules passed for the Subordinate Judicial Services in G.O. No. 892, Public (Services), dated 26th May 1938, which provides for preference being given for the purpose of promotion to certain categories of members of the service holding the degrees of B.A., or B.Sc. or degree in Law of the Madras University, and to state—

- (a) whether this preferential treatment had been existing in the previous rules and if not, on what grounds it has been introduced anew;

- (b) whether such a preferential treatment is accorded to holders of corresponding posts in the revenue and other departments of the public services and if not, why the rule is made applicable to only clerks in the Judicial department;

^a Printed as Appendix IX on pages 83–85 infra.

12th December 1938]

- (c) whether the rule is to be enforced only in the case of new entrants; and

- (d) whether it will apply to those, who have already acted in the higher appointments of the category referred to above without holding any of the degrees mentioned above?

A.—(a) Prior to the issue of G.O. No. 892, Public (Services), dated 26th May 1938, there was no provision similar to rule 14 (b) of the special rules for the Madras Judicial Subordinate Service. This rule was framed on the recommendation of the High Court with a view to greater efficiency.

- (b) The answer to the first part of the question is in the negative. The answer to the second part of the question is that better academic qualification and more especially, legal qualification, was considered likely to lead to more efficient discharge of duties by the said officers in the Judicial department.

- (c) & (d) As retrospective effect has not been given to the rules in the Government Order, they will apply only to new entrants, i.e., to persons who are promoted for the first time after 26th May 1938.

Number of Europeans punished under the Madras Prohibition Act.

20 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Courts and Prisons be pleased to state—

- (a) whether any European or Europeans were prosecuted for offending any of the provisions of the Prohibition Act from 1st October 1937 to 1st August 1938; and

- (b) if so, whether he will place a statement showing the following particulars with regard to each case:—

- (1) Name of the offender;
- (2) Nature of offence;
- (3) Relevant section of the Prohibition Act which he offended;
- (4) Sentence awarded by the trying court;
- (5) whether there was any appeal against the punishment; and
- (6) if so, the decision of the appellate court?

A.—(a) One European was prosecuted during the period in question.

[12th December 1938]

(b) The particulars asked for are given below seriatim:—

- (1) Mr. B. C. Savage.
- (2) Illicit transport of three bottles of whisky.
- (3) Sub-section 1 (a) of section 4.
- (4) A fine of Rs. 500 (five hundred rupees).
- (5) & (6) There was no appeal against the punishment.

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

II.—REPORT OF THE ESTATES LAND ACT COMMITTEE.

* THE HON. SRI T. PRAKASAM:—“ Sir, with your permission and the permission of the Hon. the Leader of the House, I present the Report of the Estates Land Act Committee which was constituted by this House on the 10th September 1937. I would request you to fix the 27th January 1939 for the consideration of this subject in this House.”

MR. PRESIDENT:—“ I fix the 27th January 1939 as the date for the discussion of the Report of the Estates Land Act Committee.”

III.—GOVERNMENT BILLS.

- (1) THE REMOVAL OF CIVIL DISABILITIES BILL (L.A. BILL NO. 9 OF 1937) AS PASSED BY THE ASSEMBLY.

* THE HON. DR. T. S. S. RAJAN:—“ Sir, I move—

*‘ That the Bill * to provide for the removal of civil disabilities among certain classes of Hindus (L.A. Bill No. 9 of 1937) as passed by the Assembly be taken into consideration at once.’*

“ It is unnecessary for me to go into any detail with regard to this Bill that has come before this House. This Bill was originally introduced in the Central Assembly in the year 1936 when Mr. Rajah was a member of that Assembly. It was circulated for opinion all over the country on a reference made by the Government of India and a large volume of opinion was collected. But, on account of the exigencies of political situation in the country, the sponsor of the Bill was not able to continue the further progress of the measure in the Central Assembly. Meanwhile, the present Government of India Act has come in by which power is given to the Local Governments to tackle the question. So, this Bill was introduced in the Madras Legislative Assembly during March this year.

* Printed as Appendix X on pages 86-87 infra.

[12th December 1938] [Dr. T. S. S. Rajan]

“ It was referred to the Select Committee and when it came ¹¹⁻⁴⁵ before the House there was a full-dress debate and it was unanimously passed by the House. It has since been referred to the Council for discussion and on behalf of the Government I have undertaken to pilot this measure in this House.

“ The object of this measure is simply to enable certain classes of Hindus known as Harijans, untouchables, depressed classes and others to be put on the same footing as other Hindus, particularly in relation to public offices, access to public streets, rivers, public wells, tanks, pathways and means of transport. It is also the intention that no courts, civil, criminal or revenue, shall recognize any form of usage and give legal sanction for the perpetuation of such usage, which on the face of it is illegal. Since then the subject has been discussed by the public and there has been a tremendous change in public opinion in favour of the removal of these disabilities. The Madras Local Boards Act definitely lays down that the use of no institution of a public nature shall be denied to any section of the public. But the Local Boards Act does not cover the restrictions in transport, and in particular with regard to public conveyance and sanitary conveniences and other things. I am most certain that this measure is non-controversial. It has come rather too late in the day according to me. It has disfigured the statute-book for a number of years and the usage has been sanctified by courts and has acted in a way which is absolutely against the spirit of modern times. These classes of people have been prevented partly on account of the custom and partly on account of their economically depressed condition. Even to-day in areas where the caste Hindus are powerful, I am afraid any amount of legislation may not help them, for any law to be worked requires the co-operation and the definite help of those for whom it is intended. The law can be defeated in many dubious ways, and certainly the economic consideration of the caste people who are better off than the depressed classes does act as something which is in the way of proper fulfilment of this enactment. But once this is placed on the statute-book I expect that the machinery of the Government will be used for its fulfilment. Personally I am aware of a tank in my own district to throw open which I have been at work nearly seven or eight years. The caste Hindus have persisted in their action. Although the idea and the sympathy of the District Magistrate and those responsible for the administration of the district are for opening it, I am sorry to say I have not been successful. It is because of this that the difficulty in carrying out this piece of legislation in far-off and out-of-the-way places is a thing which is the problem of the Government. But once this Act is put on the statute-book, probably it will give us the additional strength which we require. I do not think any further argument from me is necessary. It is a

[Dr. T. S. S. Rajan] [12th December 1938]

short Bill of a few clauses, and I do not think the House will find any difficulty in accepting it. Sir, I move that the Bill be taken into consideration at once."

* SRI DIWAN BAHADUR R. SRINIVASAN:—"Sir, it is very encouraging to me to find the Mover of the Bill and the Premier are Brahmans and Aryans. Their ancestors introduced the caste system and caused all these troubles to the people. Now this is not a movement of four or five years. This is a movement which was started sixty years before. If you permit me a few minutes, I shall just explain how this movement began. In 1772 the British Parliament moved the Madras Government to ameliorate the conditions of the depressed classes and establish the rights of these people. There was correspondence between the British Parliament and the Madras Government. To a certain extent some work was done. It was dropped. Again in 1818 the British Parliament pressed the Madras Government to uplift these people. Then the Revenue Board ordered the district collectors to report. Nothing was done, until 1892. Then again in 1893 a Government Order No. 68, dated 1st February, was issued to impart education to these people. I will refer only to a few cases. Now 120 years had elapsed but nothing had been done and the British Government had been pressing throughout. The cause of this was to be traced to the caste Hindus. You will find that from the village munsif to the staff of the Revenue Board the offices are always held by caste Hindus. Every effort made by the Government was frustrated. In 1893 when they introduced this Government Order to give education to the depressed classes, no Hindu would come forward to teach them and the proselytisers would not countenance this Order because it would not help them. The Government Order was very liberal and was hailed as the Magna Charta of the depressed classes. So no further effort was made and the Government Order was reduced to a dead letter. Well, Sir, that was in 1893. I started a journal to give voice to the voiceless millions. The inarticulate community was shaped into an organized entity. Since then education has been imparted to the depressed classes. Hon. Members who have watched for the last thirty or forty years know the events. Within a year or two since I started the paper, the community was able to reach the Imperial Parliament. Since then they have been working regularly. In spite of waves of opposition they have advanced steadily and have come forward to-day to take a share in the administration, and have advanced in many other matters.

"So, if proper facilities are given, I daresay they will come forward very soon. I do not want to take much time, Sir. To give effect to the amendments to the Local Boards and Municipalities Act, what the Government should do is to give wide publicity to this Bill after its enactment, together with the

[12th December 1938] [Sri R. Srinivasan]

amendments to the above Acts by beat of drums in every village in the Province. This is an important matter. Such work should not be entrusted to any institutions or to anybody else. Now that the Bill has been introduced I hope the Government will be successful in their efforts to improve the community."

* MR. J. A. SALDANHA:—"Mr. President, while supporting the fundamental principle of the Bill, I am at a loss to see what sanctions there are for the infringement of the pious wishes expressed in the Bill. What is necessary in all these Acts is that when the Government lay down certain principles for being carried out, if there be an infringement of a principle, provision should be made for penalties. For instance a Bill was brought forward by Mr. Veerian for amending the Local Boards Act to remove the disabilities of the public regarding the use of markets and tanks. It was passed into law in 1926. There is a provision in the existing Local Boards Act prescribing a penalty for the infringement of the rights laid down by obstructing the use of a public road or market. Then I myself brought forward a Bill in 1927 for amending in similar or wider lines the District Municipalities Act and that Bill was passed into law in 1929; and there also there is a provision for obstructing the use of public roads, markets, etc. Afterwards there was an Act brought forward by the Government to make it much more comprehensive and removing other disabilities under the Local Boards Act and the District Municipalities Act. There also penalties are provided. I find that, in this Bill, there is no provision for punishing a man who prevents the enjoyment of any of these privileges. It is simply stated in the Bill that no civil or criminal or revenue court shall recognize any custom or usage; this will lead to nothing if there is an infringement of the custom. Penalties are provided for under the District Municipalities Act and the Local Boards Act; but there is no provision for punishment in this Bill. Of course this Bill is more comprehensive than the provision found in the District Municipalities Act and the Local Boards Act. This Bill refers not only to public streets, rivers, wells and tanks, but also to sanitary conveniences and means of transport, etc. But suppose a member of the Harijan community suffers some disability, or is prevented from using either a public latrine or a means of transport, for instance a motor-bus, etc., which are used by members of other communities. What is there to bring the offender to a court and to punish him for obstructing a person from using it? It is my humble opinion that this Bill is defective from that point of view. I hope the Hon. Minister will be able to explain this matter; if not, I think, sooner or later, there ought to be a further Bill brought forward to meet this defect. I consider this to be a very serious defect."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Mr. President, I have much pleasure in supporting the Bill

12
noon.

[Sri N. R. Samiappa Mudaliyar] [12th December 1938]

which is calculated to remove an age-long blot on the Hindu religion and Hindu culture. My only regret is that in this enlightened 20th century, there should have been the necessity to bring in such a measure. If acted upon in the spirit and in the manner in which it ought to be acted upon, I have no doubt it will lead to all-round progress of the Hindu community and the general advancement of the country at large in the political world. I hope that persons belonging to the so-called higher castes who are more fortunately placed either in the matter of wealth or in the position they occupy in public life, would not, while paying lip sympathy to the object of this Bill, circumvent its provisions in actual practice. I should particularly tell the Government to see that the local boards under their control give effect to the provisions of this law, in letter and spirit. If I refer to local boards, it is because I have in my mind a particular instance wherein attempts are being made to divert the existing main road along a circuitous route running through the backyard of the houses just because the so-called high caste residents of that village could not brook the idea of the Adi-Dravidas walking in front of their houses. The Hon. the Leader of the House told us his experience about a tank in his district. It may be a private tank and if so, it concerns a private party. But in the case of public roads, and pathways which are under the local boards, I hope the local board will not be allowed to try to circumvent the law by transferring or diverting the road. I hope the Government will not allow such a thing to happen, if and when such cases are brought to their notice. While, therefore, giving my support to this Bill, I will exhort every one concerned to see that this Act does not become a dead letter."

* SRI RAO BAHADUR M. RAMAN:—"Mr. President, I have very great pleasure in supporting this Bill, although it is only a consolidation of the provisions of certain Acts which are already there. But I would like the title of the Bill to be changed. In the place of 'among certain classes of Hindus,' should be substituted the words 'among certain classes of persons.' Not only the Adi-Dravidas, but other classes of persons also are prevented from making use of these roads, common wells, etc. Even Christians, Muhammadans and others are prevented from using public places. Indian Christians suffer a great deal with regard to the use of public wells, etc., they will not be allowed to use wells, roads, etc., very near *agraharams*. I would therefore appeal to the Government to change the title of the Bill, as I have suggested, so that the Bill might apply to all people, not only to Adi-Dravidas, but to all persons."

* THE HON. DR. T. S. S. RAJAN:—"Sir, I am very thankful to hon. Members of the House for the more or less unanimous support they have given to this Bill. With regard to the remarks

[12th December 1938] [Dr. T. S. S. Rajan]

of Diwan Bahadur Srinivasan, I may say that the ignorance of people with regard to this law is not so much an obstacle as the prevailing practice or custom; that is the impression that I have been able to gather. People have known very well for a number of years that there is a law which enables them to go to public places. The tank which I referred to when I started the discussion is not a private tank; it is a tank which is under the control of the district board. People were told that the district board being a public institution, and the tank being public property, they would not be prevented from using it; but the whole of the caste Hindu population of that village would not admit all people to use it. An appeal was sent to the Collector. He should have stood by the provisions of the Act; but he said, 'Look here, I cannot post a posse of constables for three months and protect you; if you are allowed to take water from the tank, the whole village will protest against it and in the interest of public peace and safety, I cannot possibly support your movement and provide Police aid for enjoying this ordinary and simple civic amenity which people have a right to enjoy at any time.' It is not so much a question of change of the law or of the protection to be afforded by the Police, as it is a change of heart of the people that is required. I realize the absolute injustice of preventing ordinary human beings including Mussalmans from having the benefit of a protected water-supply. For the information of the hon. Member, Mr. Raman, I might say that even Harijans who have been converted to other faiths, are not prevented from using public tanks. Even animals use the tank; and here is an instance of human beings being prevented from using it. Yet as many a thousand of caste Hindus maintain that they are right in preventing some people from using the tank, laws can take us to a certain extent only; even enactments may not take us very far in a matter which has to be decided with the consent and change of heart on the part of the thousands of villagers, among whom the Harijans live."

* SRI DIWAN BAHADUR R. SRINIVASAN:—"The members of the depressed classes say, 'Give us Police aid and protection; in a month's time, we will clear untouchability.' I think that can very well be done."

* THE HON. DR. T. S. S. RAJAN:—"I think my hon. Friend, Diwan Bahadur Srinivasan, does not want the Government to sit with folded hands, if civil war breaks out in every village; we cannot certainly sit quiet in the name of law and order, whatever may be the consequences. But we expect that with the support of law which the Government is prepared to give and with the subsequent legislation that is coming in the wake of this legislation, I mean the Temple Entry Bill, when once the temples are thrown open and the Harijans are given the privilege

[Dr. T. S. S. Rajan] [12th December 1938]

of entering the temples along with other Hindus—naturally most of these disabilities will disappear. That is why we lay so much stress on the temple entry movement. The hon. Member knows that the other House has passed the Temple Entry Bill as applied to Malabar; when once the Malabar temples are thrown open, we are confident and almost certain that all the temples of the Province will be thrown open. With the throwing open of the temples, I am almost certain that every disability under which the Harijans suffer as a class, will eventually disappear.

“But, so far, the present usage has been in existence and the law at present recognizes it. This law is being knocked on the head now; hereafter it shall not be open to a judge or a court of the land, to say that because the Harijans did not enjoy the privilege of using a tank for over 200 years, they should not use it hereafter; the present legal claim will disappear by the passing of this enactment.

“With regard to the penalties for breaches of this law, they are there already. If a motor-bus conductor refuses to take a Harijan passenger, he will be punished according to law; his licence will be cancelled. The licence says definitely that the conductor of a bus should take anybody, including a Harijan, who offers a fare, from one place to another; if he refuses, he will be punished according to law. If a man is obstructed from using a sanitary convenience, the offender will be punished for so doing. Therefore the law is not defective. Therefore I can assure my hon. Friend, Mr. Saldanha, that there will be no obstacle at all in the way . . .”

* MR. J. A. SALDANHA:—“For instance, if a bus-driver refuses to carry a passenger, under what law can he be punished?”

* THE HON. DR. T. S. S. RAJAN:—“His licence will be cancelled. It is clearly laid down in the licence granted that he is bound to carry any passenger; if he does not, he will be punished according to law.

“With regard to the observation of Mr. Raman, I wish to say that the Harijans are within the Hindu fold. As for the Christians and members of other faiths, they are not Harijans at all, they are not members of the excluded classes. When once a Harijan becomes a Christian, he ceases to be an untouchable, or outcaste. Moreover, missionary institutions and those bodies of people who are responsible for changing the faiths of persons, take very good care to see that such disabilities that are attached to members of the Hindu fold, do not apply to those who change their faiths. This Bill goes to the help of Harijans who are prevented by long custom from enjoying certain rights,

12th December 1938] [Dr. T. S. S. Rajan]

and who are not treated as human beings. I do not think I should say anything more. This is a very small and simple Bill and I am glad that the House has supported it.”

The motion was put and carried and the Bill was taken into consideration. 12-15 p.m.

Clause 2.

* SRI DIWAN BAHADUR R. SRINIVASAN:—“Sir, I move that—

‘In line 4 of clause 2, for the word ‘Harijans’ the words ‘Adi-Dravidas, Scheduled Castes’ shall be substituted.’

“Sir, that saintly man Mr. Gandhi, for whom I have great regard, has always sought trouble. Calling persons by certain names may be an insult. This poor Indian community is called by the name of ‘Harijans.’ If you call a girl by several sweet names she will go cross. If I turn to my hon. Friends the Mussalmans and tell them that I am a son of God and that they are the sons of Satan, what will be the result? They will give me something which I will not like. Similarly, if I tell my Christian friends some such thing, they will make it hot for me. When Mr. Gandhi calls us ‘Harijans,’ i.e., that we are the children of God—as if all the others are children of the devil, the others won’t like it. There will be trouble.

“It will be seen that the terms ‘Adi-Dravida,’ ‘Adi-Andhra’ and ‘Viswa Brahmana’ were all proposed by the communities themselves; and that, too, with the consent of the community concerned. As a matter of fact these measures were discussed in this House and the Government of the day also accepted those terms. It is not fair for any person to call a community by any name he likes; simply because Mr. Gandhi has called them ‘Harijans,’ to-morrow some other person will give them a different name, and the day after some other person will come and give them yet another name. Are we to submit to all these insults? Are we not human beings; is there no voice for us to ask that nobody should take advantage over us?

“Then again, Sir, Adi-Dravida is a historic word and the Scheduled castes are proud of their name. Some belong to an ancient family such as ‘Samhavas’; there are the Konkas who came from the Konga country; and there are so many other communities, each with its historic traditions, of which they are proud. In Tamil the Scheduled castes are called ‘ஐக்கயசங்கத்தார்.’ If their historic traditions are not respected, I am sure there will be future trouble between the caste Hindus and the Scheduled castes, if that word ‘Harijan’ is left as it is. The other day,

[Sri R. Srinivasan] [12th December 1938]

Sir, there was a row between a depressed class man and a Christian when the latter tapped on the shoulder of the former and said, 'Oh! Harry John, how are you getting on?' Why? Because these people are called by Mr. Gandhi as 'Harijans.' Mr. Gandhi has not taken the consent of these people to give them that name; nor did the community go and ask him to baptise them by that name. When he was asked for the reason, Mr. Gandhi told me that he had asked somebody about it and that man had said that 'Harijan' would be a suitable name, and so he had adopted the name which he thought best. Leaving Mr. Gandhi alone, I move, Sir, that the word 'Harijans' be substituted by 'Adi-Dravidas, Scheduled Castes.' "

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"I second it, Sir."

* THE HON. DR. T. S. S. RAJAN:—"Sir, in the Bill that has been circulated to hon. Members of this House, the passage relating to this amendment runs thus:

"Whereas it is increasingly felt by the Hindu community that the disabilities which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, Untouchables, or Depressed Classes and which have been in certain matters . . .

"In fact, the one objection of Diwan Bahadur R. Srinivasan seems to be to the use of the word 'Harijan,' but he need not drag in Mahatma Gandhi into this discussion. Let us see, what the word 'Harijan' itself connotes. 'Hari' is the name of God and 'jan' means people; and therefore 'Harijans' means 'people of God.' It means nothing more than that, and it does not require Gandhiji's blessing or the acute intellectual interpretation of Mr. Srinivasan to divine any ulterior motive in the use of the very simple word, which, after all, means 'people of God.'

"I would, as a Vaishnavite and as one who knows something about Vaishnava doctrines, call the attention of my hon. Friend to the word in Tamil called 'Tirukkulathar,' which was introduced by the famous reformer Ramanuja. He would not call these people as Adi-Dravidas and although he was born in the Tamil country and was preaching his faith to the Tamil people he never coined the word 'Adi-Dravida.' In his days he admitted thousands of these people into the temple at Melkote and even to-day that practice is continued. He called those people 'Tirukulathar' meaning thereby, people who belonged to the family of God. So, nothing new has been found out now; we only want to extend our heart-felt sympathy to those people who have been wilfully and ignorantly kept out of society by our own people. We felt it was our duty to give them a position by

[12th December 1938] [Dr. T. S. S. Rajan]

giving them a name which means 'God's people.' I really do not see there is anything to fight over the word. What is there in the term 'Adi-Dravida' which makes you say that they were probably earlier in existence than the Dravidas themselves? But, what is Dravida? There are Adi-Andhras; Adi-Karnatakas, and all sorts of 'Adis.' The question is not who came first or who came last. The question is the admitting of a certain class of people who to-day are kept out of the Hindu fold, and what amount of recognition they should get; and so the term has been defined. But we have not confined it to only a certain section; it refers to Harijans, Untouchables and Depressed Classes, and the whole term is comprehensive. I am really surprised at the amount of vehemence imported into the meaning of this term by my hon. Friend, Mr. Srinivasan. I have got a lurking feeling in my mind that he has some objection to the word 'Adi-Dravida' itself and it was probably that that was at the back of his mind; probably he coined it himself and presented it to his community and evidently he wants to father it . . .

* SRI DIWAN BAHADUR R. SRINIVASAN:—"On a point of personal explanation, Sir. During the regime of the previous Government it was proposed that these people should be called 'Adi-Dravidas' and there was some objection. At that time some said, 'We shall be called "Dravidas"'; but the Government have ordered that they have no objection to their calling themselves by whatever name they liked, but that so far as the Government were concerned they should be called 'Adi-Dravidas.' The word 'Adi-Dravida' was first used by certain depressed class members in 1889 or 1890 at a sangam which was formed in Madras and it follows that it has been in use for a long time. In the Local Boards Act the term 'Adi-Dravida' is used for all the untouchable classes."

* THE HON. DR. T. S. S. RAJAN:—"I am thankful for the explanation given by my hon. Friend, Diwan Bahadur Srinivasan, but it does not alter the position I have taken up. In fact it does not exclude Adi-Dravidas, but it includes them also and it goes even further than that, namely, if a certain sect of people would like to call themselves Harijans, it was open to them to do so. The term 'depressed classes' is in fact a more distinctive term for untouchables. It is perhaps the one thing we want should be effaced from this country, even from the dictionary of usage. There will come a day when there will be no difference, and no need to have any differentiation, between Adi-Dravida, Dravida and similar things. We expect that as Hindus we shall all be equal and shall go by the one name, 'Hindus,' and by no other name. Before we do so, we have got to take cognizance of the term that is prevailing in the country and

[Dr. T. S. S. Rajan] [12th December 1938]

we have included this term. I am sorry, Sir, I cannot accept the amendment of the hon. Member."

The amendment was put and lost.

Clause 2 was put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

* THE HON. DR. T. S. S. RAJAN:—" Sir, I move—
'that the Bill be passed into law.' "

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

(2) THE MADRAS PROHIBITION (SECOND AMENDMENT) BILL, 1938
(L.A. BILL NO. 18 OF 1938), AS PASSED BY THE ASSEMBLY.

12-30 p.m. * THE HON. SRI C. RAJAGOPALACHARIAR:—" Mr. President, I beg to move—

'that the Bill^a further to amend the Madras Prohibition Act, 1937, for certain purposes (L.A. Bill No. 18 of 1938) as passed by the Assembly be taken into consideration at once.'

"The Bill has been circulated. It is an amending Bill. The object of it is to meet the opposition with regard to certain sacramental wines that are necessary for religious purposes, for the performance of certain rites in accordance with ancient custom. Some objection was raised relating to exemptions being placed with regard to permits. They want a statutory provision, though, in practice, it makes no difference and the Government tried to satisfy and explain the position. But in order to give complete satisfaction, the present amendment is proposed. The main object of this amendment is that the Provincial Government is bound to make suitable provision for issuing 'Authorities' to persons and institutions for the possession and use of such liquor as may be required by them for any *bona fide* religious purpose in accordance with ancient custom under such terms and conditions and penalties for infringement as may be prescribed. No particular mention is made with regard to caste and the law has to be so framed that any denomination may take advantage of it. I hope, Sir, the Indian Christian community is satisfied with this provision. As a matter of fact there is no danger of any kind and the experience of the past twelve months has shown that no difficulty

^a Printed as Appendix XI on pages 87-88 infra.

[12th December 1938] [Sri C. Rajagopalachariar]

has been felt with regard to mass wine or any other wines. Any way, the statutory provision would make the provision more satisfactory and so this amending Bill was introduced. I beg to move for the consideration of the Bill. It was passed in the Assembly without any difference."

* MR. S. J. GONSALVES:—" Sir, I am glad to know that the Government think it fit to introduce this Bill. It goes one step forward. But I do not think it goes sufficiently far. As the Hon. the Prime Minister just said, it improves the position. I see it improves the position, but not to the extent that the people affected would like it improved. When the Prohibition Act was introduced, I moved an amendment that the wine wanted for the mass should be exempted from the operation of the Act. The Prime Minister opposed the amendment and argued that there were provisions in the Act for permits and said that by means of those permits the people concerned could get the wine that was wanted. Well, Sir, the Government probably think that the people affected objected to the word 'permit' and that is probably the reason why it is being removed. A concession to sentiment is made by the substitution of the word 'Authority' for the word 'permit.' But I ask whether the real objection is met by this Bill. I have no hesitation in saying that the real objection is not at all met by this Bill. The word 'Authority' is not sufficient. It seems to me that the word 'exemption' should be brought in and I hope that the Government will soon see the necessity for improving the position further by changing the word 'Authority' into the word 'exemption.' All through this Bill, it looks as if the right has been taken away and the right has been given back as a grace to the people affected. Government have no right to take away the religious rights of people. If, for certain religious purposes, the possession and use of wine is wanted, the Government should not take it away. Government should provide for that right by exempting it altogether from the operation of the Act. Still I stick to the position I advanced when the original Bill was first brought into this House. I do not oppose the present Bill. In so far as it goes a step forward, I am thankful to the Government. But I ask them to go another step forward soon enough and exempt mass wine altogether from the operation of the Act."

* MR. J. A. SALDANHA:—" Mr. President, I myself brought an amendment to the original Bill altogether exempting the liquor required for religious purposes also from the operation of the Act. The Government at that time did not see their way to give that exemption, and relied upon the 'permit' system. Sir, for the word 'permit' they have substituted the word 'authority,' but we wanted a *statutory* exemption for liquor required for religious purposes according to ancient custom.

[Mr. J. A. Saldanha] [12th December 1938]

In reply to my question the Prime Minister was pleased to say that there was no necessity for it. They have at last found it necessary now to introduce this amending Bill. I greatly appreciate that the Prime Minister has thought it fit to bring this Bill to meet the legitimate demands of several communities, specially Catholics, to which community I belong. Of course it does not go as far as we sought, that is, altogether exempting from the operation of the Act the liquor required for religious purposes. But the Hon. the Prime Minister has depended upon precedents and in this case the precedent is the exemption provided for such purposes in the famous United States of America Total Prohibition Act. I myself printed a small pamphlet on the subject drawing the attention of the public and the Prime Minister to it. I did that with very great difficulty after hunting out the American Act and brought it to the notice of the Government and especially Mr. Varkey, the Parliamentary Secretary, who must have placed this before the Prime Minister. I am glad the Government have seen the light, though not the full light, and come forward to remove the objection on the lines of the American Law. The same amendment has been introduced in the United Provinces and the Bihar Prohibition Act. I must express the gratitude of the community to which I belong for this change of angle of vision on the part of the Prime Minister, who, though at first very obstinate, at least now when we knocked and prayed, opens the door and admits that he has made a mistake and sees the reason to concede the legitimate demands of the minority community as it is."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I feel extremely gratified that Mr. Saldanha has expressed so generously his satisfaction with this Bill. While appreciating it, let me plead not guilty to the charge which he has quietly laid in trying to thank me, that I am generally obstinate. I am inclined to return the charge, viz., that in this matter it is he who has been obstinate. Everything was done from the very outset and yet he has been complaining. In the United States of America that he referred to, does he not know that the clergymen, priests and ministers make an application which is a formal written request supported by a verified statement of facts so that the Commissioner may grant the request? All priests, etc., were required to keep a full account of purchase and disbursement of wine, and had to produce the same sworn to before the Administrator whenever making an application, or when so required by the Administrator. Under the Madras system priests and ministers of religion require nothing more than an annual 'Authority' which is issued, on application, by the Collector and which covers the possession and acquisition of wine for sacramental purposes for a whole year. This matter has been simply

12th December 1938] [Sri C. Rajagopalachariar]

easy and not a single difficulty has so far arisen. Yet they have been complaining. It is because they were obstinate that this Bill has been brought. It is not as if my obstinacy has been moved by persistence on the other side. Exemption has a different meaning as applied to different things. When beverage wine is referred to, that can be used for beverage purposes and there is nothing intrinsic in the wine preventing it from being used for anything other than beverage. It may be used now for religious purposes and at some other time for other purposes. Permit or authority implies the previous state of things, but for personal reasons it has been removed and priests have been authorised to keep this wine.

"This is not a mere verbal change; there is difference in the attitude of the man who applies for granting these exemptions on application. The 'Authorities' which the officers are bound to give are different from permits which they may or may not give. That is the position: there is no difficulty in the working of the Bill; large quantities of wine may be retained and the chief Bishop may, on his own authority, distribute it to others; all these conveniences have been provided for and there is no interference in these matters at all. Therefore I ask Mr. Saldanha and members of his community to accept this Bill without any mental reservation whatsoever. The Bill meets the requirements of the case in every legitimate manner. I hope the House will accept this Bill without any change."

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

MR. PRESIDENT:—"As no notice of amendments has been given, I put clauses 2, 3 and 4 together to the House."

Clauses 2, 3 and 4 were put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I move—
'that the Bill be passed into law'."

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

(3) THE MADRAS DISTRICT MUNICIPALITIES AND LOCAL BOARDS (AMENDMENT) BILL 1938 (L.A. BILL NO. 19 OF 1938), AS PASSED BY THE ASSEMBLY.

THE HON. SRI B. GOPALA REDDI:—"Sir, I move—

'that the Bill^a further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes (L.A. Bill No. 19 of 1938) as passed by the Assembly be taken into consideration at once.'

[Sri B. Gopala Reddi] [12th December 1938]

“ Sir, in moving the motion, I may say that it has been passed by the Assembly without any amendment and without a speech, because it is non-controversial. We have empowered municipalities to take up electrical undertakings. Already about 20 municipalities have undertaken supply and generation of electricity; we have been appointing Electrical Engineers also for the municipalities that have undertaken electrical schemes. We have formed the cadre of Local Bodies Electrical Engineering Service; it was formed in the year 1936; under the present Act, we have been appointing Electrical Engineers; all the same, there is a doubt whether we can appoint Electrical Engineers under section 71 of the District Municipalities Act, because it contemplates the appointment of only Engineers. By straining the section, we have appointed not only ordinary Municipal Engineers but also Electrical Engineers. This Bill seeks to regularize what has been in vogue since the year 1936. By clause 3 of the Bill, we contemplate local bodies undertaking the transmission, production, etc., of electric energy and the Government appointing Electrical Engineers to them. Panchayat boards also are empowered to take up electrical undertakings; there is nothing now to prevent district boards coming forward and taking up electrical undertakings. We give power to the panchayat boards and district boards also to undertake electrical schemes.

“ We have taken this opportunity to empower the Government to appoint more than one District Board Engineer and more than one District Panchayat Officer, wherever it is felt necessary. All the district boards have been amalgamated now. For four district boards we have appointed two District Board Engineers each, because the work of the board cannot be managed by one District Board Engineer. So, under clause 3 of the Bill we take power to appoint more than one District Board Engineer and one District Panchayat Officer, wherever it is found necessary. I move that the Bill be taken into consideration at once.”

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
“ Mr. President, it is amusing to note that this Government which have been vehemently protesting that the bifurcation of the district boards by the previous Government had been made without sufficient justification and which have been going apace with the amalgamation of these boards, should immediately after the amalgamation process is completed, admit that they are unwieldy for one District Board Engineer or one District Panchayat Officer. If these boards are unwieldy for these officers, who, after all, have to deal with only one branch of the administration, how do the Government expect one District Board President on whom the responsibility for the entire administration of all the affairs of the Board is statutorily cast, to effectively and efficiently discharge his duties? Is it that the Government intend the Presidents of local

12th December 1938] [Sri N. R. Samiappa Mudaliyar]

boards to be mere figure-heads, those statutory powers notwithstanding? But this is only by the way. I should like to know, Sir, how this system of two officers of equal status under one board is to be worked in practice. How is the work to be divided between these two officers and who is to do it? Would the division be on a territorial basis, or on the basis of the nature of the work? Are they both to reside in the same place, or are they to have two different headquarters? Are they to be served by the same office, or is each of them to have a separate office of his own? Again what is their responsibility towards the District Board President? These are matters which require elucidation before we can be called upon to give our assent to this proposal. I personally feel that the more efficient system would be to have one District Board Engineer and increase the number of his assistants if necessary. I should, however, not object to this proposal, if the Government would give a satisfactory reply to the questions raised by me.”

* SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—“ Mr. President, the previous Government bifurcated a number of district boards in this Province. They believed that one district board president could not effectively look after the whole administration of the district board. As a matter of fact, a special officer was appointed to go from district to district, to investigate and find out whether the financial condition of the district board was quite safe and whether the board could be bifurcated. It is only on the strength of the report of the special officer from time to time to the effect that some district boards were strong financially, that those boards were bifurcated. The bifurcated district boards had to sustain great loss by way of heavy administrative expenditure. Sir, immediately after the present Government came to power, they decided that these bifurcated district boards should again be amalgamated. They thought perhaps that if district boards were bifurcated, there would be additional expenditure and waste of funds of district boards. Under this Bill, there is provision for the Government appointing more than one District Board Engineer and one District Panchayat Officer. They think that there are some district boards now whose jurisdiction and nature of work demand and warrant the entertainment of more than one District Board Engineer and District Panchayat Officer. My submission, Mr. President, is that if the nature of the work of the district board demands or warrants the entertainment of two Panchayat Officers and two Engineers, why should not the bifurcated district boards be allowed to remain as they are, because after all the expenditure that may be incurred over and above the cost of two Engineers and two Panchayat Officers, will be negligible? I think the advantages of the bifurcation of such district boards will outweigh the disadvantages; in the interests of the better administration of the district boards, it is but fair to allow the bifurcated district boards to

[Sri M. Ramakrishna Reddi] [12th December 1938]

continue as such. I do not oppose the proposal of the Government to take power to appoint additional Engineers and Panchayat Officers. What I want to say is that there is no meaning in amalgamating the bifurcated district boards, when you are going to incur additional expenditure by appointing additional Engineers and Panchayat Officers. There are some district boards whose area and nature of work warrant the entertainment of additional Panchayat Officers and Engineers. My proposal is that at least in future, you should not amalgamate the district boards. (The Hon. Sri B. Gopala Reddi: 'All the district boards have been amalgamated.') I understand from the Hon. Minister that all the bifurcated district boards have already been amalgamated. Then I think that principle is wrong. What is the use of amalgamating the district boards, when you are proposing to appoint more Panchayat Officers and additional Engineers. If there is necessity for more district officers, then the Government should not have amalgamated such big and rich district boards.

"Now I would suggest that, instead of having two Engineers and two Panchayat Officers, the Government may have one Engineer and one Panchayat Officer under whom they can have a number of Assistant Engineers and Assistant Panchayat Officers; otherwise there will be confusion. Now you have to divide or bifurcate a district for the sake of distributing work between the two District Board Engineers; some taluks will be under one engineer and the other taluks will be under another engineer. There will be confusion and administrative difficulty.

"Clause 3 of the Bill says that after section 69-B, the following section shall be inserted, namely, 'The Provincial Government may appoint an electrical engineer to any district board or panchayat which has undertaken the generation, transmission or supply of electrical energy.' In view of the fact that the pay of the officer concerned, will be met from the district board funds, it is not known why the Government should have the power of appointing the electrical engineer. I would like to know if the Government are going to bear a portion of the cost of employing the electrical engineer, or if the Government are going to pay to the district board the entire additional cost. If not, I do not know why the Government should have the power of appointing the electrical engineer. If the Government have decided to pay more than half the pay of the electrical engineer, then I can understand the reason. Otherwise, it is not fair that the Government should take such powers in their hands and ask the district board to pay the officer. With these suggestions, Sir, I have no objection to support the Bill before the House."

* MR. D. M. REID:—"Sir, this is essentially a Bill referring to the important subject of the generation, transmission and supply of electricity. It seems to me that two important points arise out

12th December 1938] [Mr. D. M. Reid]

of this question. The first is the distribution of electricity which must undoubtedly be developed and continue to be developed very largely in so advanced a Province as this; undoubtedly the final control of this important supply must be with Government. The second general principle which I would approve of is that, while the Government should always maintain their adherence to democratic principles, they should never be afraid of departing from them if the general benefit of the people demand it. We should appreciate the action of the Hon. Prime Minister at any time when an occasion of this importance arises, in being prepared to take over greater control of any local body where that is in the better interests of the State. Therefore, on these two points I definitely support the Bill."

* SRI T. C. SRINIVASA AYYANGAR:—"Sir, I am unable to understand the opposition to have extra officers. I come from a district where there is more than one District Board Engineer, now that the two bifurcated district boards have been amalgamated. There has been a great increase in the mileage of roads and one District Board Engineer is not able to attend. Recently there has been considerable extension of roads in my district; many private individuals and groups of individuals have offered money for the initial building up of new roads to connect main roads and for opening up the interior of the country. In such a case there is ample work for two qualified and superior engineers to supervise the construction of these roads, culverts and other things. There is considerable advantage in having extra energy, so that all the money offered might be immediately utilized. I understand that temporarily an additional District Board Engineer has to be appointed and that he is about to function.

"I understand, Sir, that a temporary additional District Board Engineer is functioning or is about to function in that district. (The Hon. Sri B. Gopala Reddi: 'He is already functioning.') I am very glad to hear it. Similarly, panchayat work has now improved considerably and is gradually expanding and there also more staff may be required to cope with the work. It is neither my opinion, nor is it borne out by hard facts that because in a Collector's office a few more clerks or additional officers may be required it should be a reason that the district collectorate ought to be bifurcated with all the paraphernalia of a separate treasury, a Treasury Deputy Collector and a personal assistant. On the other hand, the amalgamation of the boards and the creation of one board will facilitate the work by bringing together the other heads of the district and there will also be co-operation in the conduct of the work of the district. Even the democratic aspect and training of members will be increased. In certain cases, the number of schools will increase, mileage of roads

[Sri T. C. Srinivasa Ayyangar] [12th December 1938]

will increase and various other questions relating to public health matters will also increase. For the purpose of better supervision over the various activities of the board, it may perhaps be necessary that regional committees may have to be created; and that is by the way. There is no reason to oppose the provisions contained in the Bill. I heartily support it."

* SRI B. NARAYANASWAMI NAYUDU:—"Sir, I rise to speak on only one aspect of the matter, and that is, whether it would be in the interests of the country if the services of the local boards are managed and controlled by orders from the Government. The question is whether all the existing services should continue as they are or should be provincialized. Now, Sir, it is proposed to take over the power of appointment from the local boards into the hands of the Provincial Government, and the question is whether that is a wise policy and ought to be adhered to and continued. To my mind, the Government of India Act was framed purposely for making the services absolutely immune from all interference. The reason for that is that the services should be rendered absolutely free from the control of the elective bodies. I can understand the Government of India Act or the British Parliament making the services practically immune from the control of the elective bodies, but I cannot understand why a national Government should try to extend that principle and add on to what may be called the permanent constitution certain other services, by taking that power from the local bodies to whom they should properly belong and who at any moment may be used for the purpose of what may be termed wrecking the constitution.

"The real question is this: Are these services to be formed into a separate category or will they be included in the Provincial service or Imperial service? It may of course be stated that the services are very loyal now and if the Provincial Government take over the services they will become absolutely loyal to them. I know they will be very loyal and they will be loyal so long as this Government is in power. We have got the old story of Prahlada, where you will find that when Narayana was ruling the world, every one was loyal to him, but when Hiranya Kasipu became the ruler those very people became loyal to Hiranya Kasipu. So, Sir, these services will no doubt be very loyal now, but the moment there is a breakdown and the services are called out, then you will find the true loyalty of the so-called loyal services. They are really the prop of the Government which you are pledged to wreck. If an emergency should arise, they are under whose control? They are under the control of the British Parliament and under the control of His Excellency the Governor and these engineers will automatically pass into their hands. Is that what is contemplated, by this measure? Or is it your purpose by

12th December 1938] [Sri B. Narayanaswami Nayudu]

taking away the powers of the local bodies that you enhance the powers of the administration which you are pledged to be disloyal to? If that is done, I can understand. But my submission is, it is not such a simple matter. Again, Sir, the Public Health Minister is going to introduce a Bill shortly here so that the powers of the local authorities will be divested in the matter of appointment and control of the officers under their control. The result is the local self-government is going to be what is called a provincialized industrial service, so that even the local board services which may be said truly to belong to the people, should form part of the limb of the Government. I submit that is not at all proper.

"Apart from that, now that you are struggling for the freedom of the country, the democratic services ought to be available at any time for the service of the country and ought not to be under the paramount power but under the local authorities. I know the criticism will be made that the local authorities are not using these services properly; but that is another matter. (The Hon. Sri C. Rajagopalachariar: 'That is the matter.') The Hon. the Prime Minister says that that is the matter. The whole question therefore is, whether that is the matter or not. If it is a question of struggling for power, it is not a matter; and if it is a question of training for the better administration of the board, it is the matter. If the question is whether the powers should be in the hands of the local board or they shall go to others, it is absolutely a simple and subsidiary matter and I would even say, it is not at all a matter. I want to know, if the powers are in the hands of the local boards and the engineers are not properly controlled, how is it going to strike at the root of the administration? The Government have always got powers of supervision; and they have got more extensive powers; they can supersede or suppress or even transfer and do such other things; and when such is the case why should the power of appointing these officers also should be given to the Government. If the Government want to exercise their patronage, by all means let them do so, but if it is for any other reason, I think no encroachment on the powers of these local bodies should be allowed. Such a thing should not only not be countenanced but should be opposed."

* THE HON. SRI B. GOPALA REDDI:—"Sir, many issues were raised on this non-controversial matter. The first point raised was whether the Government would be wise in amalgamating district boards, because they themselves admitted that there are some heavy districts. My hon. Friend, Mr. M. Ramakrishna Reddi raised another objection and that is whether the Government are going to pay for these engineers, probably in view of the

[Sri B. Gopala Reddi] [12th December 1938]

fact that we have got the power of appointing them. Mr. Narayanaswami Nayudu raised a very wide issue, which, I am afraid, is not germane to the present subject.

“Coming first to Mr. Ramakrishna Reddi’s objection, I may say that the Government have exercised the power of appointment of District Board Engineers since 1920. Reference was made to all the district boards by the Government and out of 32 district boards, only four were keeping the power in their hands, while the other 28 ask the Government to provincialize their services and make the appointments direct. Again, in respect of the municipalities, about 18 municipalities have now got their electrical engineers all appointed by the Government. As a matter of fact, there is a feeling in the district boards and municipalities that this power should vest in the Government so that they can transfer these officers whenever they are found to be incompetent and slack in their work. I know there are cases where assistant engineers have been continuing in the same division for over 20 years; and the district boards themselves have come to me and said that they wanted that they should be transferred, since they had themselves no power to do so. We are going to frame rules in regard to these matters and I shall certainly bear Mr. Ramakrishna Reddi’s objections on this issue in mind. Again, Sir, even District Board Engineers are not paid by the Government. Probably the hon. Member has forgotten the fact that we are paying the salary of these officers from out of the grants that we are giving for trunk roads. Similar is the case with regard to assistant engineers. So, there is no question of the Government paying these officers. In the interests of administration and in the interests of their own officers, it is necessary that these services should be provincialized. As a matter of fact, wherever I go, the employees of municipalities have asked me, ‘Why not provincialize our services also? Why not give us transfer now and then, because we rot and rot in the same office for a number of years without any change and we want a change at least once in five years.’ That is their demand wherever I have gone. That matter is also under the active consideration of the Government. Moreover, I have been questioned several times in the Assembly as to why I have been delaying or postponing the provincialization of the municipal services. The tendency on the part of the local authorities has been, and it is also in the interests of the municipal employees, that they should be provincialized and given a change whenever it is found that they are undesirable or incompetent in a particular place. The fact that we are seeking to take power to appoint Assistant District Board Engineers, though for a temporary period of three or six months, should not be taken to mean that there should be

12th December 1938] [Sri B. Gopala Reddi]

two district boards on that score. It is not as if we have one or two officers in a particular district. They may require two establishments, two panchayat officers, two engineers and their establishments duplicated, because there is need for the appointment of additional District Board Engineers. That is only for a temporary period and we have not yet decided whether these four districts should have these engineers permanently. It all depends on the necessity of the work that may arise in the districts. So, the appointment of two engineers should not be the criterion to judge whether a district should be one or bifurcated.

“Again, Sir, if we examine the question of savings to the district board, you will realize that the amalgamation of district boards will be a distinct gain to the district itself. There was also a proposal made that we should keep one District Board Engineer and have more assistant engineers. As a matter of fact, there are assistant engineers whose maximum salary is Rs. 350 or Rs. 400; and under the new scale the pay of the District Board Engineers is Rs. 230. Wherever we appoint additional District Board Engineers, he should necessarily be a junior man on Rs. 230 or Rs. 250; but instead of that if we appoint an assistant engineer on Rs. 350 or Rs. 400, it will be a distinct loss to the district board concerned. Therefore, there is no point in not having power to appoint additional District Board Engineers.

“Sir, the hon. the Leader of the Opposition raised the question as to how these two engineers are going to administer the district. I may say, Sir, that both of them may be in the same office with different territorial jurisdictions and both of them will be equally responsible for the administration of the entire district. I envisage no difficulty in both the engineers remaining in the same office with the same establishment and looking after their respective jurisdictions. We also wish to issue definite instructions that their work should not be overlapped.

“With regard to Mr. Narayanaswami Nayudu’s objection, as I have already pointed out at the outset, he has raised a very wide issue and I do not propose to answer that objection at this moment. I, therefore, want that the Bill be taken into consideration at once.”

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

Clauses 2 and 3 were put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

[12th December 1938]

* THE HON. SRI B. GOPALA REDDI:—" I move—
' that the Bill be passed into law.' "

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

* * * * *
The Council then adjourned to meet again at 11 a.m. the next day.

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

* 1. G.O. No. 2070, Development, dated 24th August 1938, confirming certain amendments to Rules XV and XXII of the rules issued under the Madras Co-operative Societies Act, 1932.

* 2. Supplement to the Vizagapatam District Gazette for August 1938 containing the scheme report for the settlement in Palkonda Agency, Vizagapatam district.

* 3. G.O. No. 2259, Development, dated 12th September 1938, confirming an amendment to Rule II of the rules issued under the Madras Co-operative Societies Act, 1932.

* 4. G.O. No. 2288, Development, dated 14th September 1938, regarding certain amendments to the Madras Commercial Crops Markets Rules, 1935.

* 5. G.O. No. 390, Finance, dated 23rd November 1938, relating to the schedule of authorized further expenditure for 1938-39, as authenticated by His Excellency the Governor.

6. Return of Officers under the Government of Madras who held permanent, temporary, acting or probationary appointments on the 1st April of each of the years 1924 to 1938.

* Circulated by post.

12th December 1938,

APPENDIX I.

[Vide answer to starred question No. 49 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th December 1938, page 24 supra.]

I

Clause (a)—Statement showing the average rainfall at Mangalore and Calicut during May, June and July 1938.

Month.	Actual rainfall. INCHES.	Average. INCHES.	Excess +, Deficiency —. INCHES.
<i>Mangalore.</i>			
May	15.59	6.20	+ 9.39
June	46.57	36.78	+ 9.79
July	42.56	37.11	+ 5.45
<i>Calicut.</i>			
May	7.81	8.53	— 0.72
June	38.54	34.08	+ 4.46
July	43.51	30.24	+ 13.27

II

Clauses (b) and (c)—

Letter from E. C. Wood, Esq., I.C.S., Collector of Malabar, to the Secretary to Government, Revenue Department, dated Calicut, the 8th August 1938, Ref. B-5 No. 5670/38-3.

[Floods—July 1938—Amount of rainfall—Extent of damages—Measures of relief—Report—Submitted. Reference.—Government Memorandum No. 4293 E/38-1, Revenue, dated 26th July 1938.]

* * * * *

2. The taluks of Calicut, Kurumbranad, Ernad and Ponnani were affected by the recent floods. In Calicut taluk, no appreciable damage was caused. In Kurumbranad taluk, about 500 coconut trees were washed away by the sea and a few mud walled huts collapsed. In Ernad taluk, about 80 houses were destroyed by the floods. Damages to the extent of about Rs. 1,000 were caused by the breach of a thodu. About a furlong of the road from Parakkadavu to Tirurangadi was completely washed away, which has since been reclaimed. A bridge on this road was also damaged and it is unsafe for traffic. One child was killed by the fall of a

[12th December 1938]

house and a man was injured by the fall of a tree. No other injury or loss of life is reported from any part of the district. No appreciable damage to crops was caused.

3. The Malabar Distress Relief Committee has sanctioned Rs. 341 for distribution among the poor people whose houses were destroyed in Ernad and Kurumbranad taluks. In Ernad taluk, free distribution of rice and salt was made to the homeless poor for two days during the floods by public charity.

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The District is well drained and there has been little damage. No occasion has arisen for postponing or reducing the demand for land revenue.

Letter from E. C. Wood, Esq., I.C.S., Collector of Malabar, to the Secretary to Government, Revenue Department, dated Calicut, the 9th August 1938, Ref. B-5 No. 5670/38-4.

[Floods—July 1938—Malabar district—Amount of rainfall at Calicut—Extent of damage—Measures of relief, etc.—Report submitted. *Reference.*—Government Memo andum No. 4293 E/38-1, dated 26th July 1938, and my report Ref. B-5 No. 5670/38-3, dated 8th August 1938.]

In continuation of my report read above, I submit that the floods did not cause any damage to crops or property in Ponnani taluk and that no relief measures were necessary.

III

Letter from Sri Rao Bahadur M. V. VELLODI, B.A., Collector of South Kanara, to the Secretary to Government, Revenue Department, dated Mangalore, the 9th August 1938, Ref. A-5 No. 4197/38.

[Floods—South Kanara—1938—Amount of rainfall at Mangalore—Extent of damage—Measures of relief—Report—Submitted. *Reference.*—Government Memorandum No. 4293-E/38-1, dated 26th July 1938.]

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2. There was heavy rain in the last fortnight of June and the first fortnight of July resulting in floods at some places in the district. Damage to houses and crops has been confined to certain localities of some taluks. The floods having occurred during day time, those in danger of being seriously affected had time to rescue themselves and remove their belongings to safe places.

[12th December 1938]

3. On receiving information of the collapse of houses of poor people in some parts of the district on account of the inundation of streams and rivers, orders were issued to the subordinate officers on 9th July 1938 to inspect the affected areas and formulate proposals for relief.

4. It is reported from Coondapoor, Udipi and Karkal taluks that there was no collapse of houses of poor people calling for relief and that the floods were of a minor nature resulting in no appreciable loss of crop. Inspection of the fields is being made and lists of fields affected by the floods are being prepared with a view to consider the question of granting seasonal remissions under Board's Standing Order No. 13. It is, however, anticipated that there will be hardly any case calling for remission of assessment in those three taluks.

5. In the remaining three taluks of Mangalore, Kasaragod and Puttur, however, there has been some appreciable damage both to houses and crops, although the extent of damage to crops cannot be regarded as a calamity calling for relief under the provisions of Board's Standing Order No. 14. The number of houses damaged or collapsed and the value of the loss suffered in the three taluks are given below :—

Taluk.						Number of houses.	Extent of damage. RS.
Mangalore	..	..	..	..	..	461	8,500
Kasaragod	..	..	..	..	..	367	25,000
Puttur	..	..	..	..	..	64	8,000
Total						892	41,500

In Mangalore taluk the area most affected is the Surathkal firka. The localities chiefly affected in Kasaragod taluk are on the banks of the Payaswani and the Shiriya rivers, the villages affected severely being Shiriya, Bombrana and Ujarulwar. In Puttur taluk the affected areas are Uppinangadi and Vittal.

From the detailed enquiries made in all these areas, it is found that the people who have suffered by the floods are largely chalgeni tenants of rich landholders. The owners of the houses have no occupancy right in the land and can be ousted without any difficulty. The houses were, however, constructed by the tenants themselves. It is unlikely that the landholders will help them with funds for the reconstruction of the houses. The houses are almost entirely one-roomed thatched huts. The walls being made of earth collapsed when soaked with water.

The tenants are all coolies with no property at all and it is therefore out of the question to grant loans. The roof timber, some bamboos, doors, windows, pillars, etc., all exist in situ and

[12th December 1938]

what is required for rebuilding is new earth or old earth supplemented by laterite stones, some bamboos and thatch. Reconstruction cannot start before the end of September. I have personally visited the worst affected areas in Kasaragod taluk and made thorough enquiries and am examining proposals for the grant of relief. I propose to finance the relief from my discretionary grant and from the funds of the District Flood Relief Committee.

6. In regard to the damage caused to crops, enquiries have shown that the damage is not so extensive as to call for relief under Board's Standing Order No. 14. As already stated in paragraph 4 above, the taluks of Coondapoor, Udipi and Karkal are free from any appreciable damage of crops. In Mangalore taluk, however, the crops have been totally lost here and there in some villages; but the damage has, by no means, been extensive. The total extent in which crops have been entirely lost is estimated to be only about 100 acres in Mangalore taluk and is confined to nine villages. The conditions in the other two taluks of Kasaragod and Puttur are similar in this respect.

7. This year, the monsoon set in earlier than usual, and this tended to the early commencement of the agricultural operations and by the time the floods came, the seedlings had taken firm roots in the soil. The result was that although the crop lay submerged under water for a few days, there was not much damage except to some low-lying fields. Even here, the damage is not appreciable. The crop which appeared to be spoiled by the floods has come up well after the floods subsided, on account of the continuous sun-shine which followed the floods. The crops on many fields have taken a luxuriant growth on account of the silt deposited by the flood water. Cases of total loss of crop are few and far between and are confined only to a few villages. The ryots in general do not at all seem to think that they are suffering a great calamity, so far as their crop is concerned. The rich landlords have already raised fresh seedlings for replanting the affected fields. Some fields have already been ploughed and the work is in progress in others. A complete list of lands on which there has been loss of crop is being prepared for each village and the cases will be dealt with under the provisions of Board's Standing Order No. 13.

8. I am of opinion that the floods this year are not of a calamitous nature and that there is no need for any reduction or postponement of collection of the land revenue on that score.

12th December 1938]

APPENDIX II.

[Vide answer to starred question No. 50 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th December 1938, page 24 supra.]

List of secondary schools in which the teaching of Hindustani in Forms I to III has been sanctioned in 1938-39.

Serial number and district. (1)	Management. (2)	Name of school. (3)
1 Vizagapatam ..	Government ..	Queen Mary's High School for Girls, Vizagapatam.
2 Do. ..	Municipal ..	Municipal High School, Chicacole.
3 Do. ..	Board ..	Board High School, Parvatipuram.
4 Do. ..	Do. ..	Do. Chodavaram.
5 Do. ..	Do. ..	Do. Yellamanchili.
6 East Godavari ..	Government ..	School Department of Government Training College, Rajahmundry.
7 Do. ..	Do. ..	Secondary and Training School for Women, Rajahmundry.
8 Do. ..	Municipal ..	Municipal High School, Rajahmundry.
9 Do. ..	Board ..	Board High School, Amalapuram.
10 Do. ..	Do. ..	Do. Razole.
11 Do. ..	Do. ..	Do. Ramachandrapuram.
12 Do. ..	Do. ..	Do. Kothapeta.
13 West Godavari ..	Government ..	Secondary and Training School for Women, Ellore.
14 Do. ..	Municipal ..	Municipal High School, Palacole.
15 Do. ..	Board ..	Board High School, Tanuku.
16 Do. ..	Do. ..	Do. Kovur.
17 Do. ..	Do. ..	Do. Nidadavole.
18 Do. ..	Aided ..	Taylor High School, Narasapur.
19 Kistna ..	Municipal ..	Municipal High School, Bezvada.
20 Do. ..	Government ..	Lady Amphil School, Masulipatam.
21 Do. ..	Board ..	Board High School, Gudivada.
22 Do. ..	Do. ..	Do. Punadipadu.
23 Do. ..	Do. ..	Do. Panarru.
24 Do. ..	Aided ..	R. R. School, Nuzvid.
25 Guntur ..	Municipal ..	Municipal High School, Chirala.
26 Do. ..	Board ..	Board High School, Bapatla.
27 Do. ..	Do. ..	Do. Repalle.
28 Do. ..	Do. ..	Do. Kollur.
29 Do. ..	Do. ..	Do. Duggirala.
30 Do. ..	Do. ..	Do. Nidubrole.
31 Kurnool ..	Government ..	Government Girls' School, Kurnool.
32 Do. ..	Municipal ..	Municipal High School, Kurnool.
33 Do. ..	Board ..	Board High School, Cumbum.
34 Bellary ..	Government ..	Government Secondary School for Girls, Brucepet, Bellary.
35 Do. ..	Municipal ..	Municipal High School, Bellary.
36 Do. ..	Do. ..	Do. Adoni.
37 Do. ..	Do. ..	Do. Hospet.
38 Anantapur ..	Government ..	Government Secondary and Training School, Anantapur.
39 Do. ..	Municipal ..	Municipal High School, Anantapur.
40 Do. ..	Board ..	Board High School, Penukonda.
41 Cuddapah ..	Government ..	Government Middle School for Girls, Cuddapah.
42 Do. ..	Municipal ..	Municipal High School, Cuddapah.
43 Do. ..	Do. ..	Do. Proddatur.
44 Nellore ..	Government ..	Government Secondary and Training School for Women, Nellore.

[12th December 1938]

Serial number and district. (1)	Management. (2)	Name of school. (3)
45 Nellore ..	Municipal	Municipal Middle School, Ranganayakulupet.
46 Do. ..	Board	Board High School, Kavali.
47 Do. ..	Do.	Do. Gudur.
48 Do. ..	Do.	Do. Kandukur.
49 Madras	Government	Presidency Training School, Egmore.
50 Do.	Do.	Lady Willingdon Training College, Triplicane.
51 Do.	Aided	Madras Christian College (School Department).
52 Do.	Do.	Hindu Theological High School, Madras.
53 Do.	Do.	Hindu High School, Triplicane.
54 Do.	Do.	P.S. High School, Mylapore.
55 Do.	Do.	National Girls' School, Mylapore.
56 Chingleput	Government	Teachers' College, Saidapet (School Department).
57 Do.	Do.	Government Middle School for Girls, Conjeevaram.
58 Do.	Board	Board High School, Poonamallee.
59 Do.	Do.	Do. Ponneri.
60 Do.	Aided	Pachalappa's High School, Conjeevaram.
61 North Arcot	Government	Government Secondary and Training School for Women, Vellore.
62 Do.	Municipal	Municipal High School, Tiruppattur.
63 Do.	Do.	Do. Gudiyattam.
64 Do.	Board	Board High School, Arni.
65 Do.	Do.	Do. Arcot.
66 Do.	Aided	Sree Mahant's Devasthanam Hindu School, Vellore.
67 Chittoor	Board	Board High School, Chittoor.
68 Do.	Do.	Do. Chandragiri.
69 Do.	Do.	Do. Kalahasti.
70 Do.	Aided	Sri Mahant's School, Tirupati.
71 South Arcot	Government	Secondary and Training School for Women, Cuddalore.
72 Do.	Municipal	Municipal High School, Cuddalore.
73 Do.	Do.	Do. Villupuram.
74 Do.	Board	Board High School, Tirukkoyilur.
75 Do.	Do.	Do. Vriddhachalam.
76 Tanjore	Government	Government Middle School for Girls, Mayavaram.
77 Do.	Municipal	Municipal High School, Mayavaram.
78 Do.	Board	Board High School, Tiruvarur.
79 Do.	Aided	Town High School, Kumbakonam.
80 Do.	Do.	National High School, Mannargudi.
81 Do.	Do.	Do. Negapatam.
82 Trichinopoly	Municipal	Municipal High School, Karur.
83 Do.	Board	Board High School, Lalgudi.
84 Do.	Do.	Do. Kulittalai.
85 Do.	Do.	Do. Ariyalur.
86 Do.	Aided	The High School, Srirangam.
87 Madura	Government	Government Middle School for Girls, Madura.
88 Do.	Municipal	Municipal High School, Dindigul.
89 Do.	Board	Board High School, Usilampatti.
90 Do.	Do.	Do. Periyakulam.
91 Do.	Aided	Sourashtra High School, Madura.
92 Do.	Do.	Victoria Memorial School, Bodinayakkanur.
93 Ramnad	Board	Board High School, Rajapalayam.
94 Do.	Aided	Hindu Nadar's School, Virudunagar.
95 Do.	Do.	Raja's School, Sivaganga.
96 Do.	Do.	Kshatriya Vidyasala, Sivakasi.
97 Do.	Do.	Arunachalam Chettiyar's School, Pallattur.

12th December 1938]

Serial number and district. (1)	Management. (2)	Name of school. (3)
98 Tinnevely	Board	Board High School, Tenkasi.
99 Do.	Aided	M.D.T. Hindu College (School Department), Tirunelveli.
100 Do.	Do.	Tirupati High School, Ambasamudram.
101 Do.	Do.	George Middle School, Kallidaikurichi.
102 Coimbatore	Government	Coimbatore College (School Department).
103 Do.	Do.	Secondary and Training School for Women, Coimbatore.
104 Do.	Municipal	Municipal High School, Coimbatore.
105 Do.	Do.	Municipal Middle School, Ratnasabhapattipuram.
106 Do.	Board	Board High School, Udumalpet.
107 Do.	Aided	Sarvajana High School, Peelamedu.
108 Salem	Government	Government Secondary School for Girls, Salem.
109 Do.	Municipal	Salem College (School Department).
110 Do.	Board	Board High School, Namakkal.
111 Do.	Do.	Do. Krishnagiri.
112 The Nilgiris	Municipal	Municipal High School, Ootacamund.
113 Malabar	Government	Tiruvengad Brennen Branch School.
114 Do.	Do.	Secondary and Training School for Women, Cannanore.
115 Do.	Municipal	Municipal High School, Cannanore.
116 Do.	Do.	Do. Palghat.
117 Do.	Board	Board High School, Koduvayur.
118 Do.	Do.	Do. Chowghat.
119 Do.	Aided	Christian College (School Department), Calicut.
120 South Kanara	Government	Government Model School, Mangalore.
121 Do.	Do.	Secondary and Training School for Women, Mangalore.
122 Do.	Board	Board High School, Karkal.
123 Do.	Do.	Do. Mulki.
124 Do.	Aided	St. Aloysius College (School Department), Mangalore.
125 Do.	Do.	Kanara High School, Mangalore.

[12th December 1938]

APPENDIX IV.

[Vide answer to starred question No. 55 asked by Sri B. Narayana-swami Nayudu at the meet ng of the Leg.slative Council held on the 12th December 1938, page 29 supra.]

Statement I.—Total export value of the groundnut trade of the Madras Province.

(i) Groundnut seed.

Year.	Value of exports in lakhs of rupees.				Total.
	To foreign countries.	To other provinces in India by sea.	To other provinces by rail. *		
(1)	(2)	(3)	(4)	(5)	
1933-34	544.60	4.75	86.92	636.27	
1934-35	499.76	48.61	51.76	600.13	
1935-36	538.89	14.67	39.90	593.46	
1936-37	1,060.52	16.95	87.21	1,164.68	
1937-38	800.88	24.90	51.08	876.86	

* The value of the exports by rail in any year has been estimated on the basis of the average price of groundnut exported by sea coastwise during that year.

(ii) Groundnut oil.

Year.	Value of exports by sea in lakhs of rupees (c).		Total.
	To foreign countries.	To other provinces in India.	
(1)	(2)	(3)	(4)
1933-34	0.18	2.20	2.38
1934-35	0.13	7.90	8.03
1935-36	0.16	16.42	16.58
1936-37	1.23	26.20	27.43
1937-38	(a) 23.91	(b) 7.84	31.75

(a) Includes Burma while the previous years exclude Burma.
(b) Excludes Burma while the previous years include Burma.
(c) Corresponding figures of the exports by rail are not available. The rail-borne trade figures relate only to (1) kerosene and (2) vegetable oils which include groundnut oil.

(iii) Groundnut cake.

Year.	Value of exports by sea to foreign countries in lakhs of rupees. (a).			
1933-34	..	..	..	16.78
1934-35	..	..	..	30.36
1935-36	..	..	..	24.28
1936-37	..	..	..	30.11
1937-38	..	..	..	52.52

(a) Coastwise exports of groundnut cake by sea are negligible and are not shown separately in the customs records. Figures of export of groundnut cake by rail are also not available; only oil-cake is shown in the monthly volumes.

[12th December 1938]

Statement II.—Total export of groundnut oil from the Madras Presidency each year from 1932 and the places of its destination.

	Export of groundnut oil from the Madras Presidency in					
	1932-33.	1933-34.	1934-35.	1935-36.	1936-37.	1937-38.
	GALLONS.	GALLONS.	GALLONS.	GALLONS.	GALLONS.	GALLONS.
Ceylon	5,256	16,531	18,587	14,227	15,903	41,748
Federated Malay State.	..	1,694	80	1,000	84,616	103,059
Straits Settlements.	72	2,115	524	1,900	46,305	63,921
Burma	256,859	79,240	257,862	1,006,511	1,379,749	1,449,508
Bengal	6,510	93,373	381,457	43,367	130,193	401,609
Bombay	626	5,725	4,538	11,813	58,683	68,613
Sind	..	..	..	1,287	43,263	12,255
Kathiawar	..	16	..	..	1,704	2,344
Other places (foreign places).	3,836	2,173	1,244	1,256	6,412	15,662
Total gallons ..	272,959	200,870	664,292	1,081,361	1,716,893	2,172,219
Equivalent in tons.	1,137	837	2,768	4,506	7,154	9,051

APPENDIX V.

[Vide answer to starred question No. 57 asked by Sri B. Narayana-swami Nayudu at the meeting of the Legislative Council held on the 12th December 1938, page 29 supra.]

Statement I.

Statement showing the total value of groundnut cake exported from the Madras Presidency from 1932-33 to 1937-38.

Year.	Value of groundnut cake exported from the Presidency.				
	RS.				
1932-33	..	..	..	..	19,34,391
1933-34	..	..	..	..	16,78,156
1934-35	..	..	..	..	30,35,695
1935-36	..	..	..	..	24,27,869
1936-37	..	..	..	..	42,59,424
1937-38	..	..	..	..	52,52,062

[12th December 1938]

Statement II.

Statement showing the places of destination and quantities of groundnut cake imported from the Madras Presidency from 1932-33 to 1937-38.

Countries of destination. (1)	Quantity of groundnut cake exported in					
	1932-33. (2)	1933-34. (3)	1934-35. (4)	1935-36. (5)	1936-37. (6)	1937-38. (7)
	TONS.	TONS.	TONS.	TONS.	TONS.	TONS.
United Kingdom	3,582	10,998	35,831	35,086	36,060	37,010
Germany	11,808	5,105	6,570	1,686	12,559	16,056
Netherlands	5,547	1,095	891	200	903	915
Belgium	1,519	1,198	2,333	387	5,285	479
Sweden		728	809		400	2,300
Norway						605
France						
Denmark					888	
Egypt			98		676	4,158
Federated Malay States			1,814			409
Mauritius						20
Strait Settlements					5	
Ceylon	3,074	4,022	1,106	1,385	1	
Optionals.					4,683	6,721
United Kingdom						
Germany						1,248
Belgium						1,100
Italy						530
Egypt						4,874
Netherlands						4,350
Total	25,595	30,756	49,512	38,745	61,550	81,974

APPENDIX VI.

[Vide answer to starred question No. 69 asked by Sri Rao Bahadur N. R. Samiappa Mudaliyar at the meeting of the Legislative Council held on the 12th December 1938, Page 35 supra.]

Panchayats superseded from 15th July 1937 to 19th April 1938.

District.	Name of Panchayat Board.	Date of supersession.	By whom superseded.
North Arcot	Chetpet	10th January 1938	Inspector.
	Sholinghur	3rd February 1938	Do.
Salem	Karimangalam	5th November 1937	Do.
	Idapadi	31st March 1938	Do.
South Arcot	Lalpet	1st October 1937	Do.
Tanjore	Sathanur	8th January 1938	Do.
Kistna	Avanigadda	16th October 1937	Do.
	Kondapalli	1st December 1937	Do.
Guntur	Angalur	11th January 1938	Government.
	Lingala	25th January 1938	Inspector.
West Godavari	Allavaripalem	26th November 1937	Do.
	Enugupalem	Do.	Do.
Chittoor	Chilakaluripeta	11th January 1938	Government.
	Rayakuduru	23rd February 1938	Inspector.
Kurnool	Narsapur	21st December 1937	Do.
	Gundugolanu	30th October 1937	Do.
	Madanapalle	5th November 1937	Do.
	Betamcherla	15th January 1938	Do.

[12th December 1938]

APPENDIX VII.
[Vide answer to starred question No. 71-A asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th December 1938, page 37 supra.]

Landing and Shipping Funds.

Number and name of port.	1936-37.			1937-38.		
	Income.	Expenditure.	Savings.	Income.	Expenditure.	Savings.
1 Cocanada	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
2 Masulipatam	3,28,207 4 2	1,47,995 5 10	1,80,211 14 4	2,51,396 3 2	75,515 11 1	1,75,881 2 1
3 Cuddalore	(a) 54,610 0 0	36,951 0 0	17,659 0 0	(b) 7,915 0 0	29,815 0 0	44,700 0 0
4 Porto Novo	1,931 0 0	97,101 0 0	764 0 0	71,742 0 0	8,414 0 0	63,328 0 0
5 Negapatam	66,015 0 6	1,167 0 0	3,508 7 6	2,488 0 0	1,258 0 0	1,230 0 0
6 Adirampetam	2,790 7 3	62,506 9 0	3,508 7 6	63,467 12 8	40,452 13 4	23,015 4 4
7 Ponnani	5,123 0 0	1,034 4 11	1,756 2 4	13,228 4 9	1,325 0 0	12,093 4 3
8 Calicut	86,872 8 9	77,839 15 3	3,758 0 0	(c) 69,093 7 11	31,029 0 3	38,064 7 8
9 Tellicherry	26,431 15 2	9,032 9 6	9,032 9 6	(d) 54,158 11 3	18,386 7 4	35,772 3 9
10 Mangalore	(c) 2,94,801 6 4	24,027 5 11	2,454 9 3	(e) 1,69,905 7 8	91,203 9 10	78,692 7 8
11 Malpe	2,430 0 3	2,159 6 1	2,742 0 3	(f) 1,510 0 0	1,510 0 0	0 0 0
12 Mangarkatta	781 0 0	619 0 0	162 0 0	(f) 958 0 0	1,551 0 0	0 0 0
	9,55,081 10 5	6,74,080 2 0	2,81,001 8 5	7,38,289 11 1	6,82,334 0 9	55,955 10 4
(a) Includes Rs. 20,000 being free grant from the minor ports fund.						
(b) Excludes the sum of Rs. 39,187 invested in Government securities.						
(c) Includes—						
Free grant from the minor ports fund						
Loan from minor ports fund						
Sale-proceeds of 5-year post office cash certificates of the face value of Rs. 19,350						
(d) Includes Rs. 80,000 towards repayment of loan to minor ports fund.						
(e) Includes Rs. 1,712 being proceeds for 5-year post office cash certificates which matured during the year.						
(f) Includes Rs. 402 being the cost of Government securities purchased during the year.						
(g) Includes Rs. 9,708 being annual equated payment of loan and interest thereon.						
(a) Includes—						
(1) Purchase of Government securities of the face value of Rs. 32,900						
(2) Annual equated payment of loan and interest thereon						
(3) Excludes Rs. 23,000 ordered by Government to be invested in three per cent Madras Government Loan of 1952 from the cash closing balance of the Calicut Landing and Shipping Fund for 1937-38.						
(j) Includes Rs. 12,500 being the proceeds of the 5-year post office cash certificates which matured for repayment during the year.						
NOTE.—"Minus" entries in the 'Savings' columns do not take into account the opening balances of the year						

[12th December 1938]

APPENDIX VIII.

[Vide answer to starred question No. 71-C asked by Sri Rao Bahadur N. R. Samiappa Mudaliyar at the meeting of the Legislative Council held on the 12th December 1938, page 41 supra.]

Statement I.

District.	Port.
1 Vizagapatam	1 Baruva.
	2 Calingapatam.
	3 Bimlipatam.
2 Godavari	4 Cocanada.
3 Kistna	5 Masulipatam.
4 Guntur	6 Vadarovu.
5 South Arcot	7 Cuddalore.
	8 Porto Novo.
6 Tanjore	9 Tirumalavasal.
	10 Tranquebar.
	11 Negapatam.
	12 Topputurai.
	13 Point Calimere.
	14 Mutupet.
	15 Adirampatnam.
	16 Kattumavedi.
	17 Krishnajiapatnam.
	18 Ammapatnam.
7 Ramnad	19 Vattanam.
	20 Tondi.
	21 Pudupatnam.
	22 Theethandathanam.
	23 Devipatnam.
	24 Alagayankolam.
	25 Pamban.
	26 Rameswaram.
	27 Vedalai.
	28 Dhanushkodi.
	29 Muttupottai.
	30 Kilakarai.
8 Tinnevely	31 Kulasekarapatnam.
	32 Tuticorin.
9 Malabar	33 Chavakad.
	34 Ponnani.
	35 Tanur.
	36 Calicut.
	37 Kappatta.
	38 Quilandi.
	39 Kottakkal.
	40 Badagara.
	41 Muttankal.
	42 Chompayi.
	43 Kallayi.
	44 Tellicherry.
	45 Cannanore.
	46 Pudiyangadi.
	47 Azhikal.
10 South Kanara	48 Kasaragod.
	49 Mangalore.
	50 Mulki.
	51 Malpe.
	52 Hangarkatta.
	53 Coondapoor.
	54 Baindur.

[12th December 1938]

Statement II—Showing the proposals for improvements to ports recently received from the Presidency Port Officer.

Serial number and name of port.	Nature of the works proposed.	Amount of estimate. RS.
1 Malpe	Hand-dredging a channel to wharf No. 4 and constructing masonry retaining walls for wharf and part of eastern bank.	18,500
2 Hangarkatta	Extension of wharf wall and reclaiming land for wharves.	26,200
3 Calicut	Construction of a third pier	40,00,000
4 (i) Mangalore	(i) Reconstruction of north wharf wall and extending the south wharf wall, etc.	2.9 lakhs.
	(ii) Gangolli (Coondapoor).	30,000
5 Cocanada	Extension of north and south groynes.	Revised estimate. 6.95 lakhs.
6 Do.	Constructing wharf walls and reclaiming area for wharves.	69,000
7 Do.	Constructing a new dry dock	1.8 lakhs.
8 Cuddalore	Reinforced concrete training walls and groynes.	4.1 lakhs.
9 Adirampatam	Extension of port road to beach	18,000
10 Masulipatam	Construction of a dry dock	1.3 lakhs.
11 Minor ports	Dredger for dredging open sea bars	4 lakhs.

APPENDIX IX.

[Vide answer to unstarred question No. 17 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th December 1938, page 44 supra.]

The Ministry of Public Information has issued the following Press Communiqué:—

Press Communiqué.

As some misconception appears to exist as regards the concessions available to the ryots in the Government waste lands and reserved forests of the South Kanara district, the following is published for general information:—

- (a) The holders of land to which Kumaki privileges are attached may enjoy, in the Kumaki lands, free of charge, the following privileges, viz., grazing cattle, cutting, converting, collecting and removing trees, timber and other forest produce subject to the conditions and restrictions explained in the general rules issued under section 26 of the Madras Forest Act, 1882.

[12th December 1938]

(b) Within forest reserves in the district the following concessions were granted as an experimental measure in 1922:—

- (1) Permission to clear undergrowth in all reserves (except those near the coast) to a distance of half a mile from the limits of private holdings;
- (2) in the reserves near the coast, permission to clear undergrowth to a distance of 200 yards from the limits of private holdings;
- (3) permission to clear undergrowth in all areas sown with *Hopea parviflora*; and
- (4) permission for the free removal of—
 - (i) green manure leaves of unclassified species and dry leaves of all species and
 - (ii) dead fuel.

These concessions were granted under the following conditions:—

- (1) that if in any forest they were in any way abused they would be cancelled in such forest; and
- (2) that the forests in which they were granted should not be burnt and that if accidental fires occurred the ryots should afford necessary help to extinguish them without delay.

But in spite of repeated warnings these concessions were greatly abused by the ryots and hence they had to be withdrawn gradually with effect from 1st April 1933 from a few reserves where abuse was greatest. In deference however to several representations received by the Government, the then Hon'ble the Law Member undertook an inspection of the forests in December 1935 and based on that inspection, the Government permitted the removal, free of cost of dry fallen leaves and pieces of firewood, from these reserves which were closed to the concessions, subject to the condition that timber and valuable wood like teak, sandal or rosewood should not be taken away, even if they had fallen down of their own accord. The concession is also liable to be cancelled if it is found that wood is cut whether in a dry or green state. These concessions were permitted also in the six sandalwood reserves which were formerly closed to the concession.

(c) The Government have now decided to allow the following further concessions:—

- (1) In felled fuel coupes hitherto permanently closed to the removal of green manure leaf, free removal of *Stronilantes*, *Macaranga*, *Trema*, *Holigarna*, and all climbers

12th December 1938]

and weeds will be permitted at the discretion of the District Forest Officer by an annual notification.

- (2) In all *Hopea* plantations, free removal of green leaf manure of unclassified species, and of dry leaves and dead fallen wood.
- (3) In all areas sown with *Acacia sundra*, free removal of dry leaves and dry fuel and of green leaf manure.
- (4) In the following seven reserves where the concession of free removal of green leaf manure is not in force at present, owing either to abuse of the concession in the past or for silvicultural reasons, manure leaf felling series will be formed as an experimental measure, and the coupes will be worked on a short rotation through the agency of contractors, whose selling rate will be restricted:—

- (1) Herur Reserved Forest.
- (2) Kursevadde Reserved Forest.
- (3) Hosabettu Reserved Forest.
- (4) Todar Reserved Forest.
- (5) Nire Reserved Forest.
- (6) Vorwady Reserved Forest.
- (7) Sabladi Reserved Forest.

[12th December 1938]

APPENDIX X.

[Vide item III (1) at page 46 supra]

L.A. BILL No. 9 OF 1937.

(As passed by the Assembly.)

A Bill to provide for the removal of civil disabilities among certain classes of Hindus.

WHEREAS it is increasingly felt by the Hindu community that the disabilities, which are imposed by social custom and usage on certain classes of Hindus commonly known as Harijans, Untouchables, or Depressed Classes, and which have been in certain matters even legally recognized in the adjudication of rights and duties in civil and criminal proceedings, are repugnant to modern conditions and ideas of justice and social solidarity, and should no longer be recognized by law or otherwise enforced; It is hereby enacted as follows:—

Short title
and extent,

1. (1) This Act may be called the Removal of Civil Disabilities Act, 1938.

(2) It extends to the whole of the Province of Madras.

Social disabilities not
to be recognized by law.

2. Notwithstanding any law, custom, usage or prescription to the contrary, no Hindu shall, by reason merely of his belonging to any particular community or class known as Harijans, Untouchables, Depressed Class or the like, be prevented or disabled from being appointed to any public office or enjoying or having access to any public stream, river, well, tank, path-way, sanitary convenience, or means of transport or any secular institution which the general public belonging to all other classes and communities of Hindus have a right to enjoy or have access to or which is dedicated or maintained or licensed for the use of the general public or which is maintained or paid for out of the funds of the State or a local authority; and no Civil, Criminal or Revenue Court in adjudicating any matter or executing any order and no public or local authority in carrying on the affairs entrusted to such authority shall recognize any custom, usage or prescription under which it is sought to impose any civil disability on any person by reason of his belonging to any of the

12th December 1938]

classes or communities aforesaid, or by reason of any acts or omissions on the part of such person which would not furnish grounds for such disability if he did not belong to such class or community.

APPENDIX XI.

[Vide item III (2) at page 56 supra].

L. A. BILL No. 18 OF 1938.

(As passed by the Assembly.)

*A Bill further to amend the Madras Prohibition Act, 1937, for certain purposes.*Madras Act
X of 1937.

WHEREAS it is expedient further to amend the Madras Prohibition Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Madras Prohibition Short title.
(Second Amendment) Act, 1938.

Madras Act
X of 1937.

2. In section 3 of the Madras Prohibition Act, Amendment
1937 (hereinafter referred to as the said Act)— of section 3,
Madras Act
X of 1937.

(i) in clause (19), the word “ and ” at the end shall be omitted; and

(ii) after clause (20), the following shall be added, namely:—

“; and

(21) any references to a permit generally or to a permit granted under section 18, 19, or 20 shall be construed as including a reference to an ‘ Authority ’ issued under section 16-A.”

3. After section 16 of the said Act, the following section shall be inserted, namely:— Insertion of
new section
16-A in
Madras Act
X of 1937.

“ 16-A. The Provincial Government shall make Authorities
suitable provision for issuing ‘ Authorities ’ for bona fide
to persons and institutions for the possession religious
and use of such liquor as may be required by purposes.
them for any bona fide religious purpose in

[12th December 1938]

accordance with ancient custom, under such terms and conditions, and penalties for infringement, as may be prescribed."

- Amendment of section 20, Madras Act X of 1937.
4. In section 20 of the said Act, clause (b) shall be omitted and clauses (c) and (d) shall be relettered (b) and (c) respectively.

APPENDIX XII.

[Vide item III (3) at page 59 supra]

L.A. BILL No. 19 OF 1938.

(As passed by the Assembly.)

A Bill further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes.

WHEREAS it is expedient further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Madras District Municipalities and Local Boards (Amendment) Act, 1938.

Amendment of Madras Act V of 1920.

2. In the Madras District Municipalities Act, 1920—

- (i) after section 38, the following section shall be inserted, namely:—

"38-A. The administration by a municipal council of any undertaking for the generation, transmission, supply or use of electrical energy shall be subject to such control as may be prescribed, not inconsistent with the Indian Electricity Act, 1910, as in force for the time being, the rules made under that Act, and the terms of the licence granted under it to the municipal council.";

- (ii) in section 71, after sub-section (2), the following sub-section shall be inserted, namely:—

"(2-A) Any municipal council which has undertaken the generation, transmission, or

Control over municipal electrical undertakings.

Madras Act V of 1920. Madras Act XIV of 1920.

IX of 1910.

12th December 1938]

supply of electrical energy, by special resolution may, and if so required by the Provincial Government shall, sanction a post of municipal electrical engineer.";

- (iii) in the same section, in sub-section (4), for the words "or engineer", the words "engineer or electrical engineer" shall be substituted;
- (iv) in section 72, in sub-section (1), for the words "or engineer", the words "engineer or electrical engineer" shall be substituted;
- (v) in section 75, for the words "or a municipal engineer", the words "a municipal engineer or a municipal electrical engineer" shall be substituted;
- (vi) in section 76-A, in clause (a), for the words "or the municipal engineer", the words "the municipal engineer or the municipal electrical engineer" shall be substituted;
- (vii) in the same section, in clauses (b) and (c), for the words "or engineer", the words "engineer or electrical engineer" shall be substituted; and
- (viii) in the same section, in clause (d), for the words "and engineers", the words "engineers and electrical engineers" shall be substituted.

Madras Act XIV of 1920.

3. In the Madras Local Boards Act, 1920—

- (i) after section 39, the following section shall be inserted, namely:—

"40. The administration by a local board of any undertaking for the generation, transmission, supply or use of electrical energy shall be subject to such control as may be prescribed, not inconsistent with the Indian Electricity Act, 1910, as in force for the time being, the rules made under that Act, and the terms of the licence granted under it to the local board.";

- (ii) in section 68, in sub-section (1), for the words "a post of district engineer", the words "one or more posts of district engineer" and for the words "a post of district

Amendment of Madras Act XIV of 1920.

Control over electrical undertakings of local boards.

IX of 1910.

[12th December 1938]

panchayat officer", the words "one or more posts of district panchayat officer" shall be substituted; and

(iii) after section 69-B, the following section shall be inserted, namely:—

"69-C. (1) The Provincial Government may appoint an electrical engineer to any district board or panchayat which has undertaken the generation, transmission or supply of electrical energy.

(2) The Provincial Government may recover from the local board concerned the whole or such proportion of the salary and allowances paid to any officer appointed under sub-section (1), and such contribution towards his leave allowances, pension and provident fund as the Provincial Government may, by general or special order, determine.

(3) The Provincial Government shall have power to regulate the methods of recruitment, conditions of service, pay and allowances, and discipline and conduct, of the officers appointed under sub-section (1)."

Appoint-
ment of
electrical
engineer for
local boards.

THE MADRAS LEGISLATIVE COUNCIL

Tuesday, the 13th December 1938

The House met in the Council Chamber, Fort St. George, at eleven of the clock, with the President (THE HON. DR. U. RAMA RAO) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Election of a panel for the appointment of Public Prosecutor and objection, if any, to the procedure under the recent orders of the Government.

* 72. Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) the number of instances of election of a panel of four members for appointment as Public Prosecutor since the coming into force of Memorandum No. 1338-F-1, Home, dated 15th February 1938, the number of instances in which the Government made their selection from the panel and the number in which the Government did not make any selection;

(b) whether any objections were received in any of the above instances from any member or members of the bar to the choice by the Government from the panel so elected, the grounds on which the objections, if any, were based, the action if any taken by the Government on the objections and the reasons therefor;

(c) whether it is a fact that there is a wide protest raised against the practice of election of panel according to the memorandum quoted above; and

(d) whether the Government have consulted the District Magistrates or the District Judges about the working of the memorandum in view of the above protest; if so, the result of such consultation?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—

"(a) The total number of panels selected was twelve; out of this number, appointments were not made from the panel in four instances. In the other cases appointments were made from the panel.

"(b) The answer is in the negative.

"(c) Some protests were received.

"(d) The answer is in the negative. The panel system has since been cancelled."

[13th December 1938]

SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"In reply to clause (a) the Government have stated that appointments were not made from the panel in four instances. May I know the reasons why the appointments were not made from the panel in these four instances?"

THE HON. SRI S. RAMANATHAN:—"The panels are in the nature of recommendations to the Government and appointments in these four instances were made in exercise of the discretion vested in the Government."

SRI B. NARAYANASWAMI NAYUDU:—"Clause (c) of the question asks for information as to whether wide protests were received and the answer says that some protests were received. May I know whether the protests were wide?"

THE HON. SRI S. RAMANATHAN:—"The protests merely related to procedure."

SRI B. NARAYANASWAMI NAYUDU:—"The question is with regard to the extent of the protests, whether they were narrow or wide?"

THE HON. SRI S. RAMANATHAN:—"It is a matter of opinion, Sir."

MR. S. J. GONSALVES:—"May I know the reasons why the panel system has been discontinued?"

THE HON. SRI S. RAMANATHAN:—"Because it has been found to be a failure."

Election of a panel for the appointment of Public Prosecutor in Chittoor.

* 73. Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Courts and Prisons be pleased to state—

(a) whether the Government have any information about the election of a panel of four members of the legal profession under Memorandum No. 1338-F-1, Home, dated 15th February 1938, at a meeting held on 31st July 1938 at Chittoor;

(b) whether such a meeting was convened at the instance of the District Judge as required by the memorandum quoted above;

(c) if not, what action the Government propose to take in the matter;

(d) whether the Government are aware of other instances in which the election of a panel was made at meetings not convened by the District Judge; if so, the action taken by the Government in those instances; and

(e) the number of Public Prosecutors appointed after the coming into force of the memorandum, the community and political party to which the person so appointed belonged in each case?

[13th December 1938]

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—

"(a) The Government received a representation from an Advocate of the Chittoor Bar complaining of a resolution stated to have been passed in connexion with the election held on 31st July 1938. The Government have ascertained that no such resolution was passed by the Bar Association.

"(b) The answer is in the negative.

"(c) No action was considered necessary.

"(d) The Government are not aware of any such instances.

"(e) Seven Public Prosecutors and five Additional Public Prosecutors have been appointed. Of the Public Prosecutors three are Non-Brahmans, three are Brahmins and one is an Indian Christian. Of the Additional Public Prosecutors, four are Brahmins and one is a Muslim. Two Public Prosecutors are reported to belong to the Congress party. The Government have no information regarding the political leanings of the other persons appointed."

SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"May I know whether the meeting at Chittoor was convened at the instance of the District Judge?"

THE HON. SRI S. RAMANATHAN:—"I have already answered that it was not."

SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"May I know why the Government have taken into consideration the proposal that was suggested at that meeting?"

THE HON. SRI S. RAMANATHAN:—"It was only a solitary case and the Government did not consider any action necessary."

SRI B. NARAYANASWAMI NAYUDU:—"It was a wrong panel that was submitted to the Government and Government should not have selected from it. In view of it, may I know why the Government did not take any action in the matter?"

THE HON. SRI S. RAMANATHAN:—"The Government had always the discretion to appoint any one they liked."

SRI B. NARAYANASWAMI NAYUDU:—"May I know why the Government have not asked the District Judge to call for a special meeting according to the memorandum?"

THE HON. SRI S. RAMANATHAN:—"It was a solitary case and the Government did not think that any action was called for."

[13th December 1938]

Expenditure on Government colleges and the number of professors appointed for English and for Mathematics.

* 74 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) the total expenditure on collegiate education in Government colleges;

(b) the total expenditure on salaries in gazetted ranks in Government colleges;

(c) whether the number of professors for teaching English is greater than the number for teaching Mathematics in I grade Government colleges;

(d) the number of principals in I grade colleges who handle English and the number who handle subjects other than English;

(e) whether it is a fact that formerly most of the principals were professors of English when, more professors of English had to be appointed to give leisure for the principal to attend to administrative work; and

(f) whether it is a fact that most of the principals in I grade Government colleges now handle subjects other than English?

THE HON. DR. P. SUBBARAYAN:—

	1937-38.
	RS.
" (a) Government arts colleges	11,39,705
Government professional colleges	6,19,781
Total ..	17,59,486
" (b) Government arts colleges	4,38,927
Government professional colleges	2,77,573
Total ..	7,16,500

" (c) Yes. The number of Professors for teaching English is greater than the number for teaching Mathematics.

" (d) In first-grade colleges two Principals handle English and five Principals do subjects other than English.

" (e) There was no rule that the Principals of colleges should be Professors of English. The subjects taught by the Principals depended on the subject in which they were qualified. It is not correct to say that more Professors of English had to be appointed to give relief to the Principal as the number of posts in each subject was fixed and was determined with reference to the number of hours of instruction to be provided for in each subject.

" (f) Yes."

[13th December 1938]

Alleged grievances of the employees of the ex-Vizagapatam Agency District Board.

* 75 Q.—SRI P. VIRABHADRASWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have received any memorial from the President of the District Andhra Association, Koraput, on behalf of the employees of the ex-Vizagapatam Agency District Board and also a letter from the Members of the Legislative Assembly and Council of Vizagapatam district on the subject; and

(b) if so, what action have the Government taken on it?

THE HON. SRI B. GOPALA REDDI:—“(a) The answer is in the affirmative.

“(b) The Government have communicated a list of the employees of the Agency District Board to the presidents of the district boards in the Telugu areas of this Province with a suggestion that due consideration may be given to the appointment of these persons in vacancies that may arise in future, in preference to fresh entrants.”

Difficulties, if any, in the collection of land revenue, consequent on the Madras Agriculturists Relief Act.

* 76 Q.—DR. P. J. THOMAS: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether there have been greater difficulties than before in the collection of land revenue since the passing of the Madras Agriculturists Relief Act, 1938; and

(b) whether the percentage of arrears of land revenue in the last fasli is larger than that for the two previous fasli years?

THE HON. SRI T. PRAKASAM:—“(a) The answer is in the negative.

“(b) Excluding the amounts the collection of which has been suspended or postponed, the percentage of arrears to the demand for fasli 1347 shows a slight increase (.16 per cent) over the corresponding figure of the previous fasli and a slight decrease (.10 per cent) over the corresponding figure for fasli 1345.”

Difficulties, if any, of agriculturists in raising credits, consequent on the Madras Agriculturists Relief Act.

* 77 Q.—DR. P. J. THOMAS: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state whether the difficulties of agriculturists in regard to raising credits for agricultural purposes from private money-lenders have increased since the passing of the Madras Agriculturists Relief Act, 1938?

[13th December 1938]

THE HON. SRI V. I. MUNISWAMI PILLAI:—"Government have received reports which show different conditions in different districts. There have been complaints about difficulty in getting private money-lenders to lend money to agriculturists as well as that evasions are being resorted to in respect of entries in documents about rate of interest."

Credit facilities availed of by agriculturists from co-operative societies since the passing of the Madras Agriculturists Relief Act.

* 78 Q.—DR. P. J. THOMAS: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether, since the passing of the Agriculturists Relief Act, 1938, agriculturists have availed themselves of the credit facilities offered by the co-operative societies; and

(b) if so, whether the co-operative credit societies have been able to meet the growing demand on them?

THE HON. SRI V. V. GIRI:—" (a) The following figures indicate that agriculturists have availed themselves to a greater extent than before of the credit facilities offered by co-operative societies. Agricultural credit societies issued loans to the extent of Rs. 110.97 lakhs in 1937-38 as against Rs. 96.17 lakhs in 1936-37 and sale societies issued loans to the extent of Rs. 62.12 lakhs in 1937-38 as against Rs. 26.16 lakhs in 1936-37. From the date of the passing of the Act to 31st July 1938 central banks issued loans to the extent of Rs. 47.08 lakhs to agricultural credit societies and Rs. 29.64 lakhs to sale societies as against Rs. 36.40 lakhs and Rs. 13.14 lakhs respectively during the corresponding period of the previous year.

" (b) Yes."

Steps, if any, for affording debt relief among agricultural labourers.

* 79 Q.—DR. P. J. THOMAS: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state whether any steps are under contemplation for relieving the burden of debt among the padiyals or panniyals and other agricultural labourers in the Presidency?

THE HON. SRI V. I. MUNISWAMI PILLAI:—"The matter is under consideration."

13th December 1938]

Distinction between small ryot and big ryot.

* 80 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: With reference to the Hon. the Prime Minister's budget speech, dated 1st September 1937, appearing on page 89 of the official report of the Legislative Council, will the Hon. the Minister for Revenue be pleased to state whom the Government classify as small ryot and where they draw the line of distinction between small ryot and big ryot?

THE HON. SRI T. PRAKASAM:—"The phrase was used in the sense in which it is generally understood and no precise line of distinction was necessary in the context in which the phrase was used."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I know how it is generally understood?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"As I made the speech, I am expected to answer this question as to how it was generally understood. It is difficult for the Government to say that."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I know how the Government understood it?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"When the gentleman made the reference to small ryots and big ryots, he understood it to be in the dictionary sense."

Management of Sri Madanantheswara temple in South Kanara by the Hindu Religious Endowments Board.

* 81 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the Hindu Religious Endowments Board has notified that the Board would take up the management of the Sri Madanantheswara temple of Manjeswar in South Kanara district;

(b) if so, whether the Hindu Religious Endowments Board has taken the opinion of the Gowda Saraswatha community to which the temple belongs as to the above proposal of the Board; and

(c) whether the Government have received any objection from the Gowda Saraswatha community as to the present move of the Hindu Religious Endowments Board?

THE HON. DR. T. S. S. RAJAN:—" (a) Notice has been issued by the Hindu Religious Endowments Board under section 65-A (1) (a) of the Hindu Religious Endowments Act to the trustees and all other persons having interest in the temple to show cause why the temple should not be notified to be subject to the provisions of Chapter VI-A of the said Act.

[13th December 1938]

The first hearing of the case is posted to 12th November 1938, and the Board has not notified that it will take up the management of the temple.

“(b) The notice issued by the Board has been served on the trustees of the temple. In addition, it was affixed to the temple premises and published in the columns of the *Hindu* and *Swatantra Bharati*, a vernacular newspaper. This is the manner of publication prescribed under the rules framed by Government. Such publication constitutes due notice to the public and all persons having interest, including members of the Gowda Saraswathi community who may file objections to the issue of the proposed notification.

“(c) Objections were received by Government from certain members of the Gowda Saraswathi community and they have been forwarded to the Board. They will be considered by the Board at an enquiry as required by section 65-A (4) of the Hindu Religious Endowments Act.”

Improvements to certain minor ports in South Kanara district.

* 82 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Government are contemplating to transfer fifty-five lakhs of rupees from the “Ports’ Fund Account” to the “General Account” of the Government;

(b) if so, what the reasons are;

(c) whether the Government are aware of the urgency of the improvement of the ports of Mangalore, Malpe and Gangolli in South Kanara district; and

(d) if not, whether the Government propose to make regular enquiry as to the development of the ports in this district?

THE HON. MR. YAKUB HASAN:—“(a) & (b) The attention of the Hon’ble Member is invited to the statement of Objects and Reasons of the Bill to provide for the disposal of the balance to the credit of the Minor Ports Fund in the Province of Madras of which notice has been given.

“(c) The Presidency Port Officer has submitted certain proposals for the improvement of these ports and these are under consideration.

“(d) Does not arise.”

Diet, newspapers and periodicals supplied to the various classes of prisoners.

* 83 Q.—KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR: Will the Hon. the Minister for Courts and Prisons be pleased to furnish a statement showing the—

(a) nature of diets; and

(b) the names of the newspapers and periodicals which are allowable to each class of the prisoners, viz., A, B and C?

13th December 1938]

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—

“(a) The hon. Member is referred to the diet scales in rule 347 of the Madras Jail Manual, Part II.

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

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
“With regard to newspapers and periodicals allowable in prison, may I know whether the *Justice* and the *Sunday Observer* are not allowed to be delivered in prisons?”

THE HON. SRI S. RAMANATHAN:—“Obviously, the names of these papers are not on the list.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
“May I know whether the Government will issue instructions not to prohibit these journals the *Justice* and the *Sunday Observer* but to include them among others in the list?”

THE HON. SRI S. RAMANATHAN:—“Not likely.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
“May I know the reason?”

THE HON. SRI S. RAMANATHAN:—“These journals have been included in the list with a view to affording prisoners to get suitable reading at their own cost.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
“If these prisoners want to buy these two journals at their own cost, will there be any objection to allow them?”

THE HON. SRI S. RAMANATHAN:—“The suggestion will be considered.”

SRI R. SRINIVASA AYYANGAR:—“Is it a fact that the *Hindu* is not in the list?”

THE HON. SRI S. RAMANATHAN:—“It is in the list.”
(Laughter.)

Districtwar statement showing various extents of land held by pattadars.

* 84 Q.—KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR: Will the Hon. the Minister for Revenue be pleased to furnish a statement showing the number of pattadars under the following categories in each district:—

(a) holding 1 acre and below.

(b) holding over 1 acre and below 2 acres.

(c) „ 2 acres and below 3 acres.

(d) „ 3 acres and below 4 acres.

(e) „ 4 acres and below 6 acres.

^a Printed as Appendix I on pages 163-164 infra.

[13th December 1938]

- (f) holding over 6 acres and below 30 acres.
 (g) „ 30 acres and below 60 acres.
 (h) „ 60 acres and below 120 acres.
 (i) „ 120 acres and below 300 acres.
 (j) „ 300 acres and below 600 acres.
 (k) „ 600 acres and below 1,000 acres.
 (l) „ 1,000 acres and below 1,500 acres.
 (m) „ 1,500 acres and below 3,000 acres.
 (n) „ 3,000 acres and below 5,000 acres.
 (o) „ 5,000 acres and below 6,000 acres.
 (p) „ 6,000 acres and below 7,000 acres.
 (q) „ 7,000 acres and below 8,000 acres.
 (r) „ 8,000 acres and below 10,000 acres.

THE HON. SRI T. PRAKASAM:—“ The Government have not the information asked for and it cannot be collected without considerable labour and expense.”

KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR:—“ May I know whether the Government think it worth while or not to collect the information and place it before the House? ”

THE HON. SRI T. PRAKASAM:—“ We have been trying to get the information, and we shall try to get it as far as possible.”

Flag-hoisting ceremonies performed by Ministers and consequent travelling expenses.

* 85 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Prime Minister be pleased to state the number and places of flag-hoisting ceremonies performed by the Hon. Ministers or their Secretaries since July 1937 and the amount of travelling expenses drawn in connexion therewith?

THE HON. SRI C. RAJAGOPALACHARIAR:—“ The Hon. Ministers and their Parliamentary Secretaries have not kept any account of the ceremonies referred to and performed by them. The tours were not undertaken for that purpose and no expenditure on travelling allowance has been incurred in that connexion. Popular Ministers cannot avoid engagements of various kinds while they move about on public business.”

SRI B. NARAYANASWAMI NAYUDU:—“ I have asked about flag-hoisting ceremonies; and there might have been flag-hoisting ceremonies along or in conjunction with other business also.”

[13th December 1938]

THE HON. SRI C. RAJAGOPALACHARIAR:—“ The hon. Member has not followed my answer. It is ‘ The Hon. Ministers and their Parliamentary Secretaries have not kept any account of the ceremonies referred to and performed by them. The tours were not undertaken for that purpose and no expenditure on travelling allowance has been incurred in that connexion. Popular Ministers cannot avoid engagements of various kinds while they move about on public business.’ ”

Labour strikes in the Province since July 1937.

* 86 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Industries and Labour be pleased to state the number of labour strikes since July 1937, the places and concerns involved in such strikes, the duration of each strike, the number on strike during each strike, the suspension of industry during each strike, the loss resulting therefrom to industry and the causes of the strikes?

THE HON. SRI V. V. GIRI:—“ The attention of the hon. Member is invited to the appendix to the Administration Report of the Labour department for 1937-38 which has been placed at the disposal of the Press. A fuller account of the trade disputes will appear soon.”

Extent of wet and dry lands available for assignment.

* 87 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Revenue be pleased to place on the table of this House a statement showing the extent in each of categories of wet and dry lands available for assignment in each taluk of the Presidency?

THE HON. SRI T. PRAKASAM:—“ The Government have no information but have called for a report.”

Cost of electricity supplied for agricultural purposes.

* 88 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Public Works be pleased to state what the cost per unit is for electricity supplied for agricultural purposes in Coimbatore district?

THE HON. MR. YAKUB HASAN:—“ The rate for supply of power for agricultural purposes is as follows:—

Power at 400 volts for bona fide agriculturists having not less than three horse-power connected—

For the first 250 units per installed horse-power per annum—1 anna per unit.

[13th December 1938]

For the next 250 units per installed horse-power per annum—0.90 anna per unit.

For all in excess per installed horse-power per annum—0.75 anna per unit.

“No minimum charge but annual guaranteed consumption of power shall not be less than that equivalent to Rs. 7-8-0 per horse-power connected per year or As. 10 per horse-power connected per month, otherwise balance will have to be paid. Lighting allowed on the power circuits up to 80 watts per 1,000 watts of motive power connected.

“The annual minimum guarantee will be reduced if the consumer is unable to use power owing to scarcity of water in the wells due to exceptional drought. The reduction in the guarantee will be proportionate to the number of days in which the well could not be used and subject to the condition that the consumer sends due intimation in writing to the Electricity department as soon as the well becomes dry and the fact is confirmed by the Collector or by an officer authorized by him.”

SRI B. NARAYANASWAMI NAYUDU:—“May I know whether the cost per unit for electricity is below or above the cost that will be required per unit, if the machine is propelled by steam or gas?”

THE HON. MR. YAKUB HASAN:—“This question is about Coimbatore alone, and in Coimbatore, the question of machine propelled by steam or gas does not arise.”

Proposal, if any, to construct a bridge at Nellimerla, Vizagapatam district.

* 89 Q.—SRI P. VEERABHADRASWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether there is a proposal to construct a bridge at Nellimerla, Vizagapatam district;

(b) if so, what the estimated cost of the bridge is; and

(c) when the Government propose to start the work?

THE HON. SRI B. GOPALA REDDI:—“(a) The answer is in the affirmative.

“(b) Rs. 3,50,000.

“(c) The work can be taken up as soon as the district board gets the detailed plans and estimates for the scheme prepared and sanctioned by the competent authority.”

[13th December 1938]

Divisional Inspectors of Schools and their duties.

* 90 Q.—SRI P. VEERABHADRASWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) how many Divisional Inspectors of Schools are there for the Presidency and which are their headquarters;

(b) what the duties of these Divisional Inspectors are;

(c) what the total expenditure incurred by the Government from the year 1937 to 1938 was for their salaries, touring expenses and their office establishments; and

(d) whether there is any proposal to abolish these posts?

THE HON. DR. P. SUBBARAYAN:—“(a) There are four Divisional Inspectors of Schools, two with headquarters at Madras, one at Guntur and the other at Coimbatore.

“(b) The duties of the Divisional Inspectors are mainly to keep a strict control over the manner in which public funds are expended on education to prevent wasteful expenditure on ineffective and inefficient schools and to supervise the work of District Educational Officers and their subordinate staff. They also exercise the powers delegated to them by the Director of Public Instruction and perform such other duties as are assigned to them.

“(c) The information has been called for.

“(d) No such proposal is under consideration now.”

KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR:—“May I know with regard to these officers who have been appointed till now, whether the Government think it beneficial?”

THE HON. DR. P. SUBBARAYAN:—“If the hon. Member will put down the question separately, he will get the suitable answer.”

Investment of provident fund amounts of school teachers in Government securities and Land Mortgage Bank debentures.

* 91 Q.—SRI P. VEERABHADRASWAMI: Will the Hon. the Minister for Education and Legal Departments be pleased to state—

(a) whether the Government have received representations from the teachers' associations of private managed schools to permit the teachers (1) to have their provident fund amounts invested in Government securities and Land Mortgage Bank debentures instead of in Post Office Savings Banks; (2) to permit them to pay insurance premia from out of the provident fund amounts as employees in local bodies are permitted; and

(b) what action the Government propose to take on these representations?

[13th December 1938]

THE HON. DR. P. SUBBARAYAN:—“(a) Representations have been received for permitting teachers in non-pensionable service to invest their provident fund amount in Provincial loans and also for paying the premia on life insurance.

“(b) The question is under consideration.”

Water-supply scheme for Salur, Vizagapatam district.

* 92 Q.—SRI P. VEERABHADRASWAMI: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Government have received any memorial from the citizens of Salur, Vizagapatam district, that an amount of about twenty thousand rupees was deposited with the District Board, Vizagapatam, for a water-supply scheme for Salur and that action may be taken by the Government to expedite the scheme;

(b) whether the Government have found out from the Vizagapatam District Board what amount stands to the credit of Salur in their account; and

(c) what action the Government have taken or propose to take on the memorial?

THE HON. DR. T. S. S. RAJAN:—“(a) The answer is in the affirmative.

“(b) A sum of Rs. 28,797 is reported to be available under investment.

“(c) The Government are considering the question of sanctioning the detailed investigation of the scheme. The Sanitary Engineer has been asked to report the cost of such an investigation.”

Reduction of cycle tax by various municipalities.

* 93 Q.—SRI P. VEERABHADRASWAMI: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether the Government have received representations from various municipalities seeking permission to reduce cycle tax; and

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

THE HON. SRI B. GOPALA REDDI:—“(a) The answer is in the affirmative.

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

^a Printed as Appendix II on page 164 infra.

[13th December 1938]

Financial implication of the recommendation for the reduction of assessment on land and separation of water-tax from land-tax.

* 94 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to the article headed “Co-operative Credit—Causes of Failure in Rural Areas” published in the *Hindu* of 23rd July 1938; and

(b) if so, whether the Government will state the result of the verification of the figures contained therein, in regard to the margin of the income from land and place on the table of the House, a statement showing the financial implication of the suggestion of the Indian Taxation Enquiry Committee regarding the reduction of the assessment on land to 25 per cent of its income and the separation of water-tax from land-tax?

THE HON. SRI T. PRAKASAM:—“(a) The answer is in the affirmative.

“(b) It was found on verification that the figure given in the article as representing the highest price of paddy for the last seven years was not correct, and that the figure for cultivation expenses was vitiated by the fact that the items usually defrayed in grain had been commuted into money at the commutation price of paddy calculated at the resettlement, which was much higher than the current prices at which the yield was valued. The financial implications of the suggestions of the Indian Taxation Enquiry Committee referred to have not been worked out.”

Rate of interest at which Government borrow and lend money.

* 95 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Prime Minister be pleased to state what the rate of interest is at which Government have borrowed money for the purpose of lending it to ryots and what the rate is at which they are lending it to them?

THE HON. SRI C. RAJAGOPALACHARIAR:—“Government does not borrow money separately for the purpose of lending it to ryots. The requirements of the Government for all purposes are estimated and a loan is raised for the amount required.

“The effective rate of interest that the Government have to pay on the 15 years open market loan raised by them in 1937 is 3.12 per cent, and the corresponding rate for the similar loan raised in the current year is about 3.16 per cent.

[13th December 1938]

"The rates of interest charged by the Government on loans to ryots are as follows:—

Loans under the Land Improvement Loans Act and the Agriculturists' Loans Act, commonly known as Takkavi loans—5½ per cent.

Loans under the Agriculturists' Loans (Madras Amendment) Act, 1935, for the relief of indebtedness—6¼ per cent."

SRI K. P. MALLIKARJUNUDU:—"May I know, Sir, what are the reasons for the difference in the rates the Government are charging for their borrowers and the rate at which they borrow?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The reasons are that the effective borrowing rate would be higher if the loans are for over 20 or 30 years as some of our loans to the ryots are. The Government loan is for 15 years and those of the ryots are for 20 or 30 years.

"Again, Government do not really make a profit. On the contrary, the working of these loans involves a net charge on the Provincial funds. The actual working of Takkavi system of loans has been examined in detail for a period of 15 consecutive years, and according to the calculations, it was found that to provide for the time and labour spent on the loan-work—apart from the ordinary revenue staff, the cost of additional establishment, all losses on account of the write-offs, suspensions of payment even of interest and payment and re-payment of principal, reduction of rates of interest in special cases—a margin of 4½ per cent between the Government's borrowing rate and lending rate is necessary, if the Government are not to incur any loss in these loan operations."

SRI K. P. MALLIKARJUNUDU:—"May I know what is the position in other Provinces of India?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"In Bombay, I can say that even the present reduced rate is much higher than our rate."

Maintenance of survey marks.

* 96 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Revenue be pleased to state—

(a) the result of the experiment that was being done in the maintenance of survey marks;

(b) what the present number is of survey marks requiring repair or re-planting and what the number of subdivisions to be measured is in the several districts; and

(c) with the staff now employed, how long it will take to complete the work?

[13th December 1938]

THE HON. SRI T. PRAKASAM:—" (a) It is not known to which scheme the hon. Member is referring to. Two schemes, viz., (1) maintenance by a survey staff and (2) reduction of the number of maintainable stones in the triangles areas, are still in an experimental stage.

" (b) The attention of the hon. Member is invited to Appendices VI to VIII to the Administration Report relating to Survey, Settlement and the Maintenance of Revenue Records and Registration for the official year 1937-38 which has been published.

" (c) This question cannot be answered as fresh items requiring repairs and renewal are constantly being reported."

Damages caused by cyclone in East and West Godavari and Kistna and relief measures taken.

* 96-A Q.—SRI P. PEDDI RAJU: Will the Hon. the Minister for Revenue be pleased—

(a) to place before the House the reports of Collectors of the districts of East Godavari, West Godavari and Kistna regarding the damage caused by the recent cyclone on 25th November; and to state

(b) the extent of the damage caused in each of those districts on account of rain and wind;

(c) the measures adopted for the relief of the people that suffered thereby;

(d) whether the Government have decided to grant remission and if so, to what extent;

(e) whether the Government have sanctioned any additional staff for the detailed investigation of the loss caused thereby; and

(f) whether the Government have recognized that more damage resulted owing to defective drainage in the delta?

THE HON. SRI T. PRAKASAM:—" (a) The Government will consider the question of placing the reports on the table of the House as soon as complete reports of damage are received. 11-30 a.m.

" (b) Complete details are not available.

" (c) The Government have sanctioned a grant of Rs. 10,000 to each of the districts of Kistna and West Godavari. A grant of Rs. 3,000 has been made to East Godavari district. The amount will be utilized to relieve real distress. Arrangements were made on the spot by the Collector for the provision of food and the supply of hutting materials where necessary.

[13th December 1938]

- “(d) Remissions can be granted under the ordinary rules by the district authorities. But no proposals for the grant of remissions beyond that provided for under the ordinary rules have been received.
- “(e) The Government have sanctioned 18 and 13 special Revenue Inspectors for azmoish on damaged fields in the West Godavari and Kistna districts respectively. No application for additional staff has been received from East Godavari district.
- “(f) The information received by Government is not sufficient to justify any conclusion in this respect.”

UNSTARRED QUESTIONS

Improvements to the drainage of Nadagudi, Nannilam taluk, and maintenance of normal supply level of Valappar below 40 feet.

21 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state—

- (a) whether it is fact that improvements to the drainage of Nadagudi, Nannilam taluk, sanctioned in G.O. No. 1946 I., dated 4th September 1934, were executed for the purpose of keeping the N.S.L. of Valappar below 40 feet at the infall of Nadagudi drainage during south-west monsoon time;
- (b) whether the N.S.L. of Valappar is so being kept so ever since the completion of works;
- (c) whether the Executive Engineer, Cauvery division, advised the Nadagudi ryots to watch the results of the works;
- (d) whether any representation was made to Public Works Department by the Nadagudi ryots on the results of the improvement works; and
- (e) what action has been taken or proposed to be taken on such representation?

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

(b) The N.S.L. of Valappar has sometimes been above 40.00 when there is great demand for water during transplantation. From 1st October onwards the supply in the river is given by turns and the supply is entirely cut off during the north-east monsoon season. Even during July, August and September prompt action is taken to reduce the level to below 40.00 to facilitate drainage of Nadagudi lands.

(c) & (d) The answer is in the affirmative.

(e) It is proposed to investigate the matter further and to carry out remedial measures possible during next closure.

[13th December 1938]

Coconut Research Stations at Piticode and Nileshtar of South Kanara and their management.

22 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

- (a) the year when the Coconut Research Stations at Piticode and Nileshtar of South Kanara were respectively started;
- (b) the number of Government servants drawing more than Rs. 75 a month where the farms were originally started;
- (c) the number now working in these stations;
- (d) the total expenditure incurred in all the above stations since the starting of these stations under the following heads:—
- (i) coolies, (ii) clerks, (iii) farm managers and their assistants, (iv) grand total including travelling allowance of these farm managers and the inspecting officers; and
- (e) whether the coconut trees from the stations were uprooted in 1933; if so, why; whether any methods were tried to improve the condition of the trees before actual uprooting?

A.—(a) The stations were started in 1916.

- (b) No Government servant drawing more than Rs. 75 per mensem was employed when the two stations were started. Two agricultural subordinates in the scale of Rs. 35—2½—75 were appointed.
- (c) There are at present two farm managers drawing more than Rs. 75.

(d) No separate figures of expenditure are available for the two stations in question from the date they were started. The figures for 1937–38 are—

(i) Farm staff, Rs. 4,498.

(ii) Clerks, Rs. 658.

(iii) Labour Rs. 1,496.

(iv) Travelling allowance of farm staff, Rs. 143.

Travelling allowance of inspecting staff rupees 180 (this includes the cost of tours for the inspection of Kasaragod station also).

(e) In 1933 coconut trees were removed to make room for the seedlings obtained by hybridization in pursuance of the coconut breeding scheme.

[13th December 1938]

Leave and travelling allowance granted to the officers of Coconut Research Stations at Piticode and Nileshtar for attending the anniversary at Coimbatore Agricultural College.

23 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state whether it is a fact that the farm managers and district officers are allowed travelling allowance and leave for attending the anniversary at the Coimbatore Agricultural College every year; in what other department the same privilege is extended and why this expenditure is incurred when economy is advocated all round?

A.—The farm managers of these stations were occasionally allowed to attend the College day and Conference. They were treated as on duty when attending the function and paid travelling allowance.

The practice in the Agricultural department of allowing certain classes of officers to attend the function has been in vogue since 1911. They derive considerable benefit by attending it as it gives them opportunities to exchange notes and enables them to visit the college and the central farm. Such conferences help to keep up the standards of professional service.

A similar privilege used to be allowed in the past to police officers attending the Police Conference at Vellore, but it is not now an annual event.

Farm managers of coconut research stations and the advice given by them to ryots on improved methods of farming.

24 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state whether the farm managers of coconut research stations are expected to go to the ryots adjoining their farms and advise them on the benefits of the improved methods of farming; if so, whether he will place on the table of this House a report on the work turned out by these farm managers in this connexion?

A.—The main function of farm managers is management of the farm entrusted to them and maintenance of the farm accounts. In leisure hours they are expected to render help to the ryots in the neighbourhood and guide them in trying improvements. It is the business of the agricultural demonstrator to go to the ryots and advise them as to the benefits of improved methods of farming.

A statement ^a showing instances in which farm managers gave advice to ryots is placed on the Table.

Printed as Appendix III on pages 165-166 infra.

[13th December 1938]

Temples in the various taluks assessed to contribution on an annual income of above Rs. 5,000 and below Rs. 5,000.

25 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Public Health be pleased to state—

(a) the names of the temples in each revenue taluk which are assessed to contribution under section 69 of the Madras Hindu Religious Endowments Act, 1926, on an annual income of Rs. 5,000 and upwards; and

(b) the names of the temples in each revenue taluk which are assessed to contribution under section 69 of the said Act on an annual income of less than Rs. 5,000?

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

(b) The Government have not the information asked for and it cannot be collected without considerable labour.

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

GOVERNMENT BUSINESS.

II.—THE MADRAS MINOR PORTS FUND BILL, 1938 (L.A. BILL No. 20 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. MR. YAKUB HASAN:—“ Mr. President, I beg to move—

‘ That the Bill^b to provide for the disposal of the balance to the credit of the Minor Ports Fund in the Province of Madras (L.A. Bill No. 20 of 1938) as passed by the Legislative Assembly be taken into consideration at once.’

There is a saying that brevity is the soul of wit. But in the case of the Statement of Objects and Reasons attached to the Minor Ports Fund Bill brevity did not hit the mark. A certain amount of knowledge was assumed on the part of the public, but subsequently it was found that even the members of the Legislature were not acquainted with the system under which the minor ports are administered. If the Statement of Objects and Reasons was more comprehensive and the scope not only of the Minor Ports Fund but also of other connected marine funds was explained, misgivings and suspicions may not have arisen, at least not to the extent that they have arisen. When once suspicions are aroused

^a Printed as Appendix IV on pages 167-174 infra.

^b Printed as Appendix V at page 175 infra.

[Mr. Yakub Hasan] [13th December 1938]

and misgivings are created, it is very difficult to dispel them. I hope, however, that my attempt to clear the position in the Legislative Assembly has not been in vain. I expect that the members of this House who may have followed the proceedings of the Assembly closely will understand the situation better.

“ The administration of the minor ports is carried on and conducted under the provisions of two Acts. First, the Central Act, the Indian Ports Act of 1908 and the other Provincial Act, the Madras Outports Landing and Shipping Fees Act of 1885. Tuticorin is the only minor port that has got a separate trust board to administer its affairs. All the other 54 ports—some people are under the impression that there are 104 ports, but there are only 54 ports—are for the purposes of finance and expenditure regarded as one port. The revenues that are collected on the tonnage of vessels that enter the ports are credited to the Minor Ports Fund. Out of the 54, 15 ports are large and important and the Landing and Shipping Fees Act is made applicable to 12 out of the 15 ports. Then there are ten ports that have Landing and Shipping Committees or Port Conservancy Boards. Each of the 12 ports has a Landing and Shipping Fund of its own. The port dues that are collected and credited to the Minor Ports Fund are to be spent on (a) the pay, allowance, pensions, etc., of the employees and (b) the cost of buoys, beacons, lights and all other works maintained chiefly for the benefit of the vessels entering, or leaving the ports or passing through rivers or channels leading thereto. These are the purposes on which the port dues are to be spent. Similarly landing and shipping fees are collected and are credited to the Landing and Shipping Fund. Each port, as I said, out of the 12 ports has got a Landing and Shipping Fund of its own. Now after meeting the normal expenditure of the ports, there is always a surplus in the Minor Ports Fund every year. Similarly after meeting the expenditure connected with landing and shipping there is a surplus in the Landing and Shipping Fund of each port. Now the question offers itself to everyone: when there is after meeting the expenditure on the ports so much surplus, why not reduce the port dues? Similarly after meeting the landing and shipping expenditure there is a surplus in the Landing and Shipping Fund, why not then, reduce the landing and shipping fees? That is what some people say, but this question is not to be dealt with on that basis. Port dues may be reduced if they are too high, and they have a deterrent effect on trade, and by reducing them, traffic may increase. If it is found to be so, it is justifiable to reduce the port dues. Port dues are not to be reduced simply because there is a surplus and so the money should be given away. At the same time if the port dues are not enough to meet the expenditure that legitimately falls on the Fund, then the port dues should be raised to meet the extra expenditure. These are

13th December 1938] [Mr. Yakub Hasan]

the ordinary methods on which any concern, especially a commercial concern, any concern the object of which is to give service, is managed. In the same way, the landing and shipping fees can be reduced if it is necessary to reduce them, if by reducing the landing and shipping fees, we can increase and attract more traffic. At the same time the port dues can be increased to the extent that such increase is justifiable and the trade can bear it. Simply because there is a surplus, the Government are not bound to spend the money away somehow.

“ As regards capital outlay, Government spend money out of the Minor Ports Fund on such capital outlay as will facilitate the entering and outgoing of the vessels. It can be spent on works maintained chiefly for the benefit of vessels entering, or leaving the ports or passing through rivers or channels leading thereto. This is the only object for which the surpluses of the Minor Ports Fund can be utilized. Similarly, the surplus in the Landing and Shipping Fund of a port could be utilized for improving the conditions of the ports, which will make landing and shipping more efficient, in improving the wharfs, in building warehouses, etc. The channel or the backwater which is near the ports in which the boats carrying cargo and passengers enter may silt up, and the silt has to be removed by the use of dredgers. The dredging operations are thus done for the benefit of shipping and landing. All this expenditure legitimately falls on the Landing and Shipping Fund.

“ The Madras Minor Ports Fund is not the only fund that has got accumulated surpluses. The Landing and Shipping Fund of each port has got a balance. For example Masulipatam has got Rs. 89,000; Mangalore Rs. 1,25,000; Calicut Rs. 3,20,000; Cuddalore Rs. 3,30,000 and Cocanada Rs. 14,00,000. Now because there are surpluses in the Fund, the Government always tried to see what improvements are necessary for making the entry and clearance of vessels efficient and more easy, on which the Minor Ports Fund could legitimately be used and all the suggestions that have been made in the matter and found feasible were carried out. At the same time Landing and Shipping Committees applied for funds for the improvement of their works and the Government have met their demand to the necessary extent. If any Committee had sufficient balance in its fund it met that expenditure from the Fund. When they had no funds, they asked for loans and Government have given them loans. In some cases they asked for a half-grant and a half-loan, which also the Government have met. Some others said, ‘ We have no money, nor the means to pay back a loan ’; and in such cases, Government give free grants from the Minor Ports Fund.

“ It was complained, ‘ Why did not the Government, when they had so much money in the Ports Fund, go about inquiring

[Mr. Yakub Hasan] [13th December 1938]

what were the necessities of the several ports? The charge was also made that the Government had neglected their duty. In my speech in the other House I have pointed out that the Government have never been negligent. All the suggestions that were received from time to time were examined, and every effort was made to find out what was needful in each case. I need not go into these details, as they have already appeared in the Press under the proceedings of the Assembly. But since the intention of the Government has been suspected, since people have said that this Fund is necessary for the use of the minor ports and that the Government should not take away the whole Fund, I shall say this. Every effort has been made to find out what the requirements of the ports were on which this Fund can be utilized. Before this Bill was brought forward, the Government inquired of the Presidency Port Officer what the requirements of the several minor ports were and he made exhaustive inquiries and sent us a list of the requirements of the ports. He did not go into the merits of each of those requirements; he simply laid before the Government the list; he simply said, 'These are all the possible improvements that can be made.' Now, we are going fully into the question as to how far these improvements are justified. I have received deputations and I have received a list from Mr. Nuttall. Almost all the items in this list are covered by the recommendation that the Presidency Port Officer has submitted. Even if all these improvements are found necessary, the amount that the Ports Fund may be called upon to bear will not exceed 12 lakhs. The exact figure is Rs. 11.54 lakhs. That is all the money that is required. I said in my speech in introducing the Bill that we were not going to take away all the money that is now standing to the credit of Minor Ports Fund. Sufficient fund will be left behind to be used on the improvement of the ports. My idea was that a permanent balance of five lakhs of rupees may be kept; anything in excess of that may go to the general revenues. In addition to the permanent balance of five lakhs I wanted that a reserve fund of 15 lakhs may be earmarked for the improvement of the minor ports to be utilized when the improvements have been fully considered. But in the Select Committee it was decided that 'Instead of five lakhs, twenty lakhs may be kept in the same fund and after spending from this Fund what remains out of Rs. 20 lakhs. This question of the transfer will be raised before the Legislative Assembly, and a resolution will be moved authorizing the Government to transfer what is left in that Fund. So henceforth the Government to transfer what is left in that Fund. So henceforth the of the Fund was justified and also what amount was justifiable. So that is a great improvement in the Bill. Sir, I have said enough to commend this Bill for the consideration of the House.'

13th December 1938]

* MR. D. M. REID:—"Mr. President, may I firstly offer my congratulations to the Hon. Minister on this by far the most effective speech that I have heard him make. His speech was built and delivered with great care and thought and gave a clear enunciation of the policy of the Government. I feel therefore no diffidence in standing up to maintain the principle which the members of my constituency have held since this question was started. I should like to say that we much appreciate the work done in the Select Committee and the correct action of the Government in meeting us by the retention of twenty lakhs, which is the main aspect of this Bill.

"I do not wish to detain the House too long, but there are certain things which I think ought to say. We object in principle to the appropriation to public revenue of money collected from importers and exporters for services rendered by the ports in connexion with the import and export of goods. The Central Government, in all countries, retains the control of certain very important sources of revenue such as income-tax, customs and the control of import and export charges in the ports in order to have uniformity. In India the major ports are chiefly under the control of the Central Government, while the minor ports are in the hands of the Provincial Government, which is a reasonable thing in order that the minor ports may receive more constant and easy attention. I do not think that it was ever the intention of the Central Government or the Government of India Act that the Provincial Government should have any right to the sums collected, for the reasons explained by me earlier. This is the first time that this thing happens in this particular case. I can with all honesty say that it is not right for the Provincial Government to take away a sum of money which happens to be available and which is not immediately needed for any other purpose. I say, 'which is not immediately needed for any other purpose.' But that does not controvert the previous principle which I stated.

"The periodical repetitions undoubtedly convert this happy chance into a tax on imports and exports. Now I had thought that this was only a happy chance and that the Hon. Minister, and perhaps the Hon. the Prime Minister himself, would give an assurance that this was only a special occasion and would not be a precedent. Perhaps I ought to have read more carefully the details of the speeches in another place. It came as rather a shock to find the Hon. Minister indicating that this was not necessarily the first time that such a surplus would be made available to the Government. I realize indeed that the last sentence of the Bill makes it permissive and subjects it to the approval of the Lower House. But what worried me in the speech was that the Hon. Minister said that there ought to be always a surplus; and it seems to me that he intends that there always shall be a surplus and that

[Mr. D. M. Reid] [13th December 1938]

there shall always be a fund steadily accumulating which shall be made over to the revenues of the Province. That undoubtedly seems to indicate to me that it is the intention of the Government to convert this into a regular source of revenue. And, Sir, I respectfully submit to the Government that this is wrong in principle. I do not note from the Treasury Bench any dissent from what I have suggested.

"This again immediately connects the Provincial Government with the control and export trade. In the major ports the Central Government do not in fact control the administration of those ports. They interfere only in particular cases when difficult matters are put before them. The trustees themselves, subject to the confirmation of the Government which is almost invariably given, control the ports. The trustees have no connexion with Central or Provincial revenues. They are solely concerned to make the port as good, cheap and efficient as possible.

"Here, Sir, I see a great danger in the minor ports being made rather a source of revenue rather than a source of efficiency. The Hon. Minister said that he saw no reasons for the dues being reduced unless trade necessitated it which means that the dues can be kept at a rate far above the necessities of the port, if the trade can meet it. We know from the railways that it is possible to levy a much higher rate on some goods than others because they can stand it and to make the more expensive goods pay for carrying the inexpensive goods."

* THE HON. MR. YAKUB HASAN:—"I will simply assist you. The railway has a freight and the shippers also have a freight. Please do not mix them."

* MR. D. M. REID:—"No, Sir. I think I was going to say the same thing. I was only drawing a parallel between both freights. The word 'freight' would confuse matters. I am well aware of the fact that it does not come into this matter; I was only going to draw a parallel. The Provincial Government should not make one apparent source of revenue excessive when there is no necessity for it. Sir, I respectfully submit to the Government that it is a vicious principle that anything should be made to bear far more than it need pay, if it is not a legitimate source of revenue to the Province. This source of revenue is not a proper source of revenue to the Province and was never intended to be such. May I repeat that I understand and appreciate the present situation in which apparently there is a large sum of money all of which is not immediately needed, and which the Government wish to transfer to their general revenues? I understand that point of view. But it is an evil principle if it is made a regular principle and if it is not regarded as a fortuitous circumstance. Perhaps I am touching a delicate subject. It is only right and proper that

13th December 1938] [Mr. D. M. Reid]

this democratic Government should stand up and bear the mistakes of previous Governments. I am glad to note that this Government have notably done so in respect of circumstances and actions that have been done before by the previous Governments. Therefore I do hope the Hon. Minister will not mind if I attack the policy of the previous Governments in this matter. Sir, I suggest that it has for long been a custom to try to prevent the expenditure of money on public services from the heaven-born individuals at the top, under the guise of economy, and to discourage the people lower down, telling them to be pleased with what they can get. There is money available for them, and I suggest, and I think it is true, that the officers concerned in the past have been so bullied and prevented from getting what they demanded that they have been very chary in expending and putting forth the necessary schemes for these ports. If, Sir, we were in one of those countries which we look upon with such apprehension, the totalitarian countries, undoubtedly our minor ports will be very different from what they are to-day. If we go and see them, we see astonishing progress. I am not for a moment suggesting that we should depart from the democratic principles on which we now stand. But what I would suggest to the Prime Minister, the Hon. Minister in charge and the Government is that behind them should be the spirit of improvement in every direction, and I respectfully say that I do not think that the previous Governments have realized that, nor have they made any serious effort to go into the matter of minor ports. No previous Minister has done such hard work nor sat at his work for such long hours as the Hon. the Minister for Public Works has done during the last two or three months. (Hear, hear.) I should like to take this opportunity of expressing the gratification of everyone in this Presidency for the work that he has done. (Hear, hear.) There is no need for me to go into the details on this subject. I appreciate what the Government have done. But I would like to repeat that I cannot approve of the general principle of making this a regular source of revenue."

* MR. J. A. SALDANHA:—"Mr. President, I had long since 1925 been concerned with the better administration of minor ports and I had been trying my best to prevent the negligence, maladministration and extravagance on the part of the ports authorities. Since I re-entered the Council one of the first questions I put was with reference to the administration of these ports. Then in my last budget speech also I pressed this point. But neither the Hon. Minister for Public Works nor the Prime Minister condescended to refer to it. They were so callous about this matter. I was rather alone then in pressing the point, on principle as also for practical purposes. I am now here fortified with the opinion of my South Kanara Catholic Mercantile and Industrial Association. The Catholic community holds a dominant position in Mangalore and South Kanara in matters concerning trade such as tile

[Mr. J. A. Saldanha] [13th December 1938]

factories and coffee. This association strongly disapproves the policy of the Government regarding the minor ports and is opposed to the Bill and wants me to bring to the notice of the Government the wretched condition of ports like Malpe and Mangalore. The Bill, I submit, is preposterous, uncalled for and unwanted. We would rather prefer a Bill to supplement the amount which ought to have been spent and could have been spent. If only the Hon. Minister had sent round his Parliamentary Secretary, he could have had plenty of work and gone deeper into the question and submitted comprehensive proposals, after consulting port people and officers concerned. The Hon. Minister was in Mangalore but no mercantile members of my community could see him. I could not see him."

MR. PRESIDENT:—"The hon. Member is not dealing with the tour of the Minister."

[MR. J. A. SALDANHA:—"I am only trying to point out that this tour was useless for the purpose of eliciting the necessary public opinion on these points. We want the Minister to feel the pulse of the people. That has not been done. Another mercantile association has also protested against the Bill. It is stated that only one member of it was able to bring to the notice of the Hon. Minister the defects of the port of Mangalore and other ports in South Kanara. The arguments advanced in favour of this Bill I am afraid are based on fictions. One fiction is that this Government consider that these minor ports are to come under their control for the purpose of administration. This has been a department of the Government for over half a century. What have they done? They have neglected everything to appropriate them. This is neither a sound nor a just policy. The reports of these minor ports have been meagre and never contained full particulars of their income or expenditure. So difficult it is for any one to ascertain the exact financial position of these ports. All these years the conditions of these ports have continued to be bad. For instance, in the bar of the port of Mangalore the depth of water, it is reported, was only 5 feet in September and it was difficult for the boats laden with cargoes to come in or go out. Many sailing ships are unable to enter the port and have to remain in the open sea on account of the fact that the depth of water at the bar was low.

"Then, Sir, take the port of Masulipatam. This port also has been in a neglected condition. My hon. Friend, Mr. Reid, estimated that the improvement of this port might cost about 10 to 20 lakhs. The Cocanada and other ports also require improvements. What are these ports for if the people cannot have even

13th December 1938] [Mr. J. A. Saldanha]

the most necessary landing and shipping facilities? Besides, the administration of many of these minor ports has been unsatisfactory. Some years ago (in 1926) I moved an adjournment motion in connexion with the Tuticorin Harbour Works. It was carried. I am afraid I would have to move another adjournment motion in connexion with this matter now.

"One last word, Sir, and I am done. I urge, Sir, that the port dues and fees should be reduced. Excessive rates are now charged and these may be reduced. There cannot be a surplus and there ought not to be a surplus. If the Hon. Minister appoints a committee to go into the matter with regard to the Malabar and South Kanara ports, schemes can be drawn up for spending all this surplus in those ports themselves within a year. I therefore should protest against this measure as a most preposterous proposal. It is wrong in principle and wrong also economically and financially. I hope therefore that the Government will drop this Bill and bring a Bill for supplementing the funds of the minor ports and for better administration of ports."

* SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"Mr. President, we are told by the Hon. Minister that there are 54 minor ports in this Province and that only 15 of them are important ports levying landing and shipping fees. These facts go to prove that all the 54 ports are not up to the mark all these years. That is to say, that the previous Government have not bestowed their best attention on these ports and improved the facilities available there. It is an admitted fact, Sir, that the ports play an important part in the trade and commerce of a country and that the prosperity of a place depends upon its ports. Therefore, it is the misfortune or ill-luck of our Province that the previous Governments have not done their best for the improvement of these ports. (Dr. Sir, K. V. Reddi Nayudu: 'Question.') Beg your pardon. Mr. President, even then they had with them a sum of Rs. 60 lakhs and they could have done their best to improve these ports. That is my complaint even to-day. Mr. President, under the present Government, the Government which can be said to be the people's Government, matters are going from bad to worse; it is a matter for regret. At least the people's Government may allow the funds to remain with the ports so that their successors may have an opportunity to improve the facilities in these ports if they had a mind to do so. They are not going to do that. The present Government, as ill-luck would have it, are not prepared to allow these funds to remain with the ports; they want to confiscate the funds and see that the posterity also is deprived of the facilities which could be given by the utilization of these funds on the ports themselves. I say, in that respect, the previous Government was decidedly better than the present Government. That is my opinion so far as this is concerned. The present Government, as soon as they got

[Sri M. Ramakrishna Reddi] [13th December 1938]

into power, ought to have drawn up a detailed scheme in consultation perhaps with the leading merchants of this Province and on the advice of the port officers concerned for the purpose of improving the existing ports. Instead of doing that, they have come down with a proposal to transfer the funds as they like. It is not known what funds they are leaving for the benefit of the ports. In the original Bill they wanted to leave only Rs. 5 lakhs for the ports. When the Bill went before the Select Committee they raised the figure to Rs. 20 lakhs. I do not know whether the ports require all the Rs. 60 lakhs or even more to raise their status as major ports. But the fact that the figure has gone up from Rs. 5 lakhs to Rs. 20 lakhs leads to the suspicion whether the ports do not require all Rs. 60 lakhs. We do not know anything and we have no information. Therefore, before passing this Bill, I would suggest to the Government to appoint a committee of leading experts to enquire and report whether these ports require improvement and if so, to what extent and at what cost. If the report of the committee says that Rs. 20 lakhs would be quite enough for the purpose, we are not going to object to the taking away of the balance. Without going about the business in that way, the Government simply say that they want Rs. 40 lakhs. We are therefore justified in asking, why they want these Rs. 40 lakhs and what is the extraordinary condition necessitating this diversion. The Government can tell us for what purpose they want this money. They have not done so. In the absence of information on any of these points, it is only reasonable to conclude that these ports suggest to the Government to draw up a scheme and prove to the Council how these 20 lakhs would be enough to improve the ports. In that event I would have no objection to allow the Government to draw the balance.

“However, Sir, this is a bad thing in principle. Now, the local boards collect pilgrim tax. This tax is intended to be spent in the interests of the pilgrims themselves. There is also the pilgrim tax levied by the municipalities. This is also intended to be spent for the benefit of the pilgrims. This is also intended to themselves take power to spend certain funds on objects not intended originally, what is there to prevent the municipalities and local boards doing likewise? Is there any reason to object to their adopting this procedure and diverting the pilgrim tax? So, the Government are setting a bad example to the local boards. Sir, there are also various other funds collected by the village panchayats and so on. For instance they have the water-shed funds—an amount set apart to maintain water-sheds in the summer. They can say hereafter: ‘Look here, the Government are not observing the principle of non-diversion. Why not we also divert funds?’”

13th December 1938] [Sri M. Ramakrishna Reddi]

“So the Government are setting up a bad example to the local boards. My humble suggestion is that before they pass this Bill into an Act, they must appoint a committee to draw up a scheme of their expenditure and then should come to tell us for what purpose they want so many lakhs of rupees which is said to be surplus. Otherwise I only protest that the present amount of Rs. 20 lakhs is not sufficient for the ports and therefore I oppose the motion before the House.” 12-30 p.m.

DR. SIR K. V. REDDI NAYUDU:—“I beg to associate myself with Mr. Reid in the appreciation of the speech of the Hon. Minister. Perhaps for the first time in this House, we have listened to a speech of an Hon. Minister from the Treasury Bench attempting not merely to explain the position so that the Members of this House may be able to follow him but also trying to conciliate the public feeling both in this House and outside. Our thanks are due to him. Having said that, Mr. President, let me refer to a few points raised in that speech. References have been made more than once by the Hon. Minister to the speeches made in another place. Of course we are expected, I believe, to read or be present in the other House and I regret to say, Sir, that facilities are not afforded in our country for such reading. In England and, for the matter of that, in South Africa—my friend, the Rt. Hon’ble Mr. Sastri, will bear me out when I say this,—the Hansard comes out the next morning, but here in this country we get reports of our Council in book form sometimes one month after, sometimes after two months—and in one instance we received it in the third month. As for the newspaper reports the trouble is we cannot rely upon them for the entire report. For want of space, they probably give very brief reports and we cannot blame them; and would it be too much to suggest, at this juncture, that, if the Legislature has a press of its own located in this very building, and if the reports are printed overnight and handed to the Members of the House the next morning, it will facilitate matters? It is only then we can be expected to go through them and be prepared to say or not to say something about what has happened in another place. When that is not possible for us, it is impossible for the Members of the House to get themselves correctly acquainted with what has happened in the other place.

“Having said that, Mr. President, let me come to the Bill itself. As has been pointed out by more than one hon. Member, the principle on which the Government are going is wrong. No doubt they want money. But in a fit of puritanical and humanitarian fanaticism the Government have provided themselves with probably a loss of 4 crores by their prohibition policy. I do not blame them for it at this stage and until some time passes, until we know the result of their policy. But I would submit they have landed themselves in a quandry and it would be difficult for them

[Sir K. V. Reddi Nayudu] [13th December 1938]

to get out of it. We quite sympathize with them and if they come forward with proposals of taxation, from any fresh sources certainly this House will not be wanting in giving its support in all reasonable things. It is admitted that the Government have been managing this fund on behalf of the ports. References have been made by the Hon. Minister himself to certain Acts under which this administration has been carried on, but those Acts clearly define the purpose for which these funds will have to be utilized. Surely the present one is not one of those purposes."

* THE HON. MR. YAKUB HASAN:—"It is . . ."

DR. SIR K. V. REDDI NAYUDU:—"It cannot be. Any-way will the Hon. Minister refer me to any provision of law which says that the funds can be diverted to general revenues?"

* THE HON. MR. YAKUB HASAN:—"Section 36 (6) of the Indian Ports Act lays down that the balance can be disposed of by the Government. Under the Act 'balance' means the amount that is left, after the necessary expenditure has been made. The section means that the whole of the balance cannot be used for the purpose of these ports. But if there should be a balance after meeting the necessary expenditure, it could be disposed of by the Government."

DR. SIR K. V. REDDI NAYUDU:—"Sir, I beg to differ from the Hon. Minister in the interpretation of that section. That section does not in the least admit that the balance amount could be utilized or that it could be added to the general revenues. The Hon. Minister is probably aware of what is known as the doctrine of *ejusdem generis*. It means this. There are many lawyers here and it is perhaps unnecessary for me to give many examples. We have now seen it stated that the Government have been managing this fund themselves for the ports. That means the Government are trustees of this fund and if a trustee, according to the law as it prevails in this country, is not entitled to divert the moneys of the trust properties for any purpose which is not germane to the purpose for which the trust money was intended to be spent, even so, the Government cannot divert this fund for any other purpose or take it to the general revenues. Sometimes if on account of some inconvenience, the money has not been spent for the purpose for which it was intended, surely the trustee has got the right to utilize it for a purpose akin to the purpose which is mentioned in the Trust or the Will. For instance if a certain Trust had been created for running a Sanskrit college or meeting the salaries of Sanskrit pandits, and if the money had not been spent for that purpose, then the trustee of that fund could certainly spend it for some educational purpose and it cannot be used for the purpose of refilling the

13th December 1938] [Sir K. V. Reddi Nayudu]

coffers of the Government on account of the loss they have sustained on account of prohibition. My submission is that Government have not told us for what purpose they are going to use this money. If they have told us 'we are using this money for a purpose which is akin to the purpose mentioned in the Act and here is lying some money idle and it is not good policy to allow it to lie idle,' we could very well understand their proposal. They have not been pleased to tell us so. Take for instance cotton cess or tea cess. The cesses are collected for particular purposes. Supposing they have not been spent for the particular purposes for which they have been collected, viz., either for the improvement of cotton or tea, can it be said for a moment that it is open to the Government to take that money and utilize it for some other purpose? It is only collected for the purpose of improving cotton or tea and I do not think the Government will be so unreasonable as to say that they would spend the amount for any other purpose. All I submit is that we are perfectly willing to give any Government our support in any reasonable proposal that they may make for increasing their revenue, and we would have given our support to this Bill if they would use this money for the purpose of improving minor ports. It is true that each port has got its own fund; it is true that Government have been managing these ports, and it is also true that they have been using this money well for the improvement of trade. After all, these landing and shipping dues were paid by merchants and ship-owners for the purpose of meeting certain expenditure. If it was found that the revenues collected in the beginning was larger than what was actually required for the purpose for which it was first collected, surely the previous Government would have reduced the rates. Not that I plead that you should reduce the rates. But whatever we may say of the previous Government, those who believe that the previous Government had not been doing the right thing will say 'Oh, they have mismanaged and wasted their money.' Sir, if it is said that the previous Government have in any way failed in their duty towards these ports, merely because there is a large surplus, I beg to enter my emphatic protest and say that they have done their duty. We are thankful to the Hon. Minister for acknowledging this. Of course I see the difficulties of the present Government. But I ask 'why take away this money and spend it for some other purpose?' I maintain that this is a trust property in the hands of the Government, and it is a breach of trust to spend it for any other purpose."

THE HON. SRI T. PRAKASAM:—"Call it a criminal act."

DR. SIR K. V. REDDI NAYUDU:—"We cannot say so. Whatever is done by the Congress Government is not criminal. But the same thing done by other Governments is criminal."

[Sir K. V. Reddi Nayudu] [13th December 1938]

"So I appeal to the Government even at this stage, to let us know whether they are going to use this money for any purpose connected with ports and trade."

* SRI A. RANGASWAMI AYYANGAR:—"I had no idea of intervening in this debate, for I thought it was practically a formal matter. Indeed it does seem to me that this is merely a case of book adjustment. The money that was in one ledger hitherto has been transferred to another ledger. What is said to be done by this Government is simply a transfer of the money from one ledger to some other ledger. If previously it was found to be the Government's money then there is no breach of trust now. The Government is a trustee not only for the Ports Fund but it is a trustee for all that concerns the people of this Province. And the present Government have told us in unambiguous language that it is the concern of this Government to look after the needs of the minor ports. It was necessary for the previous Government to earmark this particular fund for the development of the minor ports. Now it is no longer necessary. Not only the minor ports but all other matters of the people of this Province are the concern of the present Government. Instead of the welfare of the minor ports being a charge on that particular fund alone, it is now a charge on the entire revenues of the Province and it is open to any hon. Member to ask, if the improvement of minor ports is not attended to, whether it is not obligatory on the part of the Government to attend to the improvements of these minor ports. Therefore I fail to see where this question of breach of trust comes in."

"The Government do not work in water-tight compartments. My hon. Friend, Sri Reddi Nayudu—I do not propose to call him by the English title of Sir—cannot say that the income of that department must be devoted for the welfare of that department alone. That is a worn-out theory of State. Whatever the theories may be regarding the previous Governments and the limitations of those Governments for the purpose of representing the people, you cannot apply the same theories to the present popular Government. Every matter relating to the welfare of the people is a concern of the State. My hon. Friend said that this was a question of trust and this was a question of the diversion of trust fund. He did not advert to the fact that there was such a thing as the doctrine of *cyprus*. So far as the present Government is concerned, Government money can be utilized for any Government purpose. As long as it is the concern of the Government, there is no question of separate compartments and earmarking of any money for a particular purpose; such a thing is no longer necessary under the new regime. In respect of the criticism about the balance, the hon. Member raised an emphatic protest against the inefficiency or the negligence of the previous Government. The existence of

13th December 1938] [Sri A. Rangaswami Ayyangar]

the balance shows one of two things. Either the previous Government were negligent and did not improve the ports or, the improvement of the ports was not necessary and the money was a superfluity. In either case the diversion of the balance of this fund from this ledger to the other ledger is perfectly justifiable and it is a routine matter. Because of the exigency of the law, this kind of legislation has become a necessity; therefore people should not be misled to believe that there is a question of the diversion of the fund or any misappropriation of the fund by the Government."

SRI B. NARAYANASWAMI NAYUDU:—"Mr. President, the first point that has been advanced in favour of this legislation is, there is a surplus in the Minor Ports Fund which is apparently useless and which therefore can be diverted to the general revenues. The first question is, is such a diversion justifiable; is it a correct position? The Government seem to think that this surplus is an idle surplus; it is an absolute waste and therefore the Government can divert this surplus. If it is lying waste, I think the Government have a right to seize it. But the question is, is it really lying waste? To my mind, it is not at all lying waste; it is really what may be called a reserve fund; for instance, it cannot be stated that gold is lying waste in the Reserve Bank; it is not lying idle; the real strength and the real prosperity of the Bank depend upon that gold which may be considered by some people to be lying idle. We have got the Electricity department; apart from the depreciation fund, they have provided a special fund of Rs. 5 or 6 lakhs; we cannot say that that money is lying idle. That is the basis and the whole transaction rests upon that basis. It is not diverted saying that it is an idle surplus; it is not a surplus on which you can lay your hands. For many years now you have been getting enormous revenues from electrical undertakings; yet it cannot be said that it is an idle surplus. As a matter of fact it passed my apprehension that the Government should say that a sum of Rs. 50 lakhs belonging to the minor ports is lying idle. As my hon. Friend, Mr. Reid, stated, the present Swarajist Government must be aware that a large amount of trade is carried on by the inland water-courses. Anybody who has seen the minor ports, can understand in what a bad state the ports are. It is sorry to note that the present national Government could not spend a sum of about Rs. 60 lakhs for the improvement of these ports; it was stated by the Hon. Minister, that dredging fees is one thing and the entry fees which is levied upon tonnage is another thing."

"The real question is whether the Masulipatam Port is really a good port. The Nizam's Government have been trying to get a sea-outlet for their products and they have been asking

[Sri B. Narayanaswami Nayudu] [13th December 1938]

the British Government that they might be given a good sea-port. The present National Government should improve such ports; this is what is done by every Government including the Totalitarian State like Germany. The National Government in this Province are trying to put their hands on this sum of Rs. 60 lakhs belonging to the minor ports. Even after setting apart a sum of Rs. 20 lakhs we have got a balance of Rs. 40 lakhs. To my mind it is most profitable to spend this money on the improvement of inland water-courses. You will stand to gain a large amount by improving these water-courses; it is a source of profit to you; it is absolutely impossible for me to believe that the National Government in this Province think that this sum of Rs. 58 lakhs is a superfluity and that they can take away Rs. 40 lakhs for some other purpose.

"There is another argument that this transfer is from one ledger to another ledger. It is absolutely wrong to say that this is a transfer of entry in the ledgers. If it is taken from one fund and put in another fund and kept there safely, then we can say that there is no transfer of the amount. Here it is proposed to take over the surplus of the fund and add it to the general revenues of the Province. This would not improve the funds of the minor ports.

"Another argument was advanced by Mr. Rangaswami Ayyangar. He asked 'what do you care about this fund? Even if the Government take away this sum of Rs. 60 lakhs, against this sum, you have got Rs. 16 crores from which you can improve the ports. This sum of Rs. 60 lakhs is consolidated with the fund of the Madras Government of Rs. 16 crores every year. You are struggling against this transfer; you are lamenting over the transfer of these Rs. 60 lakhs to the Rs. 16 crores of the Madras Government.' This is a spurious argument. I can only say this; if to-day you are asked to transfer your defence expenditure and put it alongside the defence expenditure of Great Britain, would you like it? They have got a consolidated fund of over millions of pounds. Your consolidated fund is only Rs. 16 crores. Would you like to merge your fund with the consolidated fund of Great Britain? It is dangerous to do so. You now propose to transfer the accumulated sum of Rupees 60 lakhs belonging to the minor ports, to the general revenues of the Province.

"You want a large amount of money to improve all the ports in the Province. Masulipatam is an important and first-class port; Mangalore also is a first-class port. Are the Government going to utilize the fund for the development of these important ports? Mr. Saldanha said that this is a question of misappropriation; it is a question of transferring Rs. 58 lakhs to the

13th December 1938] [Sri B. Narayanaswami Nayudu]

general revenues of the Province. There would be no objection if the amount is used for the improvement of the ports. The whole difficulty is this; this Government have got a deficit budget; they want to make money; direct taxation is thought to be perhaps difficult to impose; the Government have to transfer this money. There has been a big pit created; the only remedy left is to transfer this sum of Rs. 40 lakhs. As my hon. Friend, Sir Reddi Nayudu, said, the Government should not transfer this fund to the general revenues of the Province. The Bill says that the balance standing on the 31st day of March 1939 to the credit of the Minor Ports Fund in excess of Rs. 20 lakhs shall be credited to and shall be disposed of along with the rest of the revenues of the Province. Therefore there is no doubt about it; the Government are going to spend this amount. Many hon. Members have already asked the question and I wish to put the question again, what is the purpose on which you are going to spend this Rs. 40 lakhs? I can understand it if it was stated that this amount is going to be utilized for a special purpose. If the Hon. Mr. Giri said, 'I am putting up a programme for purchasing or making aeroplanes or zeppelins, therefore, I want this money,' then, we can say 'take the money for this purpose; the object is a precious one.' I can understand such a purpose and this House would agree with it. Or is it a case of a cyclone devastating the country? The Hon. the Revenue Minister might say 'I am unable to give all the money required to relieve the distress; therefore give me money'; I can understand that also. Or is it a case of an Asiatic Power bombing your ports? Then you must have anti-air raid precautions and therefore you want this money. Is there any indication given to any Member of this House as to the purpose for which this sum of Rs. 40 lakhs is going to be diverted? This House is asked to give permission to merge this sum of Rs. 40 lakhs into the general revenues of the Province. The question is, there is a deficit; how is it going to be made up? Without mentioning the purpose for which you want this money, you simply say 'permit us to put this money with the general revenues.' As my hon. Friend, Sir Reddi Nayudu, said, this is intended to fill up the pit, the prohibition pit; a deep pit is there. Let the State clearly put the question to the people, 'do you want prohibition or do you want the ports to go?' These are the two alternatives; if you want prohibition, then minor ports would not be improved.' The question may be put clearly and directly to the people; 'do you want prohibition to go or the minor ports to go?' For these reasons, I have no hesitation in opposing this measure."

* MR. S. J. GONSALVES:—"Sir, the principle underlying this Bill is to take away the special revenues earned by minor ports and to merge them in the general revenues of the Province.

[Mr. S. J. Gonsalves] [13th December 1938]

This principle seems to be a very pernicious one. It should not be accepted unless and until the Government are in a position to state that all the minor ports in this Province are kept in a very efficient condition. My view is that many of these ports are not at all in an efficient condition. The Hon. Minister for Public Works has said that there has been a surplus, because the ports do not know how to use the income earned. My submission is there has been a surplus because the previous Government thought that, if the money is saved, it can be utilized for the expansion and development of the ports themselves. This House will concede that the expansion and development of ports require very large sums of money and until these ports have in their hands, large sums of money, they cannot launch on a plan of expansion and development of the ports. Take for instance, the port of Mangalore; the Hon. the Minister for Public Works stated that it has a saving of Rs. 1,16,000. If the surplus amount is taken away from the Port Fund and merged in the general revenues of the Province, the Port of Mangalore will derive no benefit from its savings. I raise the question whether the port of Mangalore is not in a pitiable condition now. My hon. Friend, Mr. Saldanha, has drawn the attention of the House to the fact that the bar of Mangalore Port is at times only 5 feet deep; that port has no outlet to the sea for four out of twelve months in the year. Mangalore is one of the important ports on the West Coast. There are big industries like the tile industry and the coffee industry; coffee industry has been carried on for great many years and the want of an outlet to the sea has been in a way handicapping the coffee industry of Mangalore. There are several firms which have spent large sums of money on the establishment of large curing works; they suffer a great deal because there is no outlet to the sea during four months. The Government of Mysore have thought it necessary to have a curing factory in Chikmagalur. They have started a factory and the result of it will be that a good part of export trade that has been carried on for so many years through the port of Mangalore, will be diverted to the port of Marmagao which is in the Portuguese territory. I must bring to the notice of this House the deplorable condition of the port of Mangalore; I would say that a sum of only Rs. 1,16,000 would not at all be enough to improve the port sufficiently. Unlike other ports in the West Coast, the port of Mangalore has got a backwater. If a sufficient sum of money is spent in deepening the bar and the necessary part of the backwater, outlet to the sea would be provided during the remaining four months of the year. This is a very necessary improvement. I submit that until and unless this improvement is effected to this port along with other improvements to other ports, this diversion of funds from the Special Minor Ports Fund to the General Funds of the Province cannot be

13th December 1938] [Mr. S. J. Gonsalves]

justified. I would ask the Government to consider this point. I would appeal to the Government to make the necessary improvements to the ports requiring them, so that they can be brought up to an efficient condition. Until all the 54 ports are brought up to an efficient condition, I would appeal to the Government not to transfer this special fund to the general funds of the Province."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, I wish to crave the indulgence of the House for just a few minutes. The manner in which the various hon. Members have expressed themselves leaves me with this impression and I want their forgiveness if I frankly say that, their motives are excellent but it seems to me as if they have all misunderstood the principles which they have put forth and are trying to put them in such a way that the results will be just the opposite of what they want. It was more or less unanimously said that these ports should be improved, that our coastal trade should be improved and that the Province should stand to gain. But, it seems to me that they are ignorant of the fact that the coastal trade cannot be improved by merely beautifying the ports, and by merely increasing the expenditure on the ports. It would be as foolish to imagine that we can benefit by spending more and more money on the ports as it would be for the inhabitants between Arkonam and Madras to imagine that more people will arrive in the stations intervening if they improve the structures in the various railway stations in the way. Simply because we won't try to improve the ports, it does not mean keeping the reserve funds in the minor ports of the Madras Province increasing. Mr. Narayanaswami Nayudu referred to the fact that by increasing the reserve funds of these ports and going on borrowing more and more money for their improvement, we can improve the coastal trade of our country; it is simply a wrong notion to think so. I am surprised at it, but really I should not be surprised if with the same motives people take an entirely different view. We are all agreed that our Province should improve; that our Province should get the benefit of the trade in these ports, but what is the way to get at that? Is it by keeping Rs. 50 or 60 lakhs or even a crore, or, can it be by reducing the accumulated reserve in these minor ports funds? It has been tried by previous Governments and there are records to show that the previous Governments tried for the last so many years without even diverting a single pie out of these port funds, and even by levying a fee to be spent on the various ports, but they could effect only minor improvements met out of the landing and shipping charges referred to by the Hon. the Minister for Public Works. So, the previous Governments have tried to improve them and they have not succeeded. What then is in the

[Sri C. Rajagopalachariar] [13th December 1938]

way? This present Minor Ports Fund Bill has been understood by many hon. Friends to mean that we intend to raid this fund simply because there is a loss on account of prohibition—not any other misfortune, it does not matter—and that we are trying to make up. Are we so short-sighted as to imagine that by taking up this amount this year our business is finished? Surely, we are not so foolish; and even though we may be fanatics in the matter of saving people from drink, it does not mean that we forget the least arithmetic that we have learnt. If we take away this Rs. 50 lakhs this year to meet the deficit, where are we to go next year and thereafter if we are not going to withdraw prohibition? We may be fanatics, but we are not fools. The object of this Bill is much higher. It is to take the administration of these minor ports out of the department to which it is connected now. That is the principle of this Bill. The competition between port and port, the competition between the Central Government and the Provincial Government with regard to the sources of revenue and the competition not only of one port with another, but of all the ports, even big ports, all these are very delicate elements to be taken into account. If people wish to improve the trade of our Province, it is not by keeping money as a reserve, it is not by improving the particular structure or a wall at a particular place, that we can improve it. We must see that our coastal trade is improved. It has not been done hitherto. What shall we do for it? First of all, we must get an interest in this coastal business; we must get an interest and pay attention to these ports. Hitherto what has been done? And, what is the explanation why so much money has been allowed to accumulate? It is because the Central Government are not interested in this matter; it is because the big shippers are not interested in all the various 50 or 60 ports in the Province. Therefore we should look into this matter a little more deeply. We should look into this matter not merely superficially, not merely in the sense of diverting the reserve money; and I am not going to go further into this matter, but because the charge has been made repeatedly that we have been either foolish or simply wanting to raid this fund I rose to explain this. I would first of all make the matter clear as regards the motive in bringing forward this Bill. It is not a particular year's motive; it is not raiding; but it is simply for the purpose of taking the administration of these ports out of the rut and making it a real live part of the administration of the Province that it has been brought forward, so that every year when the budget of the Province is discussed, both the Houses will have an opportunity of knowing what has become of these ports, what is being done with this money and whether it is a distinct gain or not. It was said by the first hon. Member who spoke in this matter that everything was already settled. Most of the interests who are concerned with

13th December 1938] [Sri C. Rajagopalachariar]

this subject—if I may use that expression, not with a deep meaning but with a superficial meaning—were represented in the Select Committee on the Bill and there was nothing that could have been said after the matter was thoroughly thrashed out in the Select Committee and in the other House, and this is an agreed Bill. It was said that the provision of Rs. 20 lakhs was not enough. It was as a sort of token of the mutual co-operation that we had secured that. It does not mean anything more than that. I may take the House into the secret and tell them that we wanted to put in Rs. 17 lakhs and fought for it, but instead you have Rs. 20 lakhs, not Rs. 17 lakhs; and it was rounded not on the wrong side but on the right side. The principle is, that it is a joint and single responsibility for the whole Province and the minor ports are part of the Provincial administration and looked after by the Provincial Government and the Provincial Legislature. It is in this sense that I want this House to give its agreement to this Bill.”

* THE HON. MR. YAKUB HASAN:—“ Mr. President, I must first thank the House and the Members who have spoken on this subject to-day for the courteous manner in which they have treated my proposal. The Opposition sometimes think that it is the function of the Opposition always to oppose. They are always on the look-out for an excuse to oppose the Government. Even if there was a very good proposal before them they sometimes oppose it for opposition sake. If they feel convinced, after explanations are given, that there is something good in the Government proposals, they must be prepared to support them too. I can understand a measure being opposed on certain principles. In that case criticism is welcome. I must also thank Mr. Reid for paying me compliments, which I very much appreciate. I want one thing to be made clear to the public as well as to Members of both the Houses, that as far as I am concerned, I am anxious that these ports should play a more important part in the development of the trade of the Presidency than they have played hitherto and if any improvements are necessary towards that end, I shall fight for them and try my best to bring them about. I have given that assurance in the other House and I give that assurance here also.

“ Mr. Reid said that from the way the Government are handling this question, it would appear to him that the Government want to make the ports a source of income, and a source of revenue. I do not wish to go into that matter at length. I do not see there is any harm in making the ports a source of revenue. However, I do not wish to enter into that aspect of the matter now. But, as far as this Bill is concerned, I want to point out to him only one thing. The object of the Bill that was introduced

[Mr. Yakub Hasan] [13th December 1938]

by me originally, was that all balances from time to time standing to the credit of the Minor Ports Fund shall not be accumulated beyond a limit of five lakhs and any sum now in excess or which may hereafter be in excess of five lakhs in the said fund shall be credited to the revenues of the Province. If that Bill had not been amended the balances would have automatically gone to the general revenues of the Province, which meant that in every year's Budget a sum would have been shown on the revenue side as the balance that may be expected in that year from the Minor Ports Fund. But since then the Bill has been so amended in the Select Committee that the Ports Fund cannot be a constant source of 1-15 P.M. revenue. The present Bill says in Clause 3 that 'the balance standing on the 31st day of March 1939 to the credit of the Minor Ports Fund in excess of twenty lakhs of rupees shall be credited to and shall be disposed of along with the rest of the revenues of the Province.' So, the present fund that has accumulated, after keeping aside a sum of Rs. 20 lakhs, goes to the general revenues. Mr. Reid said that if this is to be done only once, he does not mind so much, but that it should not be made a precedent for the future and that ports should not become permanent sources of revenue. His idea is probably that if they become permanent sources of revenue, the Government will try to raise the port dues as much as possible and try to add as much as possible to the balance in this ports fund, so that it might be possible to take large balances to the general revenues every year. I may tell him that even if, according to the original Bill, the ports had to become regular sources of revenue, Government would not have been so foolish as to administer them merely with a view to benefit the general revenues. After all, the normal income of these ports and their normal expenditure are such that every year there is not likely to be more than a lakh and a half of surplus, and even out of that one and a half lakhs, we will have to spend some amount in giving grants to Landing and Shipping Committees for the improvements of these ports. For the present it is only the balance standing to the credit of the fund on the 31st of March 1939, after deducting twenty lakhs, that is going to be credited to the general revenues. But in regard to subsequent years, this is what the amended Bill says:

'Such portion of the balance standing to the credit of the Minor Ports Fund on the 31st day of March in the year 1940 or in any subsequent year, as the Provincial Government may, with the approval by resolution, of the Madras Legislative Assembly, determine, shall be credited to and shall be disposed of along with the rest of the revenues of the Province.'

"So, in the subsequent years, the Government may or may not desire to divert such accumulations, or whenever they want to, they will have to go before the Legislative Assembly to get its approval for such diversion. Therefore, balances in future will

13th December 1938] [Mr. Yakub Hasan]

not accumulate to any very great extent, because, as I have shown, after the necessary expenditure, there may not be any appreciable surplus; and the occasion will seldom arise when the Government will have to go to the Assembly for its approval for the transfer of any amount to the general revenues.

"Sir, I admit that ports would have become a source of revenue if the Bill as originally introduced had remained un-amended; but under the amended Bill balances cannot be diverted automatically every year to the general revenues. I therefore think, Sir, that the amended Bill will go a long way in creating confidence in the public mind that the Government's intentions are nothing more than what I have already stated.

"Sir, when members of the Congress Party were in the opposition, we were of course criticizing the Government of the day for their sins of omission and commission; but now that we form the Government, we do not display any bad taste and attack the past Government in any act of theirs. On the other hand, there have been occasions when we have supported the acts of the previous Government and stated that we would also continue to do the same; but still we have made clear on many occasions that we are no admirers of the previous Government. But in this case, I am in the happy position to say that the previous Government never neglected these ports. They have now and then laid down that when surpluses have accumulated in this fund and money is available, it should be spent for the benefit of the ports as far as necessary; and all schemes that were brought forward during their time for the improvement of these ports were accepted, except those which were found to be not feasible. And even those schemes which were occasionally rejected were rejected on very good grounds. Mangalore was referred to and Masulipatam also was referred to during the discussions; and Mr. Saldanha was very very angry that while I visited many districts on many occasions, I went to Mangalore or South Kanara only once. He wanted to make out that not only the previous Government neglected these ports but the present Government also neglected them, and that the Minister in charge of Ports has been guilty of such neglect. Now, Sir, let me tell him that I have visited other districts principally in the interests of irrigation, but I visited South Kanara—and it is the only district that I have visited for this purpose—for the sake of its ports only. Sir, I have studied the case of the Mangalore port. I am now in a position to say that I know the requirements of Mangalore port much better than even Mr. Saldanha himself and I know exactly what is required there. It was said by Mr. Gonsalves that Mangalore has got a backwater and if that backwater is always kept clear of silt accumulation, many foreign-sailing vessels could enter the port. I agree with him. The question of dredging came before the Government more than

[Mr. Yakub Hasan] [13th December 1938]

once and Government gave it full consideration every time; and as a result of it, a suction dredger was sanctioned by the Government. A suction dredger was considered to be quite enough for the purposes of that port. There was no doubt a proposal to have a sea-going dredger; Government examined that proposal but they turned it down—not because there were no funds available. There were enough funds at that time, but the past Government thought that it was not absolutely necessary to have a sea-going dredger for that port. As a matter of fact, there is a proposal even now before the Government for the purchase of a sea-going dredger at a cost of four lakhs and it is under examination. And it is suggested that a sea-going dredger may be utilized for other ports also, and that suggestion is being seriously examined.

“ In an answer I gave to a question in this House you will find that there are two or three schemes in connexion with Mangalore; and I may particularly assure Mr. Saldanha that the needs of Mangalore will receive the fullest attention and that no justifiable expenditure will be considered too high to make it more efficient than now. It was also stated that because there is the backwater, this port can be made into a good harbour. Yes, if we spend about three crores of rupees over it, we can make it a good major port. Major ports are harbour ports, and the administration of such major ports are taken away by the Central Government, under the Government of India Act of 1935. That was wrongly done. The Central Government had no business to take over such ports under their own administration. After all, such a port as Vizagapatam has not so far been a success under the Central Government's administration and it is doubtful whether it will ever be a success. Therefore, Sir, I don't think Mangalore should desire to become a major port or a harbour; and as a minor port, it can serve a better purpose than a harbour.

“ The same hon. Member made a reference to the port of Masulipatam; and in regard to that also, as in the case of Mangalore, I can assure the hon. Member that the requirements of Masulipatam will receive the best attention of the Government.

1-30 p.m. “ My hon. Friend, Mr. Narayanaswami Nayudu, asked why all the accumulated balances should be taken over to the general revenues, why cannot all the funds be spent away on ports? I may tell him that the balances have accrued not because the Government had been niggardly in spending money. They have accumulated little by little over a period of thirty-three years. Every year a sum of about one and a half lakhs was going towards it and hereafter also and surpluses will remain there but they will not be taken over to the general revenues every year. Government may come to the Legislature later saying ‘ We have spent so

13th December 1938] [Mr. Yakub Hasan]

much; we have attended to all the requirements of the ports and yet so much is available. So please allow us to take it to the general revenues.’ At that time, you may generously say ‘ Yes ’ or emphatically ‘ No ’. I contend that it is a legitimate act of ours to remove the unwanted part of the fund to the general revenue. Some of the hon. Members opposite attack the prohibition policy of the Government and they say that the Government have been very foolish in throwing away so much revenue. The Government have several proposals of taxation under consideration to make up the loss of revenue on account of prohibition and the public will have to pay for the benefit that they would derive from prohibition. So Government are anxious to take this money. But let me tell them that it is not because the Government want money that they are taking this surplus. On the other hand it is because there is no use for it that it is being taken to the general revenue. All the available money is not actually required for purposes of improving the ports. When a major portion is not required for that purpose and when neither we nor the previous Governments have been niggardly in the matter of spending it, it is but just that we should take over the balance to the general revenues. Even hereafter, there is bound to be surpluses accruing in the fund. If it ever happens that there is no balance in the fund, the Government are there to come to the help of the ports and whatever money would be required will be found from the general revenue.”

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

The Council adjourned for lunch till half past two.

After Lunch (2-30 p.m.)

Clause 2.

Clause 2 was put and carried.

Clause 3.

SRI B. NARAYANASWAMI NAYUDU:—“ I beg to move—

‘ In line 3, for the word “ shall ” the word “ may ” shall be substituted.’

“ It will be seen that in the clause it is stated that the balance ‘ shall ’ be credited to and ‘ shall ’ be disposed of along with the rest of the revenues of the Province. It is a mandate that whatever might be the circumstances of the fund, they shall do it and they shall spend it. On the other hand it will be wise to leave it to the discretion of the Government to take such portion of the fund as may be necessary, leaving the remaining amount intact. As the clause stands at present, it

[Sri B. Narayanaswami Nayudu] [13th December 1938]

is a mandate to take everything that remains in excess of Rs. 20 lakhs, whether it is necessary or not. Therefore I propose that the word 'may' may be substituted for the word 'shall'."

Sri Rao Bahadur M. Ramakrishna Reddi seconded it.

* THE HON. MR. YAKUB HASAN:—"If the Bill had remained as originally introduced, there would have been some meaning in amending the clause in the way in which it is now sought to be amended. In the original Bill it was laid down that every year whatever balance remains in excess of five lakhs shall automatically go to the general revenue. In that case an amendment of this kind would have had some meaning. But now the balance in excess of 20 lakhs that may be available only on the 31st March 1939 will be transferred. Thereafter no balance will automatically go to the general revenue, but a resolution will have to be placed before the Assembly. I therefore oppose the amendment."

The amendment was put and lost.

Clause 3 was put and carried.

Clause 4.

SRI B. NARAYANASWAMI NAYUDU:—"I beg to move—

'In line 1, after the word "balance" the words "in excess of 20 lakhs of rupees" shall be inserted.'

"In the original Bill it is said that a sum of 5 lakhs of rupees shall stand to the permanent credit of the fund, but under this new Bill while a balance of 20 lakhs of rupees is left on the 31st March 1939, on March 31, 1940, such portion of the balance standing to the credit of the Minor Ports Fund as may be determined by the Provincial Government shall be absorbed into the revenues of the Province. If the principle is to keep a permanent fund of Rs. 20 lakhs, then the question is, what will be the balance that might be credited on 31st March 1940? For instance, on 31st March 1939 a balance of Rs. 20 lakhs will be left and this will be taken over to the next year. If during the next year or during any of the subsequent years the net balance is 10 or even 12 lakhs, then according to this provision, the Government will have power to take away even from this 10 or 12 lakhs. If the principle of the Bill is to keep always a permanent fund of 20 lakhs whether there are repairs existing or whether they are carried out or not, then provision should be made that only such portion of the balance exceeding 20 lakhs might be taken over, and in order to ensure that permanent fund, these words 'in excess of 20 lakhs of rupees' should be

13th December 1938] [Sri B. Narayanaswami Nayudu]

inserted. The result of this clause as amended by the Select Committee is that we do not have even the guarantee of 5 lakhs in this fund. Therefore I propose that this amendment may be accepted."

Sri Rao Bahadur N. R. Samiappa Mudaliyar seconded it.

* THE HON. MR. YAKUB HASAN:—"What is the object of keeping a balance in the Port Fund? That must be understood first. Now we are keeping 20 lakhs of rupees to the Port Fund, because there are certain proposals for certain improvements to be made. Therefore some money must be kept there to carry out such proposals as may be found necessary. But after those proposals have been carried out, we come to a position when no more proposals would remain to be carried out and even then you want 20 lakhs to remain there. According to Mr. Narayanaswami Nayudu that 20 lakhs must remain always there. I say, why? Why should that amount remain there? Is it because in future there may be other improvements necessary? There are no other proposals for improvements. Then why should so much money remain in the fund?

"In the original Bill, we wanted 5 lakhs to remain there. The reason why we fixed 5 lakhs was this: Our income for one year is 5 lakhs and our average expenditure for one year is $3\frac{1}{2}$ lakhs, leaving a surplus of $1\frac{1}{2}$ lakhs. So we said let one year's income, namely 5 lakhs, remain there to meet the necessities, if necessities arise. There was some object in keeping 5 lakhs, but there is no object in keeping 20 lakhs always permanently.

"Again, the question of determining the portion of the balance to be transferred, will come before the Legislature, and it will then be open to you to say what portion shall remain behind. But you cannot say that a sum of 20 lakhs should be permanently kept there. The question of what is the amount that should be kept there will arise when the Government will move next time for the transfer of the amount. The Legislature will then decide what amount should remain there. It may be 20 lakhs, or 10 lakhs or 5 lakhs. Whatever it is, it will have to be decided by the Legislature then only. So I oppose this amendment."

The amendment was put and lost.

SRI B. NARAYANASWAMI NAYUDU:—"I beg to move that—

'In line 5, after the words "the Madras Legislative Assembly" the words "and of the Madras Legislative Council" shall be added.'

"My amendment seeks to add the Madras Legislative Council along with the Madras Legislative Assembly when the question of determining the amount to be transferred comes up for consideration. I really do not understand why it was not done

[Sri B. Narayanaswami Nayudu] [13th December 1938.

even in the Select Committee. But I suppose this House is not going to deprive or efface its own powers. Therefore I propose this amendment for the acceptance of the House."

Sri Rao Bahadur N. R. Samiappa Mudaliyar seconded it.

* THE HON. MR. YAKUB HASAN:—"According to the constitution, all financial matters are disposed of by the Legislative Assembly only. The annual Budget and other things of that sort, go only before the Assembly and they do not come before the Council. In the same way, according to the constitution, this question too cannot be brought here. It must only go before the Assembly. Therefore I oppose this amendment."

The amendment was put and lost.

Clause 4 was then put and carried.

Clause 1 and the preamble were put and carried.

* THE HON. MR. YAKUB HASAN:—"I beg to move—
'that the Bill be passed into law'."

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

III.—THE MALABAR TEMPLE ENTRY BILL, 1938 (L.A. BILL No. 21 OF 1938), AS PASSED BY THE ASSEMBLY.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, I beg to move—

'that the Bill* to remove the disabilities of certain classes of Hindus in regard to entry into temples in the district of Malabar (L.A. Bill No. 21 of 1938) as passed by the Assembly, be taken into consideration at once.'

"In moving it, I do not wish to take up much length of time. I come for the blessing of this House of Elders for a measure which is fraught with great importance in all aspects of national life. It is not merely a particular district measure; it is not to be only a measure in respect of a particular district; it may seem to be only a measure for allowing a few more people into an institution which is looked upon by most of the wordly-minded people as almost a right to close it for others. But, Sir, it is in the conviction that it is not a parochial matter but ultimately a matter of utmost national importance, not merely a matter dealing with any particular institution but a matter that will affect life as a whole in our country, that I ask for the blessing of this House for this measure.

* Printed as appendix VI on pages 176-181 infra.

13th December 1938] [Sri C. Rajagopalachariar]

"In the course of the discussion, points will be raised, either in the general discussion or by way of amendments, which will need explanation from me, and if they are called for, I shall make a few remarks. But, at present, speaking broadly, I can only say that although it is a stale matter of grievance the remedy is yet to come. Therefore we may act seriously and purposely. It is not a matter of a word here or a word there or an amendment here or an amendment there but it is a matter which involves and demands the solid resolution of all classes of the people in a spirit of utmost patriotism and mutual co-operation. I move, Sir, for the consideration of the Bill and I hope that this House will at once take it into consideration and proceed to pass it into law."

2-45
p.m.

SRI B. NARAYANASWAMI NAYUDU:—"Mr. President, I raise a point of order, that the Bill is not in order by reason of sections 99 and 100 of the Government of India Act. The lists provided for in section 100 do not mention the subject of temples. The only item in the List of Provincial Legislation is number 34 which mentions only endowments and not temples. Therefore it is a subject not in the lists, either the Provincial or Concurrent or Federal list. What is to happen if a subject is not provided in any list is provided for in section 104 which requires that the Governor-General may empower either Legislature to enact the law, by public notification. In the absence of any such notification and seeing that the subject of temples is not in the lists, I submit this legislation is not in order."

THE HON. SRI C. RAJAGOPALACHARIAR:—"I only wish to submit, Sir, that this point has been raised and discussed before. The point that is raised is that temples as such are not included in any of the lists and that endowments alone have been included and that therefore this Bill is not within the competence of our Legislature and therefore of this Chamber. The other Chamber has dealt with the point but that is nothing. It is open again for any Member of this Chamber to raise the point. I submit the point is not correct. There is need for the amendment of the Hindu Religious Endowments Act which has been passed by this Legislature and this is specifically referred to in one of the clauses of this Bill. If reference is made to the report out of which these schedules issued, it will be seen that reform and change in respect of this very matter was contemplated and expressly considered to be peculiarly fit for the Provincial Legislature to dispose of. The literature on the subject is available to all Members and I need not take up the time of the House any further on that. This matter was quoted and was read by the Speaker if I am not mistaken. There was express reference to this question of reform on social and religious matters and they were definitely considered peculiarly fit for the Provincial Legislature. Hence they were not put down in the Central schedule. It is not as if the wisdom

[Sri C. Rajagopalachariar] [13th December 1938]

of the Parliament of England led to the conclusion that the Governor-General alone can legislate with respect to social or religious matters of this kind, and that neither the Provincial Legislature nor the Central Legislature will have the right in this matter. I need not labour the point further. I submit there is no force in the point of order raised."

MR. J. A. SALDANHA:—"I raise, Sir, another point of order from the point of view of another section of the Act. The section I want to refer to is section 298. It consists of two parts; I shall read the whole—

'(1) No subject of His Majesty . . . shall on grounds only of religion, place of birth, descent, colour . . . be prohibited on any such grounds from acquiring, holding or disposing of property or carrying on any occupation . . .

'(2) Nothing in this section shall affect the operation of any law which . . . or recognizes the existence of some right or privilege or disability attaching to members of a community by virtue of some personal law or custom having the force of law . . .

"First of all there is a right on the part of the higher class people to exclude the depressed classes. That is by custom. The members of the higher class are for a long time accustomed to exclude the people of the lower caste. Then there is also the disability which is attached to the depressed classes who are excluded from the temples. Therefore from both points of view, under this section this Bill is *ultra vires*. I do not dilate further upon it. The section is very clear and I do not know whether this was referred to in the Assembly. I did not read the debate on the subject. I may be excused if I am wrong.

"The other point is this: we are not under the ordinary canons of interpretation of a statute entitled to look into the literature. We must take the law as it is. The words mentioned in the current list or the Provincial list are only religious endowments, that is to say, endowments of property attached to the temple and not the temple itself. Entry into the temple is a religious matter and no law can be made, which will interfere with the religious rights of the people. It is a fundamental principle of the Government of India Act and of the Government in British India, that no right of a religious matter can be interfered with. Neither the Government nor the Legislature have got the right therefore to interfere with the autonomy of caste in religious matters or in internal religious affairs. That is the point of view with regard to the argument urged by my Hon. friend to look into the literature. You must take the Act as it is, the list as it is. I think that it is for that purpose that this section has been deliberately embodied, that is, the internal administration, the religious autonomy of a community by custom or law ought not to be interfered with. Therefore I submit, Sir, that this Bill is *ultra vires*."

13th December 1938]

THE HON. SRI C. RAJAGOPALACHARIAR:—"As the first point has been again referred to by Mr. Saldanha, I only want to say this with reference to the repeated argument that he is well aware that even ceremonials in our temples have become subject-matters of disputes in courts and adjudications and decrees in courts. The whole of the property is dealt with rightly by the courts. The temple itself and the land on which it is situate are also part of the endowments of the temple and therefore entry into such temples and the enjoyment of such places relate to property. All this certainly form part of property and fall within the jurisdiction of courts as well as the laws and therefore can be dealt with by the Legislature as well as by the Judges. It is impossible to construe section 298 in the manner suggested. Clause (1) of the section says:

'No subject of His Majesty—I am leaving out some words— . . . shall be prohibited on grounds of religion, place of birth, descent, or colour or any of them from acquiring, holding or disposing of property or carrying on any occupation, trade, business or profession in British India.'

"If at all, you can say from this sub-section that even without this legislation the persons who are sought to be excluded can come and say we cannot be excluded under the Government of India Act. Sub-section (2) therefore protects the existing law:

'Nothing in this section shall affect the operation of any law which . . . recognizes the existence of some right, privilege or disability attaching to members of a community by virtue of some personal law or custom having the force of law.'

"Sub-section (2) does not say no law shall be made which shall hereafter affect or enlarge; all that it says is that the general law laid down in sub-section (1) does not cancel the existing laws or rights with respect to these. Hence, the necessity for a Bill of this kind. It is therefore clear that section 298 does not rule out any legislation whatsoever; it merely gives a general charter of equal treatment for all and limits it by existing laws. Therefore this section does not apply at all. As for the point of Mr. Nayudu, that the omission of any words as to religion makes this Bill *ultra vires*, the words 'religious endowment' should include within its scope the introduction of this Bill. I submit, therefore, Sir, that neither point of order is right."

MR. PRESIDENT:—"I have consulted legal opinion and I am armed with legal advice. I rule out the point of order."

DR. SIR K. V. REDDI NAYUDU:—"I rise to give expression to my whole-hearted support to this Bill. It serves a long overdue reform. Unfortunately the previous Governments could not interfere in these religious matters on account of a promise made by the late Queen Victoria in whose proclamation the statement has been made very rightly that the Government would not interfere and should not interfere in religious matters. But, Sir,

[Sir K. V. Reddi Nayudu] [13th December 1938]

3 p.m. now we have got provincial autonomy and self-government and as such this is the proper time and I think it is the duty of the Members of this House to congratulate Government on this excellent reform. Under the guise of that Proclamation several reforms which should have been introduced long ago have been put off. Speaking on this matter of temple-entry, Mr. President, I may mention here that while I was in South Africa, when I raised an objection to a practice which was prevailing there, namely, the practice of having a separate congregation for Euro-Christians and a different congregation for the Indian Christians, the answer readily came forward, 'Would you allow the depressed classes in your country to enter into your temples?' I had no answer to give except to bow down my head in shame. That shame has been removed to-day.

"It is unnecessary, Mr. President, to refer to the various arguments that are in favour of this Bill. Hinduism has ceased to be a religion for those people, whom you have prevented from entering into the temple of God. It is impossible to conceive of a greater shame than that a member of the same religion should have been prevented from entering into temples. I do not therefore propose to repeat the arguments that can very easily be advanced. I would certainly say this: on the day on which the upper classes in Hindu society prevented a section of their own co-religionists from entering temples, the downfall of this country was doomed, and its doom was sealed. To-day, an attempt is made, an honest attempt is made to remove this great wrong. True, I would have very much wished that the wider Bill which my esteemed friend, Mr. Rajah, introduced in the Lower House had been passed. True, I would very much wish that this Bill is a little wider than what it is to-day. True that that the Hon. Minister in charge of the Bill could have extended the right of vote, when the right of entry is to be decided, to all the voters of that locality and to the depressed classes. These are no doubt defects. But as one who has always advocated progress by stages I do not think I should take serious objection to the present Bill. The old saying goes, 'Hasten slowly,' 'festina lente' has the Latin proverb. And let us hope that as time advances not only will the operation of the Bill be extended to other districts and to other areas, but that the right of voting on the question of entry would be extended to the depressed classes as well; and what is more, the time may not be far off when without any such elections the Government would bring forward a Bill which would give the community, which would recognize as the birth right of our co-religionists, the right to enter into these temples as well as any body else.

"Mr. President, I do not claim to support this Bill on the ground that I am a social reformer. I am a devotee myself of a

13th December 1938] [Sir K. V. Reddi Nayudu]

particular temple in my native place in Rajahmundry. There was never a day, when I did not attend that temple, whenever I happened to be in my place, Rajahmundry. And as such my co-religionists will believe me when I say that I honestly think that this is a reform long overdue, that I honestly think that we should have admitted these people much earlier than this day; and when the opportunity has arrived, let us grasp it with all the enthusiasm we can command. The Hon. the Prime Minister asked us to give our blessings to this measure. Well, Sir, there were occasions and there were persons who would deny the right to bless. (Laughter.) I do not claim it. But you may take it from me, it is not a blessing; it is the arm of God that His mercy has extended to our fellow-countrymen."

SRI RAO BAHADUR M. RAMAN:—"Mr. President, Sir, it is with a certain amount of diffidence and disappointment that I rise to make a few observations on the Bill before the House. Any attempt, however, imperfect and small to remove inequality among men and to allow them equal opportunities in the performance of their social and religious duties must be welcome to every one who has the interest of his country at heart. It is in that spirit that I view the Bill and submit my observations.

"I unhesitatingly support this Bill, although I feel a Bill of this kind should go much further. A very large section of our Hindu community has been for centuries made patiently to suffer ill-treatment and although Hindus in faith, they have been denied by Hinduism that respect which is the elementary right of every human being. Their touch, contiguity, shadow and sight are deemed to be polluting. They are not allowed the freedom of life not denied even to a dog. Over seven millions of our own people have thus been practically kept out of religion and society. As is usual in our country, this ill-treatment is ascribed to Sastras, Vedas and Meemamsa, thus disarming opposition. Other people who cannot claim better refinement and higher morality and who are considered even as a pest of society have a recognized place in Hindu society and are free from the stigma that is the lot of this class of our fellowmen. Their exclusion from temples has no parallel in any other religion. The treatment of this class of people appears to be especially bad in South India. As was said by Swami Vivekananda some years ago, the super-arrogated excellence of birth of any caste in India is only pure myth and in no other part of the country has it found a more congenial soil than South India—and let me add that in no other part of South India has it found a more congenial soil than in Malabar. There, even a Nayar cannot come nearer than six paces to the Nambudri; a Thiyya cannot come nearer than 36 paces; and an Adi-Dravida cannot come nearer than 96 paces, that is,

[Sri M. Raman] [13th December 1938]

nearly half a furlong. The Avarnas, while going along roads and footpaths, have to go on shouting to prevent caste Hindus from coming within the polluting distance. I have not the time nor you the patience to enter further into this extraordinary system of oppression. And it is here that the Act will operate now. You are all aware that attempts at legislation have all failed in the past through the violent agitation of the orthodox Hindus. The present half-hearted and halting measure is evidently a concession to orthodoxy. While we expected a Bill more comprehensive and bold, you see one completely anæmic and lifeless. The limitations in the Bill are likely to be very prejudicial to the cause of rapid and successful realization of the re-handicap. Entry into temples scattered over different districts would have had much of cumulative effect and would give such impetus that the reform will become popular soon. Selection of Malabar is no doubt a matter of pride to us, the sons of that soil; but it is doubtful if it is a wise step. If the framer of the Bill had real faith in what has been done by the gracious act of the enlightened Maharaja of Travancore there was no need to waste time, in a kind of experiment in another part of Kerala. Having excluded the family temples and private temples, entry could have been enforced in all the public temples all over the Presidency, or, at any rate in Malabar, as was done in Travancore. The Bill ought to have been made compulsory and not permissive. When the object is to remove an age-long blot and disgrace on the Hindu community, permissive legislation has no place.

“The Bill is applicable only to temples with an annual income of not less than five thousand rupees, and these are probably only about 47 or 48 in number. What about the other temples? It would look strange if the excluded classes are allowed entry in a few big temples, but are shut out of smaller temples. Therefore the exclusion is unnecessary and unwise. It would give a wrong impression to the people concerned that the legislators themselves are hesitating. Avarnas are not allowed to vote at the referendum. This is not only unjust but is an insult to them and to their self-respect. There is on the whole the appearance of a kindly gift from the caste Hindus, whereas they claim it as a matter of natural right, their very birth right. I have been wondering what the Government would do next if in the next two or three years one or two temples are opened to the Avarnas in Malabar. What about other districts?

“I shall sit down after making one or two remarks in the shape of an appeal to my caste Hindus of Kerala. I appeal to them to brush aside Vedas and Meemamsa for the moment if they are

13th December 1938] [Sri M. Raman]

obstructive to the reform; let them follow the spirit of the times. As long as the Avarnas remain as Hindus, treat them as Hindus on perfectly equal terms. If you are not prepared for it, do not try to detain them in your fold by false hopes and philosophical excuses. Leave them to chalk out their own plans for their future. In your own interest and in the interest of your religion be fair to a class who have wonderfully stuck on with a loyalty and faith all to their credit. Let my friends in Malabar also remember the wise utterances of the illustrious sons of Kerala, of Sri C. Sankaran Nair, Dr. T. M. Nair, Rama Ayyar and Ullur Parameswara Ayyar. Mr. Parameswara Ayyar is an orthodox man, a great poet and a great writer and a distinguished son of Kerala; and he said on the 12th December 1932—that is almost exactly six years ago—I thought this Bill would be moved on the 12th of this month—that Vedas and Sastras did not object to a reform of this kind and he quoted various authorities in support of his statement. Therefore, follow the good example set by these and a host of other eminent men and win that glory that will be yours when this is done!”

SRI B. NARAYANASWAMI NAYUDU:—“I rise on this occasion not for the purpose of saying that this Bill should be opposed, but for the purpose of saying that it is absolutely inadequate; and I say most advisedly that it is inadequate and unworthy of the tradition of the Congress Party to which the hon. Members opposite belong. The one fundamental thing necessary with regard to the national reconstruction of India is Harijan absorption; it is not a question of Harijan uplift; it is a question of Harijan absorption; that is the real, fundamental, core of the problem. This problem of Harijan absorption has not been undertaken. The Harijans are the man-power of the land; they are the main man-power in India; and so far nothing has been done to take up that man-power; no attempt has been done to utilize that man-power; and it is nothing short of criminal folly not to have done that till now. Now the question is, whether Harijan absorption has been attempted in the right manner. I say, it has not been done and that for one simple reason set out in the preamble of the Bill. This is what the preamble says—

‘And whereas it is just and expedient that these doubts should be removed and the trustees should be empowered by law to extend to all classes of Hindus the right of entry into, and worship in, temples if the Hindus in the locality who are now entitled to such entry are generally in favour of such extension.’

“Is the question of Harijan absorption still in balance? Is it still to be settled by a Hindu electorate as to whether they are to be absorbed or not? Is it still a question for debate as to whether they are to be absorbed or not? I do submit that it has been solved already. It has been solved politically when we said

[Sri B. Narayanaswami Nayudu] [13th December 1938]

that we do not want separate electorate but that we want only joint electorate. In fact it is Gandhiji that made the fact when separate electorate was proposed. If in a political field you had agreed to state that the Harijans belonged to us, that they cannot be separated from us, that we must have joint electorate and otherwise it is impairing national solidarity, if that is the attitude with regard to the Parliamentary Committee report, is it right for you to say now that we will put the question to vote? Is it right to say that they shall not be one with us so far as religion programme justly to be adopted hereafter? Is it not a fact that in regard to the Local Boards Act Dr. P. Subbarayan said that they are part of the Hindu society. It is an accepted political maxim. Therefore I say what is the meaning of Government saying in this Bill that if you put it in the first instance in the Malabar district, some people will vote for it and some people will vote against it, and the question will have to be decided by votes? If prohibition programme is necessary, this is more necessary because it is a question of the man-power for which you are asking Swaraj. Throw open the temples in Malabar. See what people say and then if it is found feasible extend it. That is the policy of evolution. That is progress step by step. When you have asked for joint electorate it is unworthy of the traditions, it is unworthy of the nation which stands for elections. As for prohibition programme, it is not an experiment. It is a first step in the programme. Even supposing caution is needed, why not bring an Act applicable to Malabar and then extend it to the other districts according to the consensus of public opinion? Is it the first step or an experiment? Is not the prohibition programme before you as a guide? Make it compulsory in one district and optional in other districts. You have got full Governmental powers. I do not see the reason for this provision. Therefore the Bill is absolutely unworthy of the traditions and therefore I do hope they will not stand on the technical side, and say let us go back to the Assembly. Let them accept an amendment and take away the question of elections altogether because it is absolutely too late to say we will go back for elections in the matter."

SRI RAO BAHADUR M. RAMAN:—"I am seconding."

MR. PRESIDENT:—"There is nothing to second."

* SRI D. MANJAYYA HEGDE:—"I have got a difficult task to perform here, to oppose this Bill."

MR. PRESIDENT:—"The hon. Member will please raise his voice."

* SRI D. MANJAYYA HEGDE:—"The amount of support the Temple Entry Bill has received in the other House and the

13th December 1938] [Sri D. Manjayya Hegde]

general attitude of the House, on this side and the collective opinion I received from the temple-going people who are not in favour of this Bill in my constituency on the other side makes my position embarrassing. I am not speaking for the sake of opposition. Because I am a representative of the constituency, I feel it my duty to express their view. It is all right to say that we are all equal before God. Probably from the philosophical point of view there is no distinction between man and man. God is not affected by the entry of this man or that. Nor is it right to say that God is present only within the four walls of the temple. Philosophers do not have the need to go to any temple for their worship. God is in their heart and they can worship him better there than in temples. This philosophy holds good to all great religions. But we are not all philosophers. The question is not one of philosophers. From the social point of view things are different; we are given certain regulations and laws to observe, which we are bound to obey from time immemorial and we are accustomed to such usages and habits and we cannot get out of them suddenly. Our temples and other religious institutions are merely creatures of Agama rules which are laid down in our Shastras. But in the initial stage of our spiritual development we are given to observe certain rules of conduct. But as long as we respect such rules we have no reason to override them. But if you feel necessary to go according to the spirit of the time and to change our customs and conduct according to the trend of world forces I think it is better to move the religious heads who only are competent enough to bring such changes. Then only it will have a peaceful evolution in our customs. By all this I do not mean that you must not help the excluded classes in their progress. For this we must try our best to uplift them both economically and socially by contributing money and other means. For this the Government can legislate to get money from the high caste people. Getting votes from Assembly voters as provided in this Bill means not even 10 per cent of the people who go to the temples. For these reasons I am not in favour of the measure proposed."

* SRI K. MADHAVA MENON:—"Mr. President, it is really gratifying to us the people of Malabar that we have been given an opportunity to clean ourselves of that name 'the land of the lunatics' which Swami Vivekananda gave us. It is more or less a myth now that untouchability is found in its worst form in Malabar. As my hon. Friend Mr. Raman pointed out various castes and sub-castes could be picked out. But they are only handful and practically untouchability is not observed except in temples. It has taken shelter only in temples and no where else. It will be made possible by the help of this Bill to drive it out from the temples also. Then it will be of help to the other districts

[Sri K. Madhava Menon] [13th December 1938]

in the Presidency. Certainly objections with righteous indignation were raised by my hon. Friend Mr. Narayanaswami Nayudu. I want to answer one or two things mentioned by him. Government were so considerably eager in introducing the Prohibition Act. If they feel really enthusiastic why don't they pass a Bill compulsorily throwing open these temples. The answer is obvious. In the one case the object of the Bill was to close down the shops. In the other case the object is not to close down but to throw open. That is the reason why they are not using force for forcing temple entry down the throats of people. The result may be calamitous. Mr. Narayanaswami Nayudu raised another point—perhaps it was another hon. Member—why do you restrict the votes to caste Hindus alone? why not give the votes to all Hindus including the depressed classes? It cannot be done, because, to do so will be an act of hypocrisy. There will be no meaning in taking a vote in regard to this matter in Malabar, because in Malabar the non-caste Hindus, people who are not allowed to go into the temples, are much more numerically than the caste Hindus and we know what their opinion is on this question. So where the non-caste Hindus are numerically double the caste Hindus, there is no meaning in taking a vote upon the question whether they should be allowed to go into the temples. The more honest course will be to accept the suggestion of Mr. Narayanaswami Nayudu and open the temples without any vote. There is, therefore, no meaning in saying that vote should be given to all Hindus. Our object is to take the caste Hindus with us, if possible to convert them to the view that the Harijans ought to be allowed entry into the temples and that their exclusion is a thing which is against religion. (A voice: 'Votes need not be given to all'.) Some hon. Friends have been made to believe that there is a considerable opinion in Malabar against this Bill, that popular opinion is not ripe for a Bill like this, and that various people have sent memorials and representations to Members in this House saying that this Bill ought not to be allowed. I may assure these friends that the opposition to this Bill is insignificant in Malabar. There are some men, particularly some orthodox Nambudris headed by the Raja of Kollengode, saying that the people in general are against it. It is not so. We have proved it by a referendum in Ponnani taluk taken when the Congress was not in power and when there was no machinery, no organized machinery, for taking it. The non-official agency that took this referendum showed that about 75 per cent of the caste Hindus recorded their votes voluntarily in favour of allowing entry to Harijans in temples, and that was in Ponnani taluk where the greatest temple in Malabar, the Guruvayur temple, is situated. The bogey created by some rich landlords and interested persons against this Bill should not deceive anybody. Genuine opinion in Malabar is not

13th December 1938] [Sri K. Madhava Menon]

against this Bill. I can vouch for it. One need not have any fear about the success of this measure in Malabar. We have guaranteed to the Premier before he thought of this Bill for Malabar that we could get it through without difficulty and I hope and maintain that there will be no difficulty over this Bill in Malabar."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
"Mr. President. I rise to give my hearty support to the Bill in the view that something is better than nothing. I do not want to say more on this subject now. I am glad to hear Mr. Madhava Menon saying that there will be no difficulty in giving effect to this Bill in Malabar though I was told quite the opposite by some of my friends. I wish him success in his attempt to make the measure a success in his district."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, I must thank the Leader of the Opposition for giving his warm approval and encouragement for this work. I am more thankful even for his statement that this is a very mild proposal. When I go to his own native district I can now claim any amount of support from him. (Rao Bahadur N. R. Samiappa Mudaliyar: 'Certainly.') When this comes into operation in that district, the strength of this statement of his will enable the work to succeed beyond doubt. I know that his support is not a matter which can be lightly valued. I am also glad at the indignant extremism, if I may say so, displayed by my hon. Friend, Mr. Narayanaswami Nayudu, whose help we shall want when we go with this measure to certain other parts of the country. I hope that this heat and this passion will remain at that same level at that time. (Sri B. Narayanaswami Nayudu: 'I am sorry.') I must ask leave of him, Sir, to say that I did not understand what it is that he told me. He is very angry with the nation. He is very angry also with the Congress Party. The Congress Party has already decided it. Gandhiji has already fasted for this. Why you come and ask us for opinions and votes and so on? I am at a loss to understand what he wants me to do. Are we to say, we do not want the Bill; we shall go and open the temples? Is that what he wants me to do? (Sri B. Narayanaswami Nayudu: 'Not at all.') Does he propose that I should move a measure here which, without asking for the opinion of the House, says that as soon as this Bill receives the assent of the two Houses and of the Governor, the temples shall be opened and that if they do not open, Mr. Narayanaswami Nayudu and I go and open the temples and carry on. I am unable to understand. That is why I am putting it in this way. (Sri B. Narayanaswami Nayudu: 'The trustee shall open it.') The trustee shall open it! Mr. Ramalingam Chettyar was just now telling me his doubt about the opening of temples. He even doubted the

[Sri C. Rajagopalachariar] [13th December 1938]

reference to the Government. If the trustee does not do so, what do you propose to do and I asked him a similar question. The word 'shall' is not a formula for the opening of temples like the formula 'sesame' in the Arabian Nights. We must have the temples opened. It is necessary, when we are dealing with human institutions, with institutions depending upon the co-operation of many men at the same time—these institutions are not like the rubber-stamp where if a peon is asked to put a stamp, the stamp is seen on the paper—when dealing with human institutions where men have to co-operate with their hearts, with their intelligence and with their bodies and their spirit and all at the same time in a manner which, were the slightest pressure put, would make the procedure useless, that we should be extremely careful. Where everybody has to carry on according to forms, according to precedent and according to custom, and not only that, everybody has to feel that everything has gone on according to custom—and if anybody feels that anything has gone wrong, it is looked upon as a useless thing—in institutions of this kind, it is no use saying that even after Gandhiji has fasted, and even after so many years of talking, it is unnecessary to divide the people for opinion on this matter.

"Sir, my hon. Friend has been most contradictory in his indignation. He says this will divide the people. Have we not enough divisions in panchayat elections. Of this I have no doubt he has much experience. Have we not division everywhere? Why do you want this further division? Now, what does that indignant argument mean? It means that the people are divided over it. If that is so, if the people are divided over this, does he want me to order by compulsory legislation, by somehow wheedling these two Chambers to agree to compulsory legislation, the opening of these temples and thus go and divide the people not on the legislation but on the opening of temples? What will division on the opening of temples with compulsory legislation mean? Division of heads and not division of votes. I am surprised at a very commonsense man, if I may use a bad grammatical expression, a very commonsense Member of this House tendering this advice gravely. Perhaps the indignation, which is quite justifiable in this matter, is responsible for a little bit of forgetfulness. I can quite understand anger, but I cannot understand the grave advice given to the Mover of this Bill to give up the idea of asking people and to steer through a compulsory piece of legislation. This is not a matter which can be disposed of in that manner at all. Because I belong to the creed of the Congress, because this matter has been, so far as we are concerned, finally disposed of, I ventured to bring this measure, even without putting it before the people to get a mandate before the elections. Some people were asking that we should place this before the

13th December 1938] [Sri C. Rajagopalachariar]

people, get a mandate and then alone bring this measure. Mr. Narayanaswami Nayudu was telling us that so far as the Congress Party is concerned, this is disposed of. He is perfectly right. That is the reason why we come with this measure even though this has not been specifically placed before the people. But that argument is carried beyond its legitimate scope and degree when Mr. Narayanaswami Nayudu says that there is no reason to ask anybody about it and that the thing can be done by simply issuing a proclamation in the same manner as the Maharaja of Travancore did. I wish, Sir, that this Government, composed as it is of me and a few others, had the power constitutional as well as moral to issue such a ukase to the people and get it done. If we had quite half of the people here and in the other House, quite half of the leaders of society such as Mr. Narayanaswami Nayudu certainly is, guaranteeing to us that they will carry through such a compulsory measure, even as the dictators the world over are carrying things through in Europe, nobody will be gladder than myself in accepting such help and in carrying it through. But it is impossible, it is not possible to get the temples opened in that manner. If we are convinced and if we feel so strongly about it, then we feel the responsibility of it. If I could make an indignant speech and criticise a measure, I could make it even more highly pitched than was the speech of Mr. Narayanaswami Nayudu. But since we have to be responsible for getting the thing through, since it is our heart's desire to get it done and not merely to improve in language or in form, since it is our essential programme that this has to be achieved and not merely talked about, all the moderation that has been put in the Bill comes to exist. If I had no responsibility about it, I would certainly have no objection to frame it in the most extremest form that Mr. Narayanaswami Nayudu can adumbrate just now and perhaps improve upon it also. But Sir, it is the seriousness of purpose that explains the comma, the bracket and the semicolon in this measure. It is the irresponsibility of Mr. Nayudu—if he will permit me to say so—that is responsible for the indignation, the wrath, and the entire absence of commonsense which surprised me, to-day in his speech. He has been remarkable throughout his speeches in this House for the very careful manner in which he gives advice, but to-day he seems to have forgotten his usual manner or I do not know what is responsible for it. He has in his criticism—I hope he will forgive me for making these remarks about his criticism in this way—really missed the fact that I am serious and earnest in my statement. Otherwise, I would have been very glad to accept his advice.

"Then, Sir, with regard to the other remarks made by Mr. Raman to the effect that the Bill does not go far enough and that it is not comprehensive enough, I can only repeat what I said

[Sri C. Rajagopalachariar] [13th December 1938]

before, viz., that it is not in the wording of the Act that any defect lies, but it is in the caution that we have to take that any defect lies. After all, these cautions and these precautions only must succeed. If we succeed in Malabar, even in two or three places, I can assure my hon. friend, Mr. Raman that it will ensure all the temples in India being thrown open to Harijans. Sir, this measure has nothing to do with property or anything of that kind. This is a measure which deals with superstition, which deals with custom and not with mere property. Therefore I would submit that a thing done to Harijans is a thing done for all Hindus. But if Mr. Raman believes that Malabar is a difficult place for working this Act, then I submit that we should be glad for having taken up Malabar and *a fortiori* it will be easily done in other places. Therefore his remarks do not apply here. If two or three friends have assured me before and now, that this reform could easily be carried out in Malabar, where is the need to make it compulsory or introduce it in all districts? The success of the reform does not merely consist in the measure being made compulsory. It is not merely a gamble of dice. So we took the advice of our friends in Malabar and found that it is a good ground to introduce this measure in the first instance. We have moderated our demands, we have moderated our tones, and we do not want to frighten our opponents. We want to take them on as much easy terms as possible and not simply talk of big things, but doing little.

"Then, it was said that it is against self-respect to exclude Harijans from this voting. I would submit there is reason behind this. It is also consistent with the doctrine of persuasion under which this Bill is framed. My friend, Mr. Narayanaswami Nayudu, referred to Gandhiji's fasting and his statement that all the caste Hindus should be made to throw open the temples to Harijans and that we should respect his word. True, we must respect that doctrine, and you may depend upon it that we have not rejected that doctrine. But in this case we thought that caste Hindus should be made to agree of their own accord. It is not by compulsion, it is not by overloading the dice and it is not by including the excluded classes that you get the reform. You must make the included classes to vote of their own accord. Then alone the temples can be said to be opened in a proper form. Otherwise it is not temple entry; it is merely a temple capture. That is why we proposed to give the votes to people who are now in the enjoyment of the temples. The exclusion of the excluded castes from the referendum is a step in the right direction. This is the fundamental principle of Mahatma Gandhi in respect of this matter. He wants to go even further. So far as secular matters in the temple are concerned, we cannot go into that question very effectively. Whether the people are temple-goers or whether they

13th December 1938]

[Sri C. Rajagopalachariar]

are trustees, all of them are entitled, according to existing practice, to take part in the worship within the temples, and all of them are allowed franchise. So, there is no question of self-respect involved in allowing only the included castes to vote. I submit that if the excluded castes remained patient all along, they have now also to remain patient on account of the fact that they have got devotion towards caste Hindus which entitles them to go into the temples; and it is better for the excluded classes, if the caste Hindus themselves invite them (the excluded classes) rather than we use secular powers in the Legislature. So I think there is nothing derogatory in the Bill or against self-respect in not allowing the excluded classes to vote. I think all the points raised come to nothing. If we are earnest about our purpose, we shall achieve our object in the fullest sense of that term, viz., the removal of untouchability and all other disabilities that are now prevalent in regard to temple entry, etc. We shall achieve our object if everybody is warm in the actual execution of his duties as every one is in regard to the substance of the Bill. I particularly thank Sir K. V. Reddi Nayudu for his warm and unqualified support to this measure.

"Sir, one other matter that I wish to refer to is this: Mr. Hegde while referring to this matter has claimed that this Bill is wrong on its merits. He says that we should not pass this Bill to-day. I submit that it would be suicidal not to adopt this measure. So far as the Hindu religion is concerned, what is the good of the opposition which Mr. Hegde represents? What is the good of that opposition if the whole world recognizes that these excluded classes, the Harijans, belong to Hindu religion but if they are left unrepresented in our own country and disliked by our own people as not fit to enter temples? I submit that it is unwise and suicidal for the orthodox people to stand against this measure now."

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

Clause 2.

Sub-clause (4).

SRI B. NARAYANASWAMI NAYUDU:—"I beg to move the amendment that stands in my name as follows:—

'Delete the words "*which is open to the bulk of the worshippers*" occurring towards the end of sub-clause.'

"The reason for this amendment is obvious. What I have in my mind is that certain places in temples are reserved as exclusive sacred places and even the caste Hindus cannot enter them. My submission is that this should not be so. Of course, it may be

[Sri B. Narayanaswami Nayudu] [13th December 1938]

necessary to say that on account of want of accommodation only four persons or three persons could be accommodated in a particular place. That is a different thing from saying that you cannot enter a particular place. Is it democracy to believe that a particular part of the temple should be thrown open only to certain people and not to others? Therefore, I move my amendment."

* SRI RAO BAHADUR M. RAMAN:—"I second the amendment."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, Mr. Narayanaswami Nayudu has explained very clearly that some of the portions of the temple are considered so holy and sacred that nobody is even allowed to enter them and he wants all such portions should be opened under this Bill not only for the excluded classes but for the first time even to the included classes. I have nothing to add to what I said in regard to his extremism to-day. It seems as if he is determined to be most unreasonable in all matters concerning this Bill. I cannot accept the amendment."

The amendment was put and lost.

Clause 2 was put and carried. Clauses 3, 4, 5, 6, 7, 8, 9, 10 and 11 were put and carried.

Clause 12.

SRI B. NARAYANASWAMI NAYUDU:—"In view of the amendment that I propose to move under clause 1, sub-clause (1), viz., 'to omit the word "Malabar" and substitute the word "Madras"', I request that clause 12 may be taken up later. If my amendment to clause 1 (1) is accepted, then my amendment to clause 12 will only be a consequential amendment. So I request that clause 12 may be taken up after clause 1 is passed."

THE HON. SRI C. RAJAGOPALACHARIAR:—"The proper thing would be to put clause 12 first."

Clause 12 was put and carried.

Clause 1.

MR. PRESIDENT:—"The question is that clause 1 do stand part of the Bill."

(At this stage Mr. B. Narayanaswami Nayudu rose to move his amendment under clause 1 but was not allowed to move it as he did not move the amendment under clause 12.)

THE HON. SRI C. RAJAGOPALACHARIAR:—"Obviously there has been a mistake. Mr. Narayanaswami Nayudu has withdrawn all his amendments to clause 2, but he apparently intended

13th December 1938] [Sri C. Rajagopalachariar]

to move his amendment to clause 12 and also his amendments to clause 1, i.e., to the title and the preamble, because he wanted to convert the word 'Malabar' into 'Madras'. Therefore the proper procedure would have been to have dealt with the amendment of Mr. Narayanaswami under clause 12 first. If that amendment had not been accepted, then he would have withdrawn his amendments to other clauses. Therefore amendment to clause 12 should have been put first."

MR. PRESIDENT:—"Yes, yes, clause 12 was already put. But he did not move his amendment."

SRI B. NARAYANASWAMI NAYUDU:—"Yes, yes. I do not quarrel over that small matter now. I know what the fate of my amendments would be."

Clause 1 was put and carried.

4 p.m.

The preamble was put and carried.

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I move that—

'the Bill be passed into law'."

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

IV.—MOTION RE AMENDMENT TO SCHEDULE V TO THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.

THE HON. SRI B. GOPALA REDDI:—"Sir, I beg to move—

'That the following draft of a rule proposed to be made by the Government of Madras under section 305 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920) amending Schedule V to that Act be approved:—

Draft Rule.

"In clause (o) of the said schedule, the word 'the' occurring before the words 'wholesale trade' shall be omitted."

"Though this is a simple and verbal amendment, it has been brought forward because of a decision against the Calicut Municipal Council, given by the Revenue Divisional Officer there. So, the Government have thought it fit to delete the word 'the' before the words 'wholesale trade.' The motion may be accepted by the House."

The motion was put and carried.

[13th December 1938]

V.—LEGISLATION BY THE CENTRAL LEGISLATURE FOR THE REGULATION OF CERTAIN MATTERS IN RESPECT OF DRUGS AND MEDICINES ENUMERATED IN THE PROVINCIAL LEGISLATIVE LIST.

* THE HON. DR. T. S. S. RAJAN:—"Sir, I move—

'That this Council do resolve that it is desirable that—

- (1) trade and commerce within the Province in drugs, medicines and biological products,*
- (2) the production, supply and distribution of drugs, medicines and biological products,*
- (3) the adulteration of drugs, medicines and biological products,*
- (4) fees in respect of the matters mentioned in clauses (1) to (3),*
- (5) inquiries and statistics for the purpose of the matters mentioned in clauses (1) to (4),*
- (6) offences against laws with respect to the matters mentioned in clauses (1) to (5), and*
- (7) jurisdiction and powers of courts with respect to the matters mentioned in clauses (1) to (6),*

which are among the matters enumerated in the Provincial Legislative list, should be regulated in this Province by an Act of the Central Legislature.'

"In moving this resolution, Sir, I wish to state that in the year 1930 the Government of India constituted a Drug Enquiry Committee which, after an extensive tour of the various parts of the country, formulated a report and presented it to the Government of India. In that report, the adulteration of drugs that are imported into this country is exhaustively dealt with; it deals with legislation to prevent the import of adulterated drugs into this country. Since then the Government of India had been devoting much thought to this matter. Last year, legislation was introduced in the Central Assembly to prevent adulteration and importation of adulterated drugs into the country. This Bill was referred to a Select Committee. While the Select Committee was considering the Bill, it was brought to the notice of the Government of India by various organizations and Provincial Governments that the Bill was very incomplete and that mere prevention and importation of adulterated drugs will not improve matters. Therefore they thought they must have an extensive measure which will take into account not only the adulteration of imported drugs but also adulteration of drugs manufactured locally.

"The second point that was urged against that Bill was that, if imported drugs are certified when they are brought here and

[13th December 1938] [Dr. T. S. S. Rajan]

when they are put forth in the market for sale, it confers undue advantage of preference to the imported articles over the indigenous articles manufactured locally, for the indigenous drugs cannot hold the certificates of purity under the clauses of that Bill. Therefore Provincial Governments, medical organizations and associations and pharmacies wanted a more comprehensive Act. But according to the Government of India Act of 1935, prevention of adulteration of indigenous drugs manufactured in this country became a Provincial subject. Therefore the Central Government could not take action unless Provincial Governments empowered them to do so, on their behalf. Already, more than two or three Provincial Governments have accepted that position and have passed suitable resolutions in their Legislatures and have communicated their resolutions to the Government of India. We are certainly following the same procedure in this Province. The acceptance of this position does not in any way take away the powers of the Local Government with regard to the control of these drugs in this Province. Section 103 of the Government of India Act, 1935, says as follows:—

'If it appears to the Legislatures of two or more Provinces to be desirable that any of the matters enumerated in the Provincial Legislative list should be regulated in those Provinces by Act of the Federal Legislature, and if resolutions to that effect are passed by all the Chambers of those Provincial Legislatures, it shall be lawful for the Federal Legislature to pass an Act for regulating that matter accordingly, but any Act so passed may, as respects any Province to which it applies, be amended or repealed by an Act of the Legislature of that Province.'

"Therefore even if the Central Government passed legislation with regard to this matter with the concurrence of the Provincial Legislatures, it does not deprive the right of this Legislature to either amend or even repeal that Act of the Central Legislature, if the former so desires. But in conformity with the general wish of those that are interested in the prevention of adulteration of drugs, it has been thought fit that all-India legislation is necessary in this matter. Therefore this resolution wishes to embody the united wish of this Legislature to the effect that the Central Legislature might enact suitable legislation which will deal not only with the importation of adulterated drugs into this country but also prevention of adulteration of drugs in this country. This legislation will give equal preference and equal certificate to drugs imported into the country and drugs locally manufactured; so, the competition between the imported drugs and those that are locally manufactured will be on a par. It is only with that object this resolution has been brought forward. There has been no controversy about it. This resolution has been considered to be important and necessary and is welcomed by the organizations concerned. I therefore move this resolution and commend it for the acceptance of the House."

[13th December 1938]

* SRI K. VENKATASWAMI NAYUDU:—"Sir, I think this is a measure which is long overdue in this country. It is well known that imported medicines that are coming to our country, are not of the proper standard. Particular drugs that are imported into our country, are not of the usual standard. Therefore it is very necessary that such a legislation should be passed. Secondly there are a number of medicines manufactured in this country itself and it is said that they are of a high standard; they are not really of the British Pharmacopæia standard. Poor patients would suffer a great deal, if the drugs are not of the standard quality and if medicines are not properly dispensed. For these reasons it is very necessary that such a legislation should be passed.

"I do not know why the Central Legislature should pass the legislation. Why not we have a Provincial Act? In Bengal they are manufacturing some drugs peculiar to the conditions of Bengal; they may not be suitable to the conditions in Madras. Conditions in the various Provinces may be different. I think a Provincial Act which would cater to the needs of Madras would be much better. But the Hon. Minister has stated that the Government of India has asked for our opinion for an All-India Bill on the subject. He also said that we have got the privilege of adopting that Act when passed or amending it, if necessary, to suit our conditions. Then it will be really useful to our Province. For instance, Bengal has produced many concerns on the Chemist's line; we are starting some concerns in this Province. Unless we give some encouragement to the drugs produced in this Presidency, it will not be possible for the chemical industry to thrive here. These things should be taken into consideration when a Bill is drafted. The general consensus of opinion is that such a legislation is very necessary in the interest of the public at large. But it should suit the conditions of each Province; to that extent each Province must be given the liberty of amending or altering the Bill, to suit its conditions; with these words, I support the resolution."

* MR. A. RANGASWAMI AYYANGAR:—"Sir, it is not to oppose the resolution that I rise to speak. But I have a doubt; as it is now constituted, I fear that there would be discrimination in favour of particular kinds of medicines as against Indian medicines. That is the doubt that I raise. I hope the Provincial Government will see that no discrimination of any sort is made; if such a resolution is allowed to be passed by the Central Legislature, I hope the Provincial Government will see that sufficient safeguards are put in, to prevent any kind of discrimination being made against Indians."

13th December 1938]

* THE HON. DR. T. S. S. RAJAN:—"Sir, there is apparently a misapprehension in the mind of Mr. Venkataswami Nayudu with regard to this legislation. Legislation relating to the prevention of adulteration of imported drugs, can be undertaken only by the Central Legislature; the Madras Government cannot legislate on the matter of excise duty, etc., which is under the jurisdiction of the Central Government. Therefore, it is necessary that the Central Legislature should pass this legislation.

"With regard to the fear of my hon. friend, Mr. Rangaswami Ayyangar, there is absolutely nothing to be afraid of. The Central Legislature is expected to pass a uniform measure which will apply to all the Provincial Governments, not only to this Province but also to other Provinces. Even if such a legislation is passed, it is open to this Legislature either to repeal that legislation or amend it if necessary; we have inherent powers to do so. Therefore, his fear is absolutely unfounded. If we allow the Central Legislature to pass this legislation and if we find it defective or unsuitable or adverse to our interests, it is open to us to say that we do not want that legislation. We have got inherent powers to amend it, if any amendment is necessary. Neither of the two objections raised need be taken notice of seriously, because they are not really objections."

The resolution was put and carried.

VI.—MOTION *RE* AMENDMENT TO SCHEDULE IV TO THE
MADRAS CITY MUNICIPAL ACT, 1919.

THE HON. SRI B. GOPALA REDDI:—"Sir, I move—

That the following draft of certain rules proposed to be made by the Government of Madras under sub-section (3) of section 347 of the Madras City Municipal Act, 1919, (Madras Act IV of 1919), altering Schedule IV to that Act be approved.

The rules hereby made shall be deemed to have come into force with effect on and from the 1st April 1938.

Draft Rules.

(1) *To rule 2 of the said rules, the following provisos shall be added, namely:—*

"Provided that in every case where there is an enhancement in the assessment the commissioner shall also cause intimation thereof to be given by a special notice to be served on the owner or occupier of the property concerned:

"Provided further that in every case where a special notice is required to be served on the owner or occupier under

4.15
p.m.

[Sri B. Gopala Reddi] [13th December 1938]

the first proviso, the period of thirty days and fifteen days referred to in clause (b) shall be calculated from the date of service of such special notice."

"(2) In sub-rule (1) of rule 6-A of the said Schedule, the following words shall be added at the end, namely:—

"or, in a case where a special notice is required to be served on the owner or occupier of the property under the first proviso to that rule, on the first day of the half-year following that in which such special notice is served on the owner or occupier of the property."

"Sir, by this we are only restoring the position that was in vogue before 1936. This proviso was in the City Municipal Act prior to 1936 and by some reason or other it was omitted in the amending Act of 1936. On the request of the Corporation of Madras itself we are moving for the inclusion of this proviso. Now, what happens is that whenever there is an enhancement in assessment, the practice is that it is announced in the papers and the actual owner or occupier of the property takes note of it from the announcement in the newspapers and pays the enhanced rate. According to this amendment we seek to ask the commissioner that wherever there is an enhancement in the property tax, he should give notice to the occupier or owner of the property so that if he wants he can prefer an appeal in time to the commissioner. I therefore request that the amendment be approved."

The motion was put and carried.

VII.—RULES UNDER SUB-SECTION (2) OF SECTION 74-A OF THE
MADRAS LOCAL BOARDS ACT RELATING TO MADRAS LOCAL
FUND ASSISTANT ENGINEERS SERVICE.

THE HON. SRI B. GOPALA REDDI:—"Sir, I move—

"That the draft rules^a proposed to be made by the Government of Madras under sub-section (2) of section 74-A of The Madras Local Boards Act, 1920 (Madras Act XIV of 1920), be approved."

"As these rules run over five or six printed pages, I hope I need not read them, because they have been before hon. Members for a long time. (Rao Bahadur N. R. Samiappa Mudaliyar: 'Only for a number of days and not for a long time.') It has been circulated within the prescribed period and so it is a sufficiently long time.

"I may say, Sir, that there has been a clamour for a long time that we should provincialize the service of assistant engineers of local boards and even as early as 1919 it was thought that

^a Printed as Appendix VII on pages 181-190. *infra.*

13th December 1938] [Sri B. Gopala Reddi]

before the district engineers' service was provincialized the assistant engineers' service should be provincialized. So far about 20 district board engineers were provincialized, but for various reasons the question of provincializing the assistant engineers was not taken up till now. Last year the District Board of Chingleput, Saidapet, passed a resolution requesting the Government to provincialize the service of assistant engineers also. At their request, we made a reference to all the district boards and I may be permitted to say that out of thirty-two boards that have replied, only four have voted against provincialization and as I said on a different occasion yesterday, there are assistant engineers in the same district serving for a long time for over 20 years and we could not transfer them to any other district; and their grades and scales of pay vary from district to district. In certain districts like Tanjore they were recruited straightaway on Rs. 350 and in Chingleput on Rs. 150 though their qualifications are the same and the work done by them are also the same. So, in order to regularize the service and standardize their scales of pay and to give them transfers whenever needed this amendment is brought forward. This was also brought up at the specific request of the engineers themselves made year after year at their conference for the provincialization of their service.

"I request, Sir, that the draft rules be approved."

THE HON. SRI B. GOPALA REDDI:—"Sir, I move the following amendment that stands in my name, namely:—

"Add to clause (iii) of sub-rule (1) of rule 6—

"or such other age as may be notified by Government from time to time, either generally or for particular communities."

"Sir, this is an amendment which was subsequently moved in the Assembly and accepted by the Government because it was felt that in the case of Muslims, scheduled castes and other such communities, preferential treatment in the matter of age should be given and so they wanted that it should be fixed at 32. We accepted the amendment by taking power to fix the age for those communities as circumstances may require. To-day it may be that Muslims, scheduled castes and some other communities require preferential treatment with regard to recruitment in service, but in course of time it may perhaps be not needed and there would be no necessity for Government to give preferential treatment for them. So, we thought this would be elastic enough to empower the Government to fix the age-limit for different communities from time to time. I hope this would be accepted."

The amendment was put and carried.

[13th December 1938]

THE HON. SRI B. GOPALA REDDI:—"I move the following amendment standing in my name, namely:—

'Draft rule 17 shall be renumbered as sub-rule (1) under draft rule 17 and the following shall be added as sub-rules (2), (3) and (4):—

"(2) The prescribed authority may censure, or withhold increments from, any member of the service for any breach of departmental rules or discipline or for carelessness, unfitness, neglect of duty or other misconduct. He may also suspend temporarily from duty members of the service for any serious offence or misdemeanour pending a report of the case to, and the decision of, the Government thereon.

"(3) No member of the service shall be removed or dismissed except by the Government.

"(4) An appeal shall lie to the Government against any order of punishment imposed by the prescribed authority except an order of censure."

The amendment was put and carried.

THE HON. SRI B. GOPALA REDDI:—"I move, Sir—

'that in the said rules, wherever the word "Muhammadan" occurs, the word "Muslim" be substituted.'

"This was moved by an hon. Member in the other House and it was accepted by the Government. The reason for it, he said, was that the word 'Muhammadan' was not a happy term and that those who follow Islam should be named Muslims. The amendment was accepted by Government. I move that it may be accepted here also."

* SRI A. RANGASWAMI AYYANGAR:—"Though I do not object to the amendment, I would like to know the difference between 'Muslim' and 'Muhammadan.'"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"I will explain it afterwards." (Laughter.)

The amendment was put and carried.

MR. PRESIDENT:—"The question is that—

'the draft rules proposed to be made by the Government of Madras under sub-section (2) of section 74-A of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920) be approved.

The motion was put and carried.

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

13th December 1938]

APPENDIX I.

[Vide answer to starred question No. 83 asked by Khan Bahadur T. M. Moidu Sahib Bahadur at the meeting of the Legislative Council held on the 13th December 1938, page 99 supra.]

Statement showing the list of newspapers and periodicals which prisoners are allowed.

I.—A AND B CLASS PRISONERS WHO ARE LITERATE IN ENGLISH.

(a) Daily newspapers.

- | | |
|-------------------------|----------------------|
| (1) The Times of India. | (3) The Madras Mail. |
| (2) The Statesman. | (4) The Hindu. |

(b) Magazines

- | | |
|---|--|
| (1) The Times of India, Illustrated Weekly. | (11) The Times (London). |
| (2) The Windsor Magazine. | (12) The Contemporary Review. |
| (3) The Strand Magazine. | (13) The Review of Reviews. |
| (4) The Daily Mirror. | (14) The Fortnightly Review. |
| (5) The Graphic Magazine. | (15) The Current History. |
| (6) The Capital. | (16) "Headway" published by the League of Nations Union, London. |
| (7) The Indian Economic Review. | (17) The Manchester Guardian. |
| (8) The Mysore Economic Journal. | (18) The Christian Herald. |
| (9) The Planters' Journal of United Planters' Association of South India. | (19) The Sunday Companion. |
| (10) The Indian Review. | (20) Church of England Magazine. |

II.—A AND B CLASS PRISONERS WHO ARE NOT LITERATE IN ENGLISH.

(a) Daily newspapers

- | | |
|------------------------------|---|
| (1) Dhinamani (Tamil). | (4) Andhra Patrika or Andhra Prabha (Telugu). |
| (2) Mathrubhumi (Malayalam). | (5) Mushir-i-Daeen (Urdu). |
| (3) Prabhat (Kannada). | |

(b) Magazines.

- | | |
|--------------------------------|---|
| (i) Malayalam. | |
| (1) Kerala Patrika .. Weekly. | (3) Satyanadam .. Weekly. |
| (2) Mitavadi .. " | (4) Co-operator .. Monthly. |
| (ii) Telugu. | |
| (1) Ravi .. Weekly. | (5) Ananda Bodhini. Monthly. |
| (2) Ryot Patrika .. " | (6) Arogya Prakasika. " |
| (3) Swatantra .. " | (7) Gr halakshmi .. " |
| (4) Samadarsini. Bi-Weekly. | (8) Sudha .. " |
| (iii) Kannada. | |
| (1) Vrittanta Patrika. Weekly. | (8) Vikata Vinodhini. Monthly. |
| (2) Mysore Star .. " | (9) Rangabhumi .. " |
| (3) Kurubara Patrika. " | (10) Sahitya Parishat Quarterly. Patrika. |
| (4) Arogya Chandrika. Monthly. | (11) Prabuddha Karna-taka. " |
| (5) Vinodaranjani .. " | |
| (6) Kathanjali .. " | |
| (7) Subodha .. " | |
| (iv) Urdu. | |
| (1) Novjavan .. Weekly. | (2) Safina .. Quarterly. |
| (v) Tamil. | |
| (1) Hindu Nesan .. Weekly. | (8) Karpagam .. Monthly. |
| (2) Arogya Deepikai. Monthly. | (9) Chennai Sahodaran. " |
| (3) Amrita Guna .. " | (10) Srimath Valmiki .. Ramayanam. |
| (4) Chintamani .. " | (11) Manikkodi .. Fortnightly. |
| (5) Jagan Mohini .. " | (12) Kalaimagal .. Monthly. |
| (6) Sri Ramakrishna Vijayam. " | (13) Vijaya Bharathi. " |
| (7) Viveka Bodhini .. " | (14) Zamin Ryot .. " |
| | (15) Kathanithi. |

[13th December 1938]

II.—A AND B CLASS PRISONERS WHO ARE NOT LITERATE IN ENGLISH—cont.

(b) *Magazines*—cont.

(vi) Oriya.

- (1) Pallibasi .. Weekly. (3) Prajabandu .. Weekly.
 (2) Rayet Sakha .. " "

III.—ALL CLASSES OF PRISONERS.

- (1) The Howard Journal—Weekly (Tamil, Telugu and Malayalam).
 (2) Ananda Vikatan—Weekly (Tamil).
 (3) Chitra Gupta—Fortnightly (Telugu).
 (4) Sanjayan—Weekly (Malayalam).

APPENDIX II.

[Vide answer to starred question No. 93 asked by Sri P. Veerabhadraswami at the meeting of the Legislative Council held on the 13th December 1938, page 104 supra.]

Statement showing the action taken on the applications of municipal councils for sanction for reduction of the rate of tax on bicycles.

Serial number and name of municipal council.					Action taken.
1	Chingleput	..	..	..	Sanctioned.
2	Dindigul	..	..	..	Do.
3	Erode	..	..	..	Do.
4	Madura	..	..	..	Do.
5	Negapatam	..	..	..	Do.
6	Tiruppur	..	..	..	Do.
7	Tiruvannamalai	..	..	..	Do.
8	Trichinopoly	..	..	..	Do.
9	Tiruvarur	..	..	..	Do.
10	Chidambaram	..	..	..	Do.
11	Saidapet	..	..	..	Do.
12	Coimbatore	..	..	..	Do.
13	Srirangam	..	..	..	Do.
14	Conjeevaram	..	..	..	Do.
15	Guntur	..	..	..	Do.
16	Karur	..	..	..	Do.
17	Cannanore	..	..	..	Do.
18	Chicacole	..	..	..	Do.
19	Chirala	..	..	..	Not sanctioned.
20	Cuddalore	..	..	..	Do.
21	Ellore	..	..	..	Do.
22	Mayavaram	..	..	..	Do.
23	Palghat	..	..	..	Do.
24	Srivilliputtur	..	..	..	Do.
25	Tanjore	..	..	..	Do.
26	Vaniyambadi	..	..	..	Do.
27	Vizianagram	..	..	..	Do.
28	Virudunagar	..	..	..	Council advised not to reduce the rate of tax.
29	Udipi	..	..	..	Not sanctioned.
30	Bellary	..	..	..	Do.
31	Salem	..	..	..	Do.
32	Tuticorin	..	..	..	Do.
33	Tiruppattur	..	..	..	Do.
34	Vellore	..	..	..	Do.

13th December 1938]

APPENDIX III.

[Vide answer to unstarred question No. 24 asked by Sri D. Manjaya Hegde at the meeting of the Legislative Council held on the 13th December 1938, page 110 supra.]

AGRICULTURAL RESEARCH STATION, KASARAGOD.

1. The garden of Sri B. Amrita Rao, wakil, Kasaragod, was visited and information regarding the manuring of coconut seedlings and the pruning of sapota plants was supplied.

2. A garden of Sri Aiman of Padi village, five miles away from the station, was visited at his request and advice regarding regular cultivation, systematic searching for beetles and manuring the trees with green-leaf manure and ash was given.

3. A garden of Sri Krishna Bhat, wakil, Kasaragod, who reported that some of his seedlings had died and wanted his garden to be inspected was also visited. In the garden white-ant attack was diagnosed. Sri Krishna Bhat was advised to add crude oil in irrigation water.

4. Sri R. S. Prabhu, Kasaragod, another garden owner, was advised how to plant one-year old seedlings.

5. Another garden belonging to one Janab Muhammad was visited. It was found that the death of the coconut trees was due to bud-rot. As the disease had advanced, the seriousness of the attack was explained to him and he was advised to cut and burn the crowns of the trees to prevent the infection of healthy ones.

6. The garden of Janab Parambat Muhammad was visited and he was advised to inter-cultivate and manure the trees.

AGRICULTURAL RESEARCH STATION, NILESHWAR.

Coconut seedlings.—Six thousand nine hundred and eighty-one coconut seedlings have been sold to neighbouring cultivators.

Tapioca.—This is a poor man's crop, the cultivation of which was unknown in South Kanara. It was first introduced by the farm staff in the neighbourhood and 5,765 setts of *butterstick* (superior variety) were distributed among the ryots.

Iron ploughs.—As a result of constant propaganda, ryots are slowly realizing the advantage of iron ploughs in the preparatory cultivation of paddy to reduce the cost of cultivation. Farm animals are hired out whenever they have no work on the farm and 15 acres have been worked this year in three centres.

[13th December 1938]

Improved seed.—The advantages of selected paddy seed from Taliparamba and Pattambi stations in preference to local seed have been well impressed.

Miscellaneous.—Whenever the ryots' gardens are visited, their coconut trees are examined for insect or fungoid attacks. The bleeding disease of trees on the river banks, and *Nephantis serinopa* attack on the sea coasts are common occurrences. Treatments for these diseases were demonstrated.

AGRICULTURAL RESEARCH STATION, PILICODE.

Ryots are constantly advised to use better ploughs for ploughing their paddy fields and during the year 1937-38 farm pairs with the monsoon plough and a skilled coolie for ploughing, were hired out for 65 days. Advice has also been given regarding manuring their crops, the desirability of growing fruit plants and combating diseases and pests. Nine ryots have planted graft mangoes in their respective gardens and the Farm Manager attended to the planting and manuring.

The coconut garden of Sri T. U. K. Thirumump received attention from the staff in the matter of manuring, inter-cultivation and combating shoot-rot disease in the coconut. The desirability of growing fruit plants like graft mangoes, cashewnut, etc., has also been impressed upon him who has now planted 12 graft mango plants and 300 cashewnut seedlings.

Sri O. K. Karunakaran of Cannanore, who has recently started a cashewnut garden at Pilicode, was given all the necessary instructions. Advice was also given regarding ginger and groundnut cultivation in his land.

Two pairs of animals with monsoon plough were lent to Doctor Achutan of Cannanore for ploughing his coconut garden at Pilicode.

Sri P. K. Adiyodi, whose coconut trees were infected with shoot-rot and bleeding disease, was advised about methods for its treatment and for preventing its further spread.

[13th December 1938]

APPENDIX IV.

[Vide answer to unstarred question No. 25 asked by Sri B. Narayanaswami Nayudu at the meeting of the Legislative Council held on the 13th December 1938, page 111 supra.]

Names of the temples in each revenue taluk which are assessed to contribution under section 69 of the Madras Hindu Religious Endowments Act, 1926, on an annual income of Rs. 5,000 and upwards.

Name of taluk.	Name of village.	Name of temple.	Income.
<i>Vizagapatam district.</i>			RS.
Anakapalle ..	Anakapalle ..	Sri Kanyakaparameswari.	6,457
Bimlipatam ..	Padmanabham ..	Anantapadmanabhaswami.	6,964
Palkonda ..	Rajam ..	Rajagopalaswami, Ramalingeswaraswami and Sitaramaswami at Sitarapuram.	17,260
Do. ..	Palkonda ..	Jagannadaswami ..	6,000
Vizagapatam ..	Simhachalam ..	Varahalakshmi Narasimhaswami.	1,12,395
Do. ..	Vizagapatam ..	Kodandaramaswami alias Sitaramaswami.	6,000
Vizianagram ..	Ramathirtham ..	Ramaswami ..	13,840
Do. ..	Vizianagram ..	Kanyakaparameswari.	6,500
Chicacole ..	Balaga ..	Jagannathaswami ..	26,000
Do. ..	Chicacole ..	Kodandarama ..	5,000
Iochapur ..	Kanchili ..	Jagannathaswami and Raghunathaswami.	7,760
Do. ..	Sariapalli ..	Lakshminarayanaswami.	9,604
Do. ..	Mandasa ..	Vasudevaswami ..	9,000
Bobbili ..	Bobbili ..	Venugopalaswami ..	14,870
<i>Kistna district.</i>			
Bandar ..	Batchupeta ..	Venkateswaraswami ..	5,310
Bezwada ..	Bezwada ..	Kanakadure amallikarjunaswami alias Malleswaraswami.	8,066
Kaikalur ..	Vadali ..	Jagannathaswami ..	19,428
Nuzvid ..	Agirapalli ..	Sobhanac alamallikarjunaswami.	12,134
<i>West Godavari district.</i>			
Ellore ..	Ellore ..	Janardhana Kanyakaparameswari-Nagaraswari.	5,790
Do. ..	Dwaraka-Tirumalai.	Venkateswaraswami ..	30,000
Narasapur ..	Palacole ..	Kaheeraramalingeswaraswami.	5,250

[13th December 1938]

Name of taluk.	Name of village.	Name of temple.	Income.
<i>East Godavari district.</i>			
Peddapur	Annaram	Veeravenkatasatya-narayanaswami.	RS. 31,041
Pittapuram	Pittapuram	Kuntimadhavaswami.	6,177
Ramachandrapur ..	Draksharama ..	Bhimeswaraswami ..	8,000
Razole	Antarvedi	Lakshminarasimhaswami.	5,000
Do.	Gudimoola-Rameswaram.	Kruthakruthiya Rameswaraswami.	6,000
Do.	Vadapalli	Venkateswaraswami and Venugopalswami.	5,000
<i>Guntur district.</i>			
Bapatla	Ponnur	Bhavanarayanawami.	9,210
Guntur	Mangalagiri	Lakshminarasimhaswami.	14,000
Do.	Vaikuntapuram ..	Venkateswaraswami ..	7,710
Narasaraopet ..	Kothappakonda ..	Trikoteswaraswami ..	11,736
Repalle	Moorthota	Muktheswaraswami ..	5,461
Do.	Pedapulivarru ..	Varadarajaswami ..	6,071
Sattenapalli ..	Amaravathi	Amareswaraswami ..	9,312
Tenali	Donepudi, hamlet of Kotipalle.	Somasekaraswami ..	10,442
Do.	Munugotipuram alias Munnangi Kothapeta.	Bhimeswaraswami ..	8,548
Do.	Sangam Jagarlamudi.	Sangameswaraswami ..	7,613
<i>Nellore district.</i>			
Nellore	Nellore (Stone-housepet).	Kanyakaparameswari.	6,410
Do.	Nellore (Ranganayakulapet).	Talpagiri Ranganathaswami.	9,950
Do.	Nellore (Mulapet) ..	Venugopalswami ..	7,000
Kovur	Buchireddipalem ..	Kodandaramaswami ..	9,025
Do.	Gandavaram	Lakshminarasimhaswami, Udayakaleswaraswami and Venugopalswami.	5,925
Do.	Jonnavaada	Mallikharjunaswami. and Kamakshamma.	11,430
Kandukur	Singarayakonda ..	Varaha Lakshminarasimhaswami.	9,787
Gudur	Venkatagiri	Kasiviswanthaswami, Varadarajaswami and Kamakshi Tayee.	15,000
<i>Chittoor district.</i>			
Chandragiri	Tirupati	Tirumalai-Tirupati, etc., Devasthanams.	9,81,854
Kalahasti	Kalahasti	Kalahasteswaraswami devasthanam.	9,400
Puttur	Narayanavanam ..	Kalyanavenkateswaraswami devasthanam.	5,741
Tiruttani	Karimbedu	Nadadeswaraswami ..	9,289
Do.	Tiruttani	Subrahmanyeswaraswami devasthanam.	20,525
<i>Anantapur district.</i>			
Gooty	Anumpalli	Sunkalamma	10,000
Kadiri	Kadiri	Lakshminarasimhaswami.	5,400

13th December 1938]

Name of taluk.	Name of village.	Name of temple.	Income.
<i>Cuddapah district.</i>			
Rajampet	Rajampeta	Kanyakaparameswari.	RS. 5,000
<i>Bellary district.</i>			
Hospet	Hampi	Virupakshaswami ..	30,000
<i>Kurnool district.</i>			
Nandikotkur	Srisaalam	Mallikarjunaswami ..	16,225
Sirvel	Ahobilam	Narasimhaswami ..	7,150
Kurnool	Gorantla	Madhavaswami ..	6,150
<i>North Arcot district.</i>			
Polur	Padavedu	Ramachandraswami and Renugambalam.	6,244
Tiruvannamalai ..	Tiruvannamalai ..	Arunachaleswarar ..	32,218
Wallajah	Sholinghur	Lakshminarasimhaswami.	11,850
<i>South Arcot district.</i>			
Chidambaram	Srimushnam	Bhoovarahaswami ..	8,160
Cuddalore	Tiruppappuliyur ..	Pataleswarar ..	12,666
Tindivanam	Tiruvendipuram ..	Devanathaswami ..	7,404
Vriddhachalam ..	Mailam	Subrahmanyaswami ..	10,000
Do.	Vriddhachalam ..	Vridhagireshwarar ..	9,167
<i>Chingleput district.</i>			
Chingleput	Tirukkalikkunram ..	Vidagiriswarar ..	7,132
Do.	Tirupporur	Kandaswami	15,000
Conjeeveram	Big Conjeeveram ..	Ekambaranathar ..	8,000
Do.	Do.	Kamakshi Amman ..	5,875
Do.	Do.	Pravalavarnar ..	6,556
Do.	Do.	Devarajaswami ..	31,300
Ponneri	Tiruppalaivanam ..	Paleswarar	5,125
Do.	Tiruvayarpadi	Karikrishnasperumal ..	5,824
Saidapet	Ayyanavaram	Kariviswanathar ..	5,225
Do.	Saidapet	Karaneswarar	6,775
Do.	Tiruneermalai	Ranganathar	5,492
Do.	Tiruvanniyur	Marudeswarar	5,050
Do.	Tiruvottiyur	Tyagarajar	5,938
Sriperumbudur ..	Kovur	Sundareswarar	17,494
Do.	Sriperumbudur	Adikeswarar, etc. ..	16,225
Do.	Tirumanam	Sundararajaperumal ..	5,625
Tiruvallur	Tiruvallur	Veeraraghavaswami ..	19,221
<i>Tanjore district.</i>			
Arantangi	Tirupunavasal	Vridhapureswarar ..	15,854
Do.	Arudayarkoil	Athmanathaswami ..	68,000
Mannargudi	Kothur	Kolundeswarar	5,780
Do.	Mannargudi	Rajagopalswami ..	12,618
Do.	Nidamangalam	Santhanaramaswami and Kasiviswanathaswami.	18,467
Do.	Vadapathimangalam.	Arunachaleswarar ..	6,050

[13th December 1938]

Name of taluk.	Name of village.	Name of temple.	Income.
<i>Ramnad district—cont.</i>			
			RS.
Tiruppattur ..	Mathur ..	Iravatheeswarar alias Iynnotheeswarar, etc.	6,000
Do. ..	Pillayarpatti ..	Karpagavinayagar ..	6,000
Do. ..	Puduvayal ..	Melaperumal ..	6,000
Do. ..	O. S. ruval ..	Poonlagiammin ..	9,000
Tiruvadanai ..	Deva.ottai ..	Sivan or Meenakshi- sundareswarar.	5,000
Do. ..	Kottur ..	Agasteeswarar and Soundaranayakiam- man.	6,000
Do. ..	Devakottai ..	Silampani Chidambara Vinayagar.	10,000
Do. ..	Tiruvadanai ..	Adiratneswarar ..	24,600
Sivaganga ..	Temples under the Raja of Sivaganga.	....	4,94,716

Tinnevelly district.

Ambasamudram ..	Ambasamudram ..	Kasinathaswami, Tiru- moolanathaswami, Veeramarthandes- warar.	8,148
Do. ..	Tiruppudaimarudur.	Narambunathaswami ..	5,762
Do. ..	Urkad ..	Tirukoshtiappar ..	9,110
Koipatti ..	Koipatti ..	Poovananthaswami ..	1,00,035
Do. ..	Kalugumalai ..	Subrahmanyaswami ..	8,000
Do. ..	Pasuvandanai ..	Kallasanathaswami ..	5,000
Nanguneri ..	Nanguneri ..	Vanamamalaiperumal ..	6,375
Do. ..	Radhapuram ..	Varagunapandeeswarar.	5,355
Do. ..	Tirukurangudi ..	Alagianambiroyar ..	5,302
Do. ..	Do. ..	Jeer Math ..	24,250
Do. ..	Valliur ..	Subrahmanyaswami ..	5,764
Sankarankoil ..	Sankarankoil ..	Sankaranarayanawami.	30,767
Do. ..	Tharugapuram ..	Mathyaswami and Balasubrahmanyaswami, etc.	5,000
Do. ..	Viswanathaperi (Sivagiri).	etc.	8,750
Sri Vaikuntam ..	Sri Vaikuntam ..	Sri Kannapiran ..	7,414
Do. ..	Tuticorin ..	Sankararameswarar ..	5,622
Tenkasi ..	Courtallam ..	Tirukutalanathaswami ..	24,721
Do. ..	Panpoli ..	Tirumalaikumaraswami.	14,316
Do. ..	Tenkasi ..	Kasiviswanathaswami ..	6,410
Do. ..	Veerakeralampudur.	Navaneethakrishna- swami.	20,775
Tinnevelly ..	Gangaikondan ..	Kailasanathaswami ..	5,188
Do. ..	Kunukkuthurai ..	Subrahmanyaswami ..	7,925
Do. ..	Tinnevelly ..	Nelliappar and Kanthi- mathi.	52,877
Tiruchendur ..	Alwarthirunagari ..	Adina halwar ..	19,300
Do. ..	Tiruchendur ..	Subrahmanyaswami ..	77,300

Salem district.

Salem ..	Shevapet ..	Prasannavenkata- chalapathi, etc.	7,630
Do. ..	Salem (Mettu street).	Sukhavanawarar ..	6,475
Tiruchengode ..	Kalipatti ..	Kandaswami ..	5,000
Do. ..	Tiruchengode ..	Ardhanareswarar ..	6,000

13th December 1938]

Name of taluk.	Name of village.	Name of temple.	Income.
<i>Coimbatore district.</i>			
			RS.
Avanashi ..	Karamadai ..	Ranganathaswami ..	5,871
Do. ..	Mondipalayam alias Sreenivasapuram.	Srivenkatesaperumal.	5,950
Bhavani ..	Bhavani ..	Sangameswarar, etc...	7,132
Coimbatore ..	Perur ..	Patteeswarar ..	12,175
Dharmapuram ..	Mettupalayam ..	Nataroyaswami ..	20,000
Erode ..	Thingalur ..	Appachimar ..	5,500
Kollegal ..	Madheswaranmalai ..	Madheswaraswami ..	10,000
Do. ..	Sivasamudram ..	Ranganadhaswami ..	10,000
Palladam ..	Ayyampalaiyam (Samalapuram).	Valaithottam Ayyan.	7,666

Malabar district.

Calicut ..	Valayanad ..	Valayanad temple ..	5,150
Chirakkal ..	Azhiccode ..	Akkaliath temple ..	5,600
Do. ..	Cnerukunnu ..	Cherukunnu temple ..	6,321
Do. ..	Edakkad ..	Edakkad temple ..	5,500
Do. ..	Do. ..	Dorpazhassi Kavu ..	12,900
Do. ..	Erammam ..	Muthuvatt Kavu ..	5,847
Do. ..	Kavari ..	Padappanangat ..	5,000
Do. ..	Naroth ..	Naroth temple ..	5,000
Do. ..	Morazha ..	Kadambur temple ..	7,500
Do. ..	Thaliparamba ..	Thaliparamba Thrichambaram .. Kanhirangat ..	13,250
Ernand ..	Kizhuparamba ..	Thrikkalyur ..	10,587
Do. ..	Manjeri ..	Muthura Kunnu ..	8,150
Do. ..	Thrikkalangode ..	Karikkat ..	7,014
Do. ..	Vellayur ..	Vellayur Bhagavathi.	5,100
Do. ..	Vilayil ..	Neeramangal ..	5,000
Kottayam ..	Tiruvangad ..	Ramaswami ..	5,817
Do. ..	Manathona ..	Kottiyur ..	16,371
Palghat ..	Akathethara ..	Kallekulangara, etc., temples.	29,086
Do. ..	Elappulli ..	Mankarayamman ..	8,000
Do. ..	Kallur ..	Kallur Vishnu ..	5,240
Do. ..	Koduvayur ..	Ramapuram ..	12,100
Do. ..	Kongad ..	Thirumandham Kunnu.	6,872
Do. ..	Kottaya ..	Perumanam Sabhayo- gam.	8,850
Do. ..	Kuthanur ..	Sukapuram Sabhayo- gam.	20,000
Do. ..	Do. ..	Thiruvallathoor ..	19,750
Do. ..	Kuzhujamanam ..	Nellakavu ..	5,500
Do. ..	Kotala ..	Pallavoor ..	7,000
Do. ..	Thrippallavoor ..	Do. ..	6,300
Do. ..	Kachanakurichi ..	Payyalar ..	20,734
Do. ..	Trippalamunda ..	Peringode ..	16,000
Do. ..	Puthucode ..	Puthucode ..	7,033
Ponnani ..	Guruvayur ..	Guruvayur ..	61,960
Do. ..	Kanmanam ..	Kanmanam ..	7,000
Do. ..	Mukkuthala ..	Pallikkara ..	5,500
Do. ..	Trikkalkat Math ..	Periyapuram ..	5,000
Kurumbranad ..	Chala and Balusseri, others under the Raja of Kadatha- nad.	Panangad ..	5,500
Do. ..	Kallamvelli ..	Kuttiapuram ..	5,667
Wynad ..	Polpulli ..	Polpulli ..	10,000
Do. ..	Tirunelli ..	Tirunelli ..	7,000

[13th December 1938]

Name of taluk.	Name of village.	Name of temple.	Income.
<i>Malabar district—cont.</i>			
			RS.
Walluvanad	.. Methrikovil ..	.. Alanullur ..	5,200
Do.	.. Paral ..	.. Vazhangade ..	5,100
Do.	.. Valambur ..	.. Thirurkat Siva ..	5,050
Do.	.. Angadipuram ..	.. Tirumandhamkunnu ..	6,125
Do.	.. Cherplachery ..	.. Ayyappan ..	7,060
Do.	.. Pulappetta Kootala ..	.. Kaladicode ..	5,000
Do.	.. Panamanna ..	.. Panamanna ..	6,105
Do.	.. Thiruvilayanat ..	.. Pulapetta ..	18,000
Do.	.. Kodarmanna ..	.. Manappetta ..	11,000
Do.	.. Perumangote ..	.. Thirunarayanapuram ..	12,000
Do.	.. Thiruvegapra ..	.. Thiruvegapra ..	16,000

South Kanara district.

Coondapoor	.. Kollur ..	.. Mookambika ..	8,755
Karkal	.. Karkal ..	.. Venkataramana ..	13,116
Kasaragod	.. Moonjeswar ..	.. Madanatheswar ..	26,411
Do.	.. Ubralangala ..	.. Agalpady Durga- parameswari.	5,200
Mangalore	.. Buntwal ..	.. Thirumala Venkata- ramana.	11,850
Do.	.. Mangalore ..	.. Venkataramana ..	16,100
Do.	.. Kondimoola ..	.. Katil Chaitanya Durga- parameswari.	5,125
Do.	.. Manapadi ..	.. Moolky Venkata- ramana.	20,513
Puthur	.. Subramanya ..	.. Kukke Subrahmanya.	12,350
Do.	.. Uppinangadi ..	.. Laxmi Venkataramana.	5,255
Do.	.. Kapu ..	.. Dugaparameswari ..	6,000
Udipi	.. Perdoor ..	.. Ananthapadmanabhan.	5,000

13th December 1938]

APPENDIX V

[Vide item II at page 111 supra.]

L.A. BILL No. 20 OF 1938.

(As passed by the Assembly)

A Bill to provide for the disposal of the balance to the credit of the Minor Ports Fund in the Province of Madras.

WHEREAS under sub-section (6) of section 36 of the Indian Ports Act, 1908, the disposal of the balances from time to time standing to the credit of port fund accounts is subject to the provisions of any local law; AND WHEREAS the Provincial Government have directed that all minor ports in the Province of Madras should be regarded as constituting a single port with a common port fund called the Minor Ports Fund; AND WHEREAS subsequently the Tuticorin Port Fund has been constituted as a separate fund under the Tuticorin Port Trust Act, 1924; AND WHEREAS it is expedient to provide by an Act of the Provincial Legislature for the disposal of the balance which is now standing and which may from time to time stand to the credit of the said Minor Ports Fund other than that of Tuticorin;

It is hereby enacted as follows:—

1. (1) This Act may be called the Madras Minor Ports Fund Act, 1938. Short title and extent.

(2) It extends to the whole of the Province of Madras.

2. In this Act, 'Minor Ports Fund' means the common port fund of all the minor ports situated in the Province of Madras other than Tuticorin. Definition of 'Minor Ports Fund.'

3. The balance standing on the 31st day of March 1939 to the credit of the Minor Ports Fund in excess of twenty lakhs of rupees shall be credited to and shall be disposed of along with the rest of the revenues of the Province. Disposal of surplus on the 31st March 1939.

4. Such portion of the balance standing to the credit of the Minor Ports Fund on the 31st day of March in the year 1940 or in any subsequent year, as the Provincial Government may, with the approval, by resolution, of the Madras Legislative Assembly, determine, shall be credited to and shall be disposed of along with the rest of the revenues of the Province. Disposal of subsequent surpluses.

[13th December 1938]

APPENDIX VI

[Vide item III at page 138 supra.]

L.A. BILL No. 21 OF 1938.

(As passed by the Assembly)

A Bill to remove the disabilities of certain classes of Hindus in regard to entry into temples in the district of Malabar.

WHEREAS the disabilities imposed by custom and usage on certain classes of Hindus in respect of their entry into, and offering worship in, Hindu temples should be removed,

AND WHEREAS, however, doubts have been entertained whether the trustees of such temples have the power in law to make any such innovation in practice, AND WHEREAS it is just and expedient that these doubts should be removed and the trustees should be empowered by law to extend to all classes of Hindus the right of entry into, and worship in, temples if the Hindus in the locality who are now entitled to such entry are generally in favour of such extension,

AND WHEREAS, further, such extension of rights and privileges in Hindu temples to classes hitherto excluded has been recently ordered and peacefully brought into effect in one part of Kerala, and by reason of common traditions and identity of language, customs, forms of worship and the like, the removal of the disabilities aforesaid has been not only more insistently demanded, but also made more easy of accomplishment in the first instance, in another part of Kerala,

It is hereby enacted as follows:—

Short title
and extent.

1. (1) This Act may be called the Malabar Temple Entry Act, 1938.

(2) It extends to the whole of the District of Malabar.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(1) 'Board' means the Board of Commissioners constituted under section 10 of the Madras Hindu Religious Endowments Act, 1926, or any other

Madras Act
II of 1927.

Madras
II of 1927.

[13th December 1938]

authority in which the powers and functions of the said Board in respect of a temple may for the time being be vested;

(2) 'excluded class' means any caste or class of the Hindu community which, by reason of any established usage or custom, is excluded from entering the temple concerned, or which, though admitted into the precincts of the temple, is not allowed entry into any part of the temple where the bulk of the worshippers are allowed;

(3) 'prescribed' means prescribed by rules made under section 9;

(4) 'temple' means a place, by whatever designation known, which is used as a place of public worship by the Hindu community generally except excluded classes and which was at any time assessed to contribution under section 69 of the Madras Hindu Religious Endowments Act, 1926, on an annual income of not less than Rs. 5,000; and in any context with reference to entry shall mean every part of the temple which is open to the bulk of the worshippers:

Provided that any temple which has been before the 1st of April 1938 declared by final decree or order of a competent court to be private property or accepted by the Board to be private property shall not be a temple for the purposes of this Act:

Provided further that any temple in respect of which a question as to whether it is private property has been already raised in a suit in a court of law or in an application before the Board registered before the 1st of April 1938, the temple shall not be deemed to be a temple for the purposes of this Act until the final decision in such a proceeding, and thereafter, it shall not be, or shall be, a temple for the said purposes according as the final decision declares or accepts the temple to be private property or not.

(5) 'trustee' means a person by whatever designation known, in whom the administration of a temple is vested, whether in a hereditary capacity or not;

(6) 'voters' means the Hindu voters, other than those belonging to excluded classes, on the electoral

[13th December 1938]

roll of the Madras Legislative Assembly for the time being in force relating to the general constituency of the revenue taluk in which the temple is situated including the municipal areas therein, who are included in a list prepared under the rules made under section 9; and

(7) 'worship' means such religious service as the bulk of the worshippers participate in, in accordance with the provisions of such regulations as may be made by the trustees for the maintenance of order and cleanliness and the due observance of the religious rites and ceremonies performed in the temple.

Requisition to trustees to throw open temples to excluded classes.

3. (1) On receipt by the trustees of a temple of a requisition in writing signed by not less than fifty voters requesting them to throw open the temple to persons belonging to excluded classes, the trustees shall forward the requisition to the Provincial Government and the Provincial Government shall thereupon direct the trustees to refer the matter to the voters and ascertain their opinion by votes taken by the prescribed method:

Provided that if the Provincial Government are of opinion that the requisition is not made for the furtherance of the objects of this Act, they may direct that no action be taken thereon.

(2) Where on such reference the result is found by a majority of the votes to be in favour of throwing the temple open to persons belonging to excluded classes, the trustees shall publish in the prescribed manner an order to the effect that the temple shall thereafter be open to persons belonging to excluded classes.

Power of trustees to issue notice of proposal to throw open temples to excluded classes.

4. (1) Notwithstanding any law, custom or usage to the contrary, it shall be open to the trustees of a temple to publish in the prescribed manner a notice to the effect that they propose to make an order throwing the temple open to persons belonging to excluded classes. Such notice shall also state that objections to the proposal may be preferred to the trustees at any time within one month from the date of the publication of the notice.

(2) If within one month from the date of the publication of the notice referred to in sub-section (1),

[13th December 1938]

written objections to the proposal are preferred by not less than fifty voters, the same shall be forwarded to the Provincial Government, and thereafter, on a direction from them, the question whether the temple shall or shall not be thrown open to persons belonging to excluded classes shall be referred for the opinion of the voters as if a requisition had been received under sub-section (1) of section 3.

(3) If in any case where action under sub-section (1) is taken by the trustees, no objection as specified in sub-section (2) is preferred, or if on a reference made under sub-section (2), the result is found to be in favour of throwing the temple open to persons belonging to excluded classes, the trustees shall publish in the prescribed manner an order to the effect that the temple shall thereafter be open to persons belonging to excluded classes.

5. The Provincial Government may, at any time, before the results of any reference to the voters are announced, order that all further action in respect of such reference shall be suspended and upon such order all previous proceedings relating thereto shall be deemed to have been cancelled.

6. Where on a reference made to the voters under sub-section (1) of section 3 or sub-section (2) of section 4 the result is found to be in favour of throwing a temple open to persons belonging to excluded classes, the trustees of any other temple situated in the same revenue taluk, within two years from the date of such reference, may of their own motion and shall on receipt of a requisition in writing signed by not less than fifty voters, publish in the prescribed manner an order to the effect that the temple shall be open to persons belonging to excluded classes.

Power of trustees to throw open temples to excluded classes with- out refer- ence to voters in certain cases.

7. Where an order has been published under sub-section (2) of section 3, or sub-section (3) of section 4, or section 6, it shall be lawful, notwithstanding any custom or usage to the contrary, for any person belonging to excluded classes to enter the temple concerned and participate in worship therein.

Effect of order under sections 3, (2), 4 (3) or 6.

[13th December 1938]

Fresh proceedings not to be taken in certain cases.

8. Where on a reference made to the voters under sub-section (1) of section 3 or sub-section (2) of section 4, the result is found to be against throwing the temple open to persons belonging to excluded classes, no further proceedings shall be taken either under sub-section (1) of section 3 or under sub-section (1) of section 4 for a period of two years from the date of such reference in respect of such temple or any other temple in the same revenue taluk.

Rules.

9. (1) The Provincial Government may make rules for the purposes of carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of the foregoing power the Provincial Government may make rules—

(a) with reference to all matters allowed to be prescribed by this Act;

(b) as to the form and presentation of the requisitions and objections referred to in sub-section (1) of section 3, section 4 and section 6;

(c) as to the publication of orders and notices by trustees;

(d) as to the method by which the opinion of the voters shall be ascertained;

(e) as to the preparation and publication of lists of voters, and the decision of all disputes which may arise in connexion therewith; and

(f) as to the decision of all disputes which may arise in respect of requisitions and objections from voters under sections 3, 4 and 6 or in respect of references to voters under sections 3 and 4 and the ascertainment and publication of the results of such references.

(3) All rules made under this section shall be published in the official gazette and on such publication shall have effect as if enacted in this Act.

Power to remove difficulties.

10. If any difficulty arises in giving effect to the provisions of this Act the Provincial Government, as occasion requires, may order the doing of anything necessary for the purpose of removing the difficulty.

[13th December 1938]

11. (1) If any question arises as to whether a place is or is not a temple as defined in this Act the question shall be referred for the decision of the Provincial Government and their decision shall be final. Power to decide disputes.

(2) The Provincial Government shall have power to exempt from the provisions of this Act such institutions as, in their opinion, are in the nature of family temples and may be exempted without prejudice to the objects of this Act.

Madras Act II of 1927.

12. In section 40 of the Madras Hindu Religious Endowments Act, 1926, the words and figures "Sub-ject to the provisions of the Malabar Temple Entry Act, 1938," shall be inserted at the commencement. Amendment of section 40, Madras Act II of 1927.

APPENDIX VII.

[Vide item VII at page 160 supra.]

Rules under sub-section (2) of section 74-A of the Madras Local Boards Act, 1920.

MADRAS LOCAL FUND ASSISTANT ENGINEERS SERVICE.

1. In these rules, unless there is anything repugnant in the subject or context—

(1) a person is said to be "appointed to the Service" when in accordance with these rules he discharges for the first time the duties of a post borne on the cadre of the Service or commences the probation prescribed for members thereof;

(2) "approved probationer" means a member of the Service who has satisfactorily completed, or is deemed under sub-rule (7) or sub-rule (8) of rule 7 satisfactorily to have completed his period of probation and awaits appointment as a full member of the Service;

(3) "cadre" means the sanctioned strength of the Service;

(4) "discharge of a probationer" from the Service during the period of his probation means reverting him to the post previously held by him or on which he has a lien or if he was not holding any such post, dispensing with his services;

[13th December 1938]

(5) "full member of the Service" means a member of the Service who has been appointed substantively to a permanent post borne on the cadre thereof;

(6) "Government" means the Government of Madras;

(7) "member of the Service" means a probationer, an approved probationer or a full member of the Service;

(8) "period of probation" of a member of the Service means the period of probation prescribed in these rules together with—

(a) the period until the issue of an order by the Government under sub-rule (5) of rule 7 declaring the probationer to have satisfactorily completed his period of probation; or

(b) the period for which the probation is extended under clause (ii) of sub-rule (4) or sub-rule (6) of rule 7; or

(c) the period referred to in sub-rule (7) or sub-rule (8) of rule 7 on the expiry of which, the probationer is deemed to have satisfactorily completed his period of probation; or

(d) the period until an order discharging the probationer under sub-rule (3), sub-rule (4) or sub-rule (6) of rule 7 takes effect;

(9) "prescribed authority" means the authority appointed by the Government for the purposes of these rules;

(10) "probationer" means a member of the Service who has not completed the period of his probation;

(11) "scheduled classes" means the communities mentioned in Annexure II to these rules; and

(12) "Service" means the Madras Local Fund Assistant Engineers Service.

2. *Constitution*.—The Service shall consist of such number of local fund assistant engineers as the Government may from time to time determine.

3. *Recruitment*.—(1) First appointment to the Service shall be made by the Government by direct recruitment or by transfer of a person in Government, Municipal or Local Board Service.

(2) Candidates for appointment to the Service shall be selected by the prescribed authority, subject to the approval of the Government.

4. *Temporary appointments*.—Where it is necessary in the public interest to fill immediately a vacancy in a post borne on the cadre of the Service, the prescribed authority may appoint a person whom he considers suitable for a period not exceeding three months on each occasion. A person so appointed shall not be regarded as a probationer in the Service or be entitled by

[13th December 1938]

reason only of such appointment to any preferential claim to future appointment and he shall be replaced as soon as possible by a candidate selected for appointment under rule 3.

5. *Communal representation*.—(1) So far as qualified and suitable candidates of the communities concerned are available, appointments to the Service shall be made in the following order, namely:—

- (i) One non-Brahman (Hindu).
- (ii) One Muhammadan.
- (iii) One non-Brahman (Hindu).
- (iv) One Anglo-Indian or Christian or non-Asiatic.
- (v) One Brahman.
- (vi) One non-Brahman (Hindu).
- (vii) One member of the scheduled classes.
- (viii) One non-Brahman (Hindu).
- (ix) One Muhammadan.
- (x) One non-Brahman (Hindu).
- (xi) One Anglo-Indian or Christian or non-Asiatic.
- (xii) One Brahman.

Explanation.—The expression "Non-Brahman (Hindu)" shall include every community other than the Brahman, the Muhammadan, the Anglo-Indian, Christian or non-Asiatic and the scheduled classes.

(2) The stage at which the communal rotation specified in sub-rule (1) shall commence when first applied to the Service shall be determined by the Government.

(3) If a qualified and suitable candidate belonging to any community is not available for appointment to the Service in the turn allotted to that community under sub-rules (1) and (2) or under this sub-rule, a qualified and suitable candidate belonging to the community next in the order specified in sub-rule (1) shall, if available, be appointed: but the former community shall have a preferential claim for consideration when any subsequent appointment is to be made to the Service, until a suitable and qualified candidate belonging to that community has been appointed against that claim.

(4) Where a probationer belonging to any community is discharged from the Service otherwise than for want of a vacancy therein, such community shall have a preferential claim for consideration when any subsequent appointment is to be made to the Service until a suitable and qualified candidate belonging to that community has been appointed against that claim.

[13th December 1938]

(5) If, when an appointment to the Service is to be made, there are two or more communities having a preferential claim under sub-rule (3) or sub-rule (4), that community shall receive first consideration whose preferential claim first arose.

6. *Qualifications*.—(1) No person shall be eligible for appointment to the Service unless he—

(i) is either a British subject as defined in section 1 of the British Nationality and Status of Aliens Act, 1914, or a subject of a State in India who has resided in the Province of Madras, for a period of not less than ten years immediately preceding the date of his application;

(ii) possesses the qualifications specified in Annexure I;

(iii) when recruited direct has not attained the age of 30;

(iv) is of sound health, good physique and active habits, and free from any bodily defect or infirmity unfitting him for the Service; and

(v) satisfies the Government that his character and antecedents are such as to qualify him for the Service.

(2) Notwithstanding anything contained in clause (ii) of sub-rule (1) the Government may by order direct that persons possessing merely Mechanical Engineering qualifications shall not be eligible for appointment to the Service or restrict the number of such persons to be appointed to the Service.

7. *Probation*.—(1) No person shall be eligible for appointment as a full member of the Service until he has been on probation in the Service for a total period of two years on duty within a continuous period of three years.

(2) Within the period of probation, a probationer shall, unless he has already passed the test, pass the third-class test in any two of the following languages, namely, Tamil, Telugu, Malayalam, Kannada and Hindustani. A person whose mother tongue is one of the above languages or who has taken one of the above languages for his University degree, shall be required to pass the test only in one other of the above languages and a person whose mother tongue is one of the above languages and who has taken another of the above languages for his University degree or who has taken two of the above languages for his University degree shall not be required to pass any language test.

Explanation.—The exemption provided in this sub-rule from passing the test in a language which is a person's mother tongue is subject to the condition that he satisfies the appointing authority that he can read and write in that language.

(3) At any time before the expiry of the period of probation, the Government may, at their discretion, by order, terminate the probation of a probationer and discharge him from the Service.

[13th December 1938]

(4) (i) If within the prescribed period of probation or, where the probation has been extended under clause (ii), within the period for which the probation has been extended, the probationer fails to pass the test referred to in sub-rule (2) the Government shall forthwith by order discharge him from the Service.

(ii) If a probationer has appeared within the prescribed period of probation for the test which he has not passed and the results of such test are not known before the expiry of such period he shall continue to be on probation until the publication of the results of such test. In case the probationer fails to pass the test the Government shall forthwith, by order, discharge him from the Service or extend his probation for a period not exceeding one year.

(iii) Any delay in the issue of an order discharging a probationer under clause (i) or clause (ii) shall not entitle him to be deemed to have satisfactorily completed his period of probation.

(5) If, at the end of the prescribed period of probation, the Government consider the probationer to be suitable for full membership of the Service, they shall as soon as possible or in cases falling under clause (ii) of sub-rule (4) where the probation has not been extended as soon as possible after the probationer has passed the test for which he has appeared, issue an order declaring the probationer to have satisfactorily completed his period of probation. On the issue of such order the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation.

(6) If, at the end of the prescribed period of probation, the Government consider that the probationer is not suitable for full membership of the Service, they shall, by order, discharge him from the Service, or extend his probation for a period not exceeding one year.

(7) In cases not falling under clauses (i) and (ii) of sub-rule (4), if no order is issued by the Government under sub-rule (5) within three months after the expiry of the prescribed period of probation, or, as the case may be, within three months after the expiry of the period for which the probation was extended, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation or, as the case may be, on the date of the expiry of the period for which the probation was extended.

(8) In cases falling under clause (ii) of sub-rule (4), if the candidate has passed the test for which he has appeared and no order is issued by the Government under sub-rule (5) within three months after the expiry of the prescribed period of probation or within one month of the publication of the results of the test,

[13th December 1938]

whichever is later or, as the case may be, within three months after the expiry of the period for which the probation was extended, the probationer shall be deemed to have satisfactorily completed his period of probation on the date of the expiry of the prescribed period of probation or, as the case may be, on the date of the expiry of the period for which the probation was extended.

(9) An order discharging a probationer issued under sub-rule (3) or clause (i) or clause (ii) of sub-rule (4) or sub-rule (6) shall have effect from the date on which the probationer is discharged.

8. *Appointment of full members.*—An approved probationer shall, if a substantive vacancy in the permanent cadre exists, be appointed by the Government to be a full member of the Service at the earliest opportunity and if such vacancy existed from a date previous to the issue of the order of appointment, he may be so appointed with retrospective effect from such date, or, as the case may be, from such subsequent date from which he was continuously on duty as a member of the Service:

Provided that where more than one approved probationer is available for such appointment as full member, the seniormost approved probationer shall be appointed.

9. *Special provision for the appointment of members.*—(1) Notwithstanding anything contained in rules 5, 6, 7 and 8, it shall be open to the Government to appoint as probationers or approved probationers or full members of the Service, direct, persons who are already serving or have served as Local Fund Assistant Engineers in any of the district boards.

(2) In the case of persons admitted as probationers under sub-rule (1) they shall be entitled to count their previous service under the district boards towards their probation in the Service only if and to the extent, permitted by the Government.

10. *Seniority in the Service.*—(1) The seniority of a person appointed to the Service under rule 9 shall be determined by the Government.

(2) (i) The seniority of a person who is appointed to the Service otherwise than under rule 9, shall be determined by the date of his first appointment to the Service:

Provided that, if any portion of the Service of a member does not count towards his probation, his seniority shall be determined by the date of the commencement of his service which counts towards probation.

(ii) Where the date by which seniority is determined under clause (i) is the same in the case of two or more members of the Service, their seniority *inter se* shall be determined by the Government.

[13th December 1938]

(3) A member of the Service shall, unless he is reduced in seniority as a punishment retain seniority as determined by sub-rules (1) and (2) throughout his service, notwithstanding any delay in the completion of his probation or in his appointment as a full member of the Service.

11. *Pay.*—(1) There shall be paid to a probationer a pay at the minimum rate admissible to a full member of the Service.

(2) There shall be paid to an approved probationer or a full member of the Service a pay calculated in the scale of Rs. 150—20/2—250 Efficiency bar 25/2—350.

(3) A member of the Service shall be eligible to draw increments from the date on which he completes his period of probation satisfactorily and shall also be entitled to count the period of probation for purposes of increment.

(4) The Government shall have power to fix the initial pay of a person appointed to the Service at any suitable stage in the scale of pay specified in sub-rule (2) and if the person appointed has already been drawing a pay more than Rs. 350, to sanction personal pay equal to the difference.

12. *Postings and Transfers.*—Probationers, approved probationers and full members of the Service shall be liable to transfer to any of the district boards. Postings and transfers shall be made by the prescribed authority.

13. *Pay and Allowances.*—The pay, leave allowances, contribution to Provident Fund, pensionary contribution, and when on transfer from one district to another the travelling allowance, of members of the Service (including persons appointed temporarily under rule 4), and the cost of the staff employed to administer the Service (including leave and pensionary contributions) shall be met from a fund called the "Central Fund." The Central Fund shall be constituted out of the amounts recovered from the district boards by adjustment of the maximum annual grants payable to them for the maintenance of important marketing roads and shall be administered by the prescribed authority subject to such provisions as to detailed working as may from time to time be determined by the Government.

14. *Pension and Provident Fund.*—A member of the Service shall not be eligible for pension, but shall subscribe to the Provident Fund maintained by the district board:

Provided that persons who were under any pensionary scheme at the time of their appointment to the Service shall continue to remain under such scheme.

[13th December 1938]

15. *Leave and Leave Salary*.—(1) The leave and leave salary of the members of the Service shall be regulated

(i) by the Fundamental Rules if at the time of their appointment, being in Government, Municipal or Local Board Service, they were or shall be governed by the Fundamental Rules and had not elected or shall not have elected to be governed by the Madras Leave Rules, 1933; and

(ii) in all other cases by the Madras Leave Rules, 1933.

(2) The prescribed authority may grant leave to the members of the Service under the Fundamental Rules or the Madras Leave Rules, 1933, as the case may be.

16. *Travelling Allowance*.—(i) (a) The travelling allowance of members of the Service for journeys on tour and for transfers within the district shall be paid from the funds of the district board concerned; and

(b) the travelling allowance of members of the Service for transfers from one district to another shall be paid from the Central Fund referred to in rule 13.

(ii) The travelling allowance of members of the Service shall be regulated by the Madras Travelling Allowance Rules.

17. *Discipline and Conduct*.—In matters affecting discipline and conduct, the members of the Service shall be under the control of the prescribed authority. They will work under the orders and immediate supervision of the respective District Board Engineers.

18. *Conditions of Service*.—Except to the extent expressly provided in these rules, the Fundamental Rules issued from time to time under the authority of the Government shall apply to the members of the Service.

ANNEXURE I.

Minimum qualifications for the post of an Assistant Engineer.

[Referred to in rule 6 (1) (ii).]

(a) The Engineering Certificate of the Thomason Civil Engineering College, Roorkee; or

(b) a pass in Parts A and B of the Associate Membership examination of the Institution of Engineers (India); or

(c) one of the Engineering degrees of Indian Universities mentioned in Schedule I; or

(d) an Engineering degree of one of the Universities mentioned in Schedule II under the conditions mentioned in that schedule; or

(e) a pass in sections A and B of the Associate Membership examination of the Institution of Civil Engineers; or

(f) a pass in the Associate Membership examination of the City and Guilds Institute (Imperial College of Science and Technology, South Kensington) in Engineering; or

(g) a pass in the Associate Membership examination of the Institution of Mechanical Engineers; or

(h) a pass in the Associate examination of the Bengal Engineering College in Mechanical Engineering; or

(i) the Civil or Mechanical Engineering Certificate of the College of Engineering, Guindy, obtained in or before 1938.

[13th December 1938]

SCHEDULE I.

B.E. of the Bombay University.

B.E. of the Calcutta University (College of Engineering, Sibpur).

B.E. of the Madras University.

B.Sc. (Engineering) of the Benares Hindu University.

B.E. of the Mysore University.

SCHEDULE II.

Oxford.—B.A. with Honours in the Engineering Science Final Honours School.

Cambridge.—B.A. with Honours in Mechanical Science Tripos or ordinary degree (B.A.) in Engineering, provided the graduate has passed in the principal subjects, Engineering I, Engineering II and Engineering III.

St. Andrews.—B.Sc. in Engineering (Honours or Ordinary degree).

Glasgow.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

Edinburgh.—B.Sc. in Engineering (Honours or Ordinary degree).

Dublin.—B.A. I (Ordinary or with Honours in Engineering).

Durham.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

London.—B.Sc. (Internal degree) in Engineering, Ordinary or with Honours [not including the B.Sc. in Engineering (Mining) or the B.Sc. in Engineering (Metallurgy)]. The external degree is also accepted to the same extent, provided it is recognized by the Institution of Civil Engineers as exempting from sections A and B of the A.M.I.C.E. examination.

Victoria University, Manchester.—B.Sc. in Engineering (Honours degree or Ordinary degree) obtained in and after 1920. B.Sc. Technical in Mechanical Engineering (Higher course degree or Ordinary course degree with a first division pass in the Final Examination).

Birmingham.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

Liverpool.—B. Engineering in Civil or Mechanical Engineering (Honours or Ordinary degree).

Leeds.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

Sheffield.—B. Engineering in Civil or Mechanical Engineering (Honours degree or Ordinary degree with a first class in the Final Examination). A first class in the Final Examination will not be required in the cases of degrees obtained in or after June 1930.

Bristol.—B.Sc. in Civil or Mechanical Engineering (Honours or Ordinary degree).

University of Wales.—B.Sc. in Civil or Mechanical Engineering.

National University of Ireland.—B.E.

Queen's University, Belfast.—B.Sc. in Engineering.

Aberdeen.—B.Sc. in Engineering (Honours or Ordinary degree).

NOTE.—The above degrees will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three years' study will not, however, apply to Indians, who having taken an Indian degree, which exempts them from part of the University course, shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

[13th December 1938]

ANNEXURE II.

Scheduled Classes.

[Referred to in clause (11) of rule 1.]

Race, tribe or caste.

1	Adi-Andhra.	41	Kudumban.
2	Adi-Dravida.	42	Kuravan.
3	Adi-Karnataka.	43	Kurichchan (also * P.T.).
4	Ajila.	44	Kuraman (also * P.T.).
5	Aranadan (also * P.T.).	45	Madari.
6	Aruntluthiyar.	46	Madiga.
7	Bairat.	47	Malla.
8	Bakula.	48	Mala.
9	Bandi.	49	Mala Dasu.
10	Baraki.	50	Malsar (also * P.T.).
11	Battada.	51	Matangi.
12	Bavuri.	52	Mavilan (also * P.T.).
13	Bellara.	53	Moger.
14	Byagari.	54	Muchi.
15	Chachati.	55	Mundala.
16	Chakkiliyan.	56	Nalakayava.
17	Chalavadi.	57	Nayadi.
18	Chamar.	58	Pagadai.
19	Chandala.	59	Paidi.
20	Charuman.	60	Painda.
21	Danda-I.	61	Paky.
22	Devendrakulathan.	62	Pallan.
23	Dombo (also * P.T.).	63	Pambada.
24	Ghasi.	64	Pimidi.
25	Godagali.	65	Panchama.
26	Gogari.	66	Panliyan.
27	Godda.	67	Panniyandi.
28	Gosangi.	68	Pano (also * P.T.).
29	Haddi.	69	Paralyan.
30	Hasla.	70	Paravan.
31	Holeya.	71	Pulayan.
32	Jaggali.	72	Puthirai Vannan.
33	Jambuvulu.	73	Raneyar.
34	Kalan (also * P.T.).	74	Relli.
35	Kalladi.	75	Samagara.
36	Kanakkan.	76	Samban.
37	Karimpalan (also * P.T.).	77	Sapari.
38	Kattunayakan (also * P.T.).	78	Semman.
39	Kodalo.	79	Thoti.
40	Koosa.	80	Tiruvalluvar.
41	Koraga.	81	Valluvan.
42	Kudiya (also * P.T.).	82	Valmiki.
43	Kudubi (also * P.T.).	83	Vettuvan.

* P.T. = Primitive Tribe.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 14th December 1938

The House met in the Council Chamber, Fort Saint George, at eleven of the clock, Mr. President (THE HON. DR. U. RAMA RAO) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Standardization of weights and measures.

* 97 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) whether it has come to the notice of the Government that offences on a large scale in connexion with weights and measures are being committed in this Province;

(b) whether the Government have received any representations to take steps to stop the commission of offences by standardizing weights and measures; and

(c) whether the Government have any proposal before them to bring in a Weights and Measures Bill and if so, when?

THE HON. SRI V. I. MUNISWAMI PILLAI:—“(a) Complaints to this effect have been received by Government.

“(b) Yes.

“(c) There is no proposal at present. Under the Government of India Act, 1935, the Central Government alone have power to legislate for the establishment of standards of weight while the Provincial Government are competent to legislate with regard to weights and measures. Unless the Central Government first move in the matter and legislate for the purpose, the Provincial Government cannot undertake legislation within their competence for enforcing uniform weights. The Government of India propose to undertake legislation defining the standards of weight in British India and it is expected that the necessary Bill on the subject would be introduced in the Central Legislature at an early date.”

MR. PRESIDENT:—“Question No. 98, Mr. Saldanha.”

SRI N. SANKARA REDDI:—“I want to put a supplementary question to question No. 97.”

MR. PRESIDENT:—“The hon. Member must have risen before I called on Mr. Saldanha.”

[14th December 1938]

Fees fixed by the Government for examinations for various services under the Government.

* 98 Q.—MR. J. A. SALDANHA: Will the Hon. the Prime Minister be pleased—

(a) to place before the House a statement showing the various fees prescribed by Government on applications by candidates for admission to examinations for several public services, the amounts collected, the expenses incurred for holding examinations, the savings made out of the amounts collected during the financial years 1936-37 and 1937-38; and to state

(b) what the objects and reasons are for charging the fees;

(c) whether Government have received representations or are aware of objections raised to the fees on the ground that they are excessive or of a profiteering character; and

(d) whether Government contemplate reduction of the fees, and if so, to what extent and in which directions?

THE HON. SRI C. RAJAGOPALACHARIAR:—“(a) A statement^a in answer to clause (a) is laid on the table of the House. Even if we take into account only a third of the overhead expenses, there would be no real saving.

“(b) The object of charging the fees is to meet the cost of the examinations and to put a check on applications from persons not likely to pass.

“(c) Representations were made in the old Legislative Council that the fees charged were high and that therefore they should be reduced; but it was stated in reply that the fees were intended to meet the expenditure and that they were moderate on the whole.

“(d) The answer is in the negative.”

MR. J. A. SALDANHA:—“If, as is stated, the fees are charged in order to prevent applications from persons who are not likely to pass, may I enquire whether in many cases those who are very likely to pass and are better fitted, than the richer persons who can easily pay the fees, are too poor to pay the excessive fees? Why should such poor persons be asked to pay the high fees?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“I stated in the answer that the object of charging the fees is to meet the cost of the examinations and also to put a check on applications from persons not likely to pass. It is possible that in rare cases a boy or young man who is likely to pass may find difficulty in getting the amount; but in the larger number of cases, the result would be that those who are likely to pass will apply and those who are not likely to pass will not waste the money which is necessary for getting in.”

^a Printed as Appendix I on page 252 infra.

14th December 1938]

MR. J. A. SALDANHA:—“May I know how the estimate was arrived at on the basis that the boys who are likely to pass must always belong to the richer classes?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“The estimate is based on commonsense.”

SRI M. NARAYANA RAO:—“May I ask whether the Government will consider the question of reducing the present heavy fees?”

“THE HON. SRI C. RAJAGOPALACHARIAR:—“They are not heavy, they are fairly moderate.”

MR. J. A. SALDANHA:—“I do not know what ‘commonsense’ there is here; may I know what is really meant?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“‘Commonsense’ means reasoning based on human nature.”

Revenue and expenditure and amount spent by way of capital investment in South Kanara.

* 99 Q.—SRI D. MANJAYA HEGDE: Will the Hon. the Prime Minister be pleased to state—

(a) the total revenue and expenditure and surplus, if any, in South Kanara district for the years 1936-37 and 1937-38; and

(b) whether the Government have spent any amount in the nature of capital investment in the district of South Kanara hitherto?

THE HON. SRI C. RAJAGOPALACHARIAR:—“(a) A statement^a showing the figures of revenue realized and expenditure incurred in the district of South Kanara for the years 1936-37 and 1937-38 is laid on the table. But the statement does not include

(1) the revenue and expenditure in the Public Works and Forest departmental accounts, as figures are not available for these departments by districts;

(2) revenue or expenditure relating to the district booked outside the district, for example, that relating to the Governor, Legislature, Secretariat, Heads of Departments and Circle Officers, High Court, Debt charges, Stationery and Printing, Expenditure in England, Pension liability for the Headquarters and Circle staff and the like.

“In view of this and other factors, which would affect the figures, the surplus or deficit in the district of South Kanara cannot be assessed from this statement.

^a Printed as Appendix II on pages 253-254 infra.

[14th December 1938]

“(b) No capital investment has so far been incurred on electric and irrigation projects in South Kanara district.”

SRI D. MANJAYA HEDGE:—“With a certain amount of surplus, what objection have Government to invest a capital amount on the paper industry? We have got enough bamboos there.”

THE HON. SRI C. RAJAGOPALACHARIAR:—“Government have no objection, if, on examination, it is found to be a good proposal.”

SRI A. RANGASWAMI AYYANGAR:—“May I know whether it is the policy of the Government to prepare a budget for each district?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“Not yet, Sir.”

MR. J. A. SALDANHA:—“There have been many complaints in connexion with this capital expenditure in South Kanara. Have Government any schemes other than electrical schemes, such as minor irrigation schemes, for meeting the needs of the people?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“Capital expenditure is not merely a matter for equal distribution, but it depends upon the resources and the needs of each locality. If hon. Members will assist in initiating and making suggestions in regard to useful remunerative and good investments in any locality, they will be duly considered by the Government.”

MR. J. A. SALDANHA:—“Is it not a question more of equitable expenditure considering that South Kanara is one of the most backward districts in the matter of minor irrigation works, etc.?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“Equitable expenditure is certainly the policy of this Government, Sir.”

Alleged issue of notice for the supersession of Kodavasal and Tiruturaipundi panchayat boards and grounds therefor.

* 100 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR on behalf of Khan Bahadur T. M. Moidu Sahib Bahadur: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the Government have issued notice to the panchayat boards of Kodavasal and Tiruturaipundi to show cause why they should not be superseded;

(b) if so, what the grounds are on which the Government issued the said notices;

[14th December 1938]

(c) whether the panchayat boards offered their explanations and if so, what they are;

(d) whether the Government have received any recommendations from the local Congress Committees of the respective towns with regard to the said supersession notice; if so, what they are, and

(e) whether the Government have passed final orders and if so, whether he will place on the table of this House both the notices and the final orders thereon?

THE HON. SRI B. GOPALA REDDI:—“(a) & (b) Yes. G.O.* No. 2688, L.A., dated the 13th July 1938, and G.O.* No. 2789, L.A., dated 21st July 1938, are placed on the table of the House.

“(c) Yes. Translations* of the replies of the panchayat boards are placed on the table of the House.

“(d) The Government received a letter from the Secretary to the Kodavasal Congress Committee communicating the resolution of the committee, dated 6th June 1938, recommending that the panchayat board should be dissolved and reconstituted instead of being superseded as the board would be put to loss on account of the employment of a special officer. No communication was received from the Congress Committee at Tiruturaipundi.

“(e) Orders were issued in G.O. No. 3327, L.A., dated the 26th August 1938, superseding the Kodavasal Panchayat Board for one year and in G.O. No. 3479, L.A., dated the 3rd September 1938, dropping the question of superseding Tiruturaipundi Panchayat Board. Copies of these orders* are placed on the table of the House.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know, Sir, why the Government accepted the undertaking given by the Tiruturaipundi Panchayat Board for good behaviour and not that of the Kodavasal Panchayat Board?”

THE HON. SRI B. GOPALA REDDI:—“For reasons which are confidential.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“Is it not a fact that the President of the Panchayat Board, Tiruturaipundi, belonged to the Congress Party while the President of the Kodavasal Board was not a Congressman?”

THE HON. SRI B. GOPALA REDDI:—“I am thankful to the hon. Member for the information he has given me.”

[14th December 1938]

Statement showing persons charged and punished in Salem under the Madras Prohibition Act.

* 101 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Courts and Prisons be pleased to furnish a statement showing the number of persons (Indians and Europeans separately) in the district of Salem charged under section 4 (1) (a) of the Madras Prohibition Act and the nature of sentence passed by the trying magistrate in each case and the nature of sentence awarded by the appellate court in each case, wherever appeal was preferred?

THE HON. SRI S. RAMANATHAN:—“A statement* giving the particulars asked for is placed on the table of the House.”

Communitywar list of appointments made in the Central Survey Office.

* 102 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Revenue be pleased to state the number of appointments (communitywar) made in the Madras Central Survey Office during the last five years from March 1933 to March 1938?

THE HON. SRI T. PRAKASAM:—“The attention of the hon. Member is invited to the establishment lists of the Central Survey Office, Madras, which contain the information required by him. Copies of these establishment lists are available in the Secretariat Library for reference by the hon. Member.”

Tappers thrown out of employment consequent on introduction of prohibition in Salem.

* 103 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state what the total number is of tappers thrown out of employment in Salem on account of prohibition; whether any of them have been provided for by the Government, and if so, how many and how?

THE HON. SRI V. I. MUNISWAMI PILLAI:—“The attention of the hon. Member is invited to paragraph 15 of the report on the working of the Prohibition Act in the Salem district for the year ending 30th September 1938 which has been published.”

* Printed as Appendix IV on pages 263–281 infra.

[14th December 1938]

Research boards for suggesting means for remedying irrigation defects.

* 104 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether his attention has been drawn to an article published in the *Hindu* and the *Madras Mail* of 22nd March 1938 regarding defective irrigation facilities in certain districts and formation of research boards for suggesting improvements, and if so, what action, if any, has been taken in the matter; and

(b) whether the Government propose to act in the manner suggested in the article?

THE HON. MR. YAKUB HASAN:—“The question presumably refers to a letter published in the *Hindu* and *Madras Mail* of 22nd March 1938. The Government have perused the letter in question and do not consider it necessary to form research boards for suggesting improvements.”

Appointment of Mr. Atmuri Nageswara Rao as Special Officer of Arinigedda panchayat, Divi taluk, Kistna district.

* 105. Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI on behalf of Sri B. Narayanaswami Nayudu: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that Mr. Atmuri Nageswara Rao, Special Officer of Arinigedda panchayat, Divi taluk, Kistna, was on the date of his appointment to the said office, President of the East Kistna Congress Committee of otherwise connected with any Congress Committees;

(b) on whose recommendation or on what information was the said appointment made;

(c) whether any petitions and representations were sent to the Government making certain allegations against the special officer; if so, what action have the Government taken on them;

(d) whether there is a proposal to extend the term of the office of the said special officer and if so, on what grounds; and

(e) what the pay of the special officer is and what his educational qualifications are; who the persons recommended are by the district board president and what their qualifications are?

THE HON. SRI B. GOPALA REDDI:—“(a) The answer is in the affirmative.

“(b) The appointment was made by the Inspector of Municipal Councils and Local Boards under the powers delegated to him by Government under section 45-A of the Madras Local Boards Act, 1920. The Government have no other information.

[14th December 1938]

“(c) The answer is in the affirmative. Orders have since been issued placing the District Panchayat Officer in charge of the panchayat board.

“(d) The question does not arise in view of the answer to clause (c).

“(e) The ex-special officer was not paid salary but a honorarium of Rs. 15 per mensem. His qualifications are not known. The candidate recommended by the President, District Board, Kistna, was one Kathari Manikya Ramachandra Rao (son of Sarishtadar-Magistrate, Taluk office, Nandigama), a graduate of the Andhra University.”

SRI K. P. MALLIKARJUNUDU:—“With reference to the answer to clause (a) of the question, may I know whether there is any disqualification attached to a person to be appointed as special officer, if he is connected with the Congress Committee?”

THE HON. SRI B. GOPALA REDDI:—“None, Sir.”

Circular, if any, to the trustees and executive officers of religious endowments for preferring khadi to mill cloth.

* 106 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI on behalf of Sri B. Narayanaswami Nayudu: Will the Hon. the Minister for Public Health be pleased to state whether trustees and executive officers of religious endowments have been circularized by the Hindu Religious Endowments Board to prefer khadi to mill-yarn in making purchases of cloth for temple purposes; whether the board circularized in the said manner on instructions from the Government or *suo motu*?

THE HON. DR. T. S. S. RAJAN:—“Yes; the board issued a circular in the manner set out in the question at the instance of Government with a view to encourage khadi.”

Damages caused by floods in Kistna district and preventive measures taken.

* 107 Q.—SRI K. P. MALLIKARJUNUDU: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government are aware of the damage caused to portions of the Kistna district by the periodical floods of the Budameru;

(b) what proposals have been made to prevent the damage; and

(c) what action do the Government propose to take either to avoid or to mitigate the damage so occasioned?

THE HON. MR. YAKUB HASAN:—“(a) The answer is in the affirmative.

14th December 1938]

“(b) & (c) In order to prevent damages to the Ellore canal and to mitigate the submersion of lands bordering the Budameru during high floods, a proposal to construct inlets and outlets between Kesarupalli and Enikepad aqueducts on the Ellore canal was approved by Government in March 1936 at a cost of Rs. 34,000. The work is now under execution.”

Kalvarayan Hills Reservoir Scheme of South Arcot.

* 108 Q.—SRI R. SRINIVASA AYYANGAR: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that a memorial was submitted to the Government in April last about the Kalvarayan Hills Reservoir Scheme in the district of South Arcot;

(b) whether any and if so, what action was taken thereon; and

(c) if not, whether it is proposed to take steps shortly in this direction?

THE HON. MR. YAKUB HASAN:—“(a) The answer is in the affirmative.

“(b) & (c) The memorial has been referred to the Chief Engineer for Irrigation for report and his report is awaited.”

Alleged issue of notice for the removal of the President of Kapileswarapuram Panchayat Board and the order of the Government regarding its supersession.

* 109 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI on behalf of Sri B. Narayanaswami Nayudu: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any notice was issued by the Inspector of Municipal Councils and Local Boards to Sri T. V. Krishniah, the President of the Kapileswarapuram Panchayat Board, calling upon him to show cause why he should not be removed; if so, whether a copy of the notice will be placed on the table of the House together with the report of District Panchayat Officer;

(b) whether it is a fact that in spite of the above notice, the Government issued a Government Order proposing to dissolve and reconstitute the panchayat board under section 45 (1) of the Madras Local Boards Act; if so, will the same be placed on the table of the House;

(c) why did the Government issue a further order proposing to supersede the panchayat board for a period of one year under section 45-A (1) of the Madras Local Boards Act;

(d) how many petitions were received from the members of the panchayat board requesting the removal of the President and protesting against action under section 45-A (1) and whether those petitions will be placed on the table of the House;

[14th December 1938]

(e) what the recommendations were, if any, of the Inspector of Local Boards before issuing the Government Orders proposing action under sections 45 (1) and 45-A (1) and whether the same will be placed on the table of the House; and

(f) what the resolutions of the district board were upon the above Government Orders and whether the same will be placed on the table of the House?

THE HON. SRI B. GOPALA REDDI :—“(a) The answer is in the affirmative. A copy * of the Inspector's order is placed on the table of the House. The Government consider that no public interest will be served by placing the report of the District Panchayat Officer on the table of the House.

“(b) The answer is in the affirmative. A copy * of G.O. No. 1839, L.A., dated 19th May 1938, is placed on the table of the House.

“(c) In reply to G.O. No. 1839, L.A., dated 19th May 1938, the panchayat board agreed in its resolution, dated 14th June 1938, to supersession for a year and to the appointment of a special officer. The Government accordingly decided to supersede the panchayat board. As the Government cannot under the law supersede a panchayat board on the strength of a notice for dissolution, a fresh notice under section 45-A (1) of the Madras Local Boards Act was issued asking the panchayat board to show cause against supersession.

“(d) A petition was received, a copy * of which is placed on the table of the House.

“(e) The Government consider that no public interest will be served in placing the recommendations of the Inspector on the table of the House.

“(f) Copies * of the resolutions of the Bezwada District Board in reply to G.O. No. 1839, L.A., dated 19th May 1938, and G.O. No. 3420, L.A., dated 1st September 1938, are placed on the table of the House.”

Cases under the Madras Agriculturists Debt Relief Act.

* 110 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) the number of cases under the Madras Agriculturists' Debt Relief Act, decided so far in the Province;

(b) the sum of money scaled down in each case; and

(c) how many agriculturists, mirasdars and zamindars were benefited under these cases?

* Printed as Appendix V on pages 282-288 infra.

[14th December 1938]

THE HON. SRI V. I. MUNISWAMI PILLAI :—“The attention of the hon. Member is invited to the Press Communiqués, dated 19th July 1938 and 16th November 1938, copies of which have been placed in the Council Library. The Government cannot furnish any further information than what has been set out therein.”

Retrenchment in the Forest department.

* 111 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to refer to the answer to my starred question No. 11, dated 17th August 1938, and to state whether the Government have since come to a final decision in the matter?

THE HON. SRI V. I. MUNISWAMI PILLAI :—“Two out of the six Conservators' circles have been abolished. Six posts in the Madras Forest Service have been retrenched; the clerical establishments in the two circle officers have also been abolished and the question of further reductions in the subordinate executive and ministerial staff is engaging the attention of Government. The Government expect to be in a position shortly to announce the reduction effected in the cadre of the Indian Forest Service.”

MR. J. A. SALDANHA :—“May I know what are the six posts that have been abolished?”

THE HON. SRI V. I. MUNISWAMI PILLAI :—“I have already answered that they are all Madras Forest Service men.

SRI A. RANGASWAMI AYYANGAR :—“May I know whether the Government will be pleased to also print the question with reference to which this question is asked at least in future?”

THE HON. SRI V. I. MUNISWAMI PILLAI :—“The matter is entirely in the hands of the Hon. the President.”

Measures for the reformation of prisoners.

* 112 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Courts and Prisons be pleased to state what measures Government have decided to take or contemplate adopting for the reformation of prisoners—

(a) by improvement of character by moral and religious instruction;

(b) by affording facilities for literary and industrial education, the reading of newspapers, journals and books;

(c) by permitting the well-behaved an off day periodically to visit their homes;

[14th December 1938]

(d) by rewards for good behaviour and success in examinations; and

(e) by reducing penalties, specially scourging?

THE HON. SRI S. RAMANATHAN (Minister Public Information) on behalf of the Hon. Sri K. Raman Menon:—“(a) Suitable provision exists in rule 284-C of the Madras Jail Manual, Part II, to which the hon. Member is referred. The Government have sanctioned the payment of conveyance allowance to honorary moral and religious lecturers in jails subject to certain conditions. They have also issued instructions that great care and discrimination should be exercised in the selection of persons to deliver moral and religious lectures.

“(b) The attention of the hon. Member is invited to rules 284, 284-E and 402 of the Madras Jail Manual, Part II. The Government have recently issued instructions that one hour out of the interval allowed to prisoners for rest in the mornings should be utilized every day for reading to the prisoners from newspaper or good books.

“(c) The Government have decided not to take any action in this regard at present.

“(d) As rewards for good behaviour, convicts are awarded remission and gratuity, and appointed as convict officers. For success in examinations, certificates are given to the prisoners at the time of their discharge to enable them to find suitable employment.

“(e) The Government have certain proposals under consideration.”

MR. J. A. SALDANHA:—“Is there any proposal to abolish scourging?”

THE HON. SRI S. RAMANATHAN:—“Yes, Sir.”

Appointments to Indian States subjects in provincial service and provisions made for appointments to British Indian subjects in Indian States.

* 113 Q.—MR. J. A. SALDANHA: Will the Hon. the Prime Minister be pleased to state—

(a) what the orders of Government are for throwing open appointments in provincial service to subjects of Indian States contiguous to or within the limits of this Province and on what *raison d'être*; and

(b) what guarantees exist for reciprocity on the part of the favoured States in regard to British Indian subjects of this Province being appointed in their State services?

14th December 1938]

THE HON. SRI C. RAJAGOPALACHARIAR:—“(a) Under the rules regulating recruitment to provincial services no candidate other than one who has been born in the Presidency of Madras or has been domiciled therein for a period of not less than ten years immediately preceding the date of his application can be selected for appointment unless a sufficient number of qualified and suitable candidates so born or domiciled is not available. A declaration of eligibility is necessary under section 262 (2) of the Government of India Act, 1935, and such declaration is issued only after a subject of an Indian State has actually been selected by a competent selecting authority for appointment to a particular post.

“(b) There being no favoured States, the question does not arise.”

MR. J. A. SALDANHA:—“May I know what is meant by favoured States. I can understand it if used with reference to commercial treaties?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“That phrase has been included in the answer because the question contains that phrase. The hon. Member has put the question as to what guarantee exists for reciprocity on the part of the favoured States and the answer is ‘there being no such State, the question does not arise’.”

MR. J. A. SALDANHA:—“What I want to know is whether in such States whose subjects are able to get appointments here, reciprocal arrangements exist for the taking in of students from the British territory?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“No particular State is favoured and therefore, there is no question of reciprocity. I have explained what is being done, namely, if there is a paucity of provincial born or domiciled candidates and if a subject of an Indian State is actually selected by the competent selecting authority, an eligibility certificate is thereafter issued and not otherwise. There is no question of favouring and no question of reciprocity.”

Land Revenue Settlements of 1902 and 1935 in South Kanara.

* 114 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Revenue be pleased to state—

(a) what the principle laid down was in the Land Revenue Settlement of South Kanara in 1902 as to the increase of assessment of lands so far as improvements were concerned;

(b) whether any change was made in the principle in the Settlement of 1935;

[14th December 1938]

(c) whether the Revenue Settlement of 1935 is in force in South Kanara and if so, to what extent;

(d) whether Government have decided to assess improvements on lands on the expiry of a fixed period and if so, after what period; and

(e) whether notices have been issued to any ryots in South Kanara with a view to assess lands and improvements recently effected and if so, on what basis?

THE HON. SRI T. PRAKASAM:—“(a) & (b) It is presumed that the hon. Member refers to the reclassification of lands converted into ‘wet’ or ‘garden.’ Prior to the Settlement of 1902, the practice was to reclassify such lands when converted. At the Settlement of 1902, it was decided that reclassification should not be made during the currency of the settlement but might be made on the expiry of the period of the settlement. At the Resettlement of 1935, it was decided to revert to the original practice of reclassifying at the time of conversion. No change of principle was involved.

“(c) The Resettlement of 1935 is in force in South Kanara in its entirety.

“(d) No such period has been fixed by the Government.

“(e) The Government have no information.”

Communitywar list of students admitted into colleges wherein selection committees have been abolished.

* 115 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: With reference to the answer given to starred question No. 20 put at the meeting held on the 18th August 1938, will the Hon. the Minister for Education and Legal Departments be pleased to place on the table of this House a comparative statement showing the number of boys, communitywar, who applied for admission and were admitted in each class in each of the colleges wherein selection committees were constituted previously and abolished recently, in the current year and in the previous year?

THE HON. DR. P. SUBBARAYAN:—“Statements* showing the number of students of different communities who applied for admission and who were admitted during the years 1938–39 and 1937–38 are placed on the table. Separate statistics for each class in the several colleges are not available.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know whether statistics for each class in the several colleges will be called for, Sir?”

* Printed as Appendix VI on pages 288–289 infra.

[14th December 1938]

THE HON. DR. P. SUBBARAYAN:—“No, Sir.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“Why, Sir?”

THE HON. DR. P. SUBBARAYAN:—“Because it would be difficult to collect the information, Sir.”

Land revenue policy of the Government.

* 116 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: With reference to answer given to starred question No. 18 put at the meeting held on 18th August 1938, will the Hon. the Minister for Revenue be pleased to state whether the Government have since come to any conclusion about the future of the land revenue policy?

THE HON. SRI T. PRAKASAM:—“The answer is in the negative.”

MR. J. A. SALDANHA:—“May I know when the Government are going to carry out reduction in respect of revenue?”

THE HON. SRI T. PRAKASAM:—“As early as possible.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know when they will come to a definite conclusion?”

THE HON. SRI T. PRAKASAM:—“The Government have themselves been anxious in this regard and it will be announced as soon as some decision is arrived at.”

MR. J. A. SALDANHA:—“The words ‘as early as possible’ figure so prominently in the answers. May I know when that possibility will arise?”

THE HON. SRI T. PRAKASAM:—“It will not be long.”

SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—“May I know the approximate time, whether it will be this year or next year?”

THE HON. SRI T. PRAKASAM:—“I have already announced that it will not be long.”

Action taken by the Government against the Circle Inspector of Police, Dharmavaram, consequent on the finding of the Additional Sessions Judge, Anantapur, in C.A. No. 6 of 1938.

* 117 Q.—SRI M. NARAYANA RAO: Will the Hon. the Prime Minister be pleased to state whether the Government have taken or propose to take any action against the Circle Inspector of Police, Dharmavaram, in view of the finding of the Additional Sessions Judge that the case was fabricated by the Circle Inspector in C.A. No. 6 of 1938 on the file of the Court of District Sessions Judge, Anantapur?

[14th December 1938]

THE HON. SRI C. RAJAGOPALACHARIAR:—"The matter is under enquiry. Such action as is deemed necessary will be taken after a full examination of the matter including both the original and appellate findings."

Appointment of Prosecuting Inspectors and Sub-Inspectors from Law graduates in Police Service and number of cases charge-sheeted by Police in Anantapur district under section 302, Indian Penal Code.

* 118 Q.—SRI M. NARAYANA RAO: Will the Hon. the Prime Minister be pleased to state—

(a) whether there is any proposal before the Government to appoint Prosecuting Inspectors and Sub-Inspectors from among Law graduates in Police Service; and

(b) whether the Government will state how many cases were charge-sheeted under section 302, Indian Penal Code, in Anantapur district by the police in 1937-38 and how many have terminated successfully?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) The answer is in the negative.

" (b) Thirty-three charges were laid under section 302, Indian Penal Code, in the Anantapur district in 1937-38. Out of these, eight cases have terminated successfully, in one case the accused died and six cases are pending trial."

THE RT. HON. V. S. SRINIVASA SASRTI:—"May I ask what is the necessary connexion between clauses (a) and (b) that there should be subdivision in the same question? Is there any occult connexion that I do not see?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The collocation of clauses (a) and (b) is certainly the responsibility of the gentleman who put the question and not of the Government. But the Government have taken care ever since they took office to answer every question with the fullest information possible and not to raise any technical objections wherever they can be avoided. I have answered clauses (a) and (b). I can guess the connexion and if that is a matter of interest, I wish to say that the idea of the hon. Member belonging to the legal profession is that unless prosecuting inspectors and sub-inspectors have a legal lore, murder cases will end in acquittal."

SRI M. NARAYANA RAO:—"May I know, Sir, whether any complaints have been received from the public that the prosecuting staff as now constituted is not functioning properly and that the method of choosing law graduates for conducting the prosecution will be by far better?"

[14th December 1938]

THE HON. SRI C. RAJAGOPALACHARIAR:—"The Government have not received any complaints from the public. Sometimes it is possible that affected parties may complain one way or the other but the Government have taken note of the need for legal learning in the prosecuting staff and the matter is under active consideration and very soon orders will issue in the matter."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I know how long has this system been in vogue?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"The present practice has been in vogue ever since it began up till now."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Was there any serious complaint about that till now?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"As I have already stated, it is not possible for any member of the public to make any complaints in such matters. It is for the Government to take note of the fact that a certain kind of equipment is necessary for a certain kind of job."

Excise staff thrown out of employment consequent on introduction of prohibition in Cuddapah and Chittoor.

* 119 Q.—SRI M. NARAYANA RAO: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) the number of men in service in Excise department who have been thrown out of employment on account of introduction of prohibition in Cuddapah and Chittoor districts;

(b) whether the Government have made any provision for recruiting them in other departments;

(c) whether it is a fact that some of these men have been asked to pay medical charges and admission fees if they should apply before the Public Service Commission for recruitment to Public Service; and

(d) whether it is a fact that in the case of these persons thrown out of employment, the Public Service Commission insists upon age restriction on the footing of new entrants in the department?

THE HON. SRI C. RAJAGOPALACHARIAR:—" (a) A report has been called for.

" (b) Thirty-four directly recruited sub-inspectors of Excise in the Province have been selected for appointment as sub-inspectors of Police. The Government have amended the Madras Registration Subordinate Service to the effect that the age-rule should not apply to discharged sub-inspectors

[14th December 1938]

of Excise (who had been recruited direct) who may apply for selection as reserve sub-registrars. They have also decided to amend the Madras Ministerial Service Rules so as to make such discharged sub-inspectors of Excise eligible to apply for selection as Probationary Revenue Inspectors. Certain other proposals for the absorption in other departments of discharged officers and men of the Excise department are under the consideration of the Government.

“(c) No medical charges are levied but a certificate of physical fitness has to be produced if required by the Commission. An admission fee is payable in all cases where selection is made after due advertisement.

“(d) The attention of the hon. Member is invited to the answer to clause (b) above. The question of relaxing the age-rule in regard to other appointments is engaging the attention of the Government.”

Famine measures taken by Government in 1937-38 in Ceded districts.

* 120 Q.—SRI M. NARAYANA RAO: Will the Hon. the Minister for Revenue be pleased to state—

(a) what the different kinds of works undertaken during the famine period are in 1937-38 in each of the Ceded districts; and

(b) what the total amount spent is for famine measures by the Government on—

(i) the establishment charges; and

(ii) on the works undertaken?

THE HON. SRI T. PRAKASAM:—“(a) Road works and repairs to irrigation works were undertaken in the Bellary, Anantapur and Kurnool districts.

“In the Bellary and Anantapur districts weavers were also relieved at their own crafts.

“(b) Exact details regarding the expenditure incurred on the relief operations are not yet available with the Government. They will be published in due course along with the final report on the famine operations. Approximately the expenditure incurred up to the end of November including that relating to weaving centres was—

	RS.
Establishment charges	2,38,900
Tools, shelter, etc.	1,75,000
Wages to workers and meals and allowances to dependants on gratuitous relief, provision of fodder, etc.	18,58,700 ”

14th December 1938]

Increase of the pay of Government medical officers.

* 121 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the question of increasing the pay of medical men in Government service was considered by the Government previously and refused; and

(b) if so, on what grounds?

THE HON. DR. T. S. S. RAJAN:—“(a) The answer is in the negative.

“(b) The question does not arise.”

High percentage of insanity among people on the West Coast.

* 122 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether any special enquiry was made after the census of 1931 or any other census into the causes which led to the very high percentage of insanity on the West Coast as per successive census figures; and

(b) if no enquiry has been made, whether there is any proposal to make special enquiry?

THE HON. DR. T. S. S. RAJAN:—“(a) The answer is in the negative. It is likely that the figures shown against Malabar in the census reports include the patients from other districts also, as mental patients from Coimbatore, the Nilgiris, South Kanara and Anjengo were also admitted in the Mental Hospital, Calicut.

“(b) The answer is in the negative.”

SRI RAO BAHADUR M. RAMAN:—“May I know whether the Hon. Minister is aware that there is a special remark in the census report that the increase is not due to the lunatics in the Calicut Mental Hospital, and that there are more Malayali mad-men in parts outside Malabar than Tamil Nad mad-men in Malabar?” (Laughter.)

THE HON. DR. T. S. S. RAJAN:—“I am very thankful to the hon. Member for the information.” (Renewed laughter.)

High percentage of blindness among people on the West Coast.

* 123 Q.—SRI RAO BAHADUR M. RAMAN: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether the cause of the very large percentage of blindness on the West Coast according to successive census reports has ever been investigated; and

(b) if not whether the Government have any proposal to enquire into the question?

[14th December 1938]

THE HON. DR. T. S. S. RAJAN:—“(a) The answer is in the negative.

“(b) The answer is in the negative.”

Educational concessions to converts from depressed class Hindus.

* 124 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education and Legal Departments be pleased to refer to the debates in the Legislative Council on 25th March 1929 and the answer given to my question No. 224 on 10th August 1929 as to educational concessions to depressed classes and converts to Christianity from them and to state—

(a) what development has taken place in regard to such concessions in Government, local board, municipal and aided schools;

(b) what grievances have been brought to the notice of Government in regard to educational concessions to Christian converts from the depressed classes—new converts as well as descendants of old converts; and

(c) what action Government have taken to redress the grievances, if any?

THE HON. DR. P. SUBBARAYAN:—“(a) No change has taken place in regard to the concessions covered by the answer to the interpellation asked on the 10th August 1929.

“(b) & (c) Besides the concessions referred to above, district boards and municipal councils may, at their discretion, grant full-fee concessions to schedule castes pupils reading in their secondary schools. Representations have been received regarding the extension of these optional fee concessions to converts from scheduled castes. The Government have ordered that where such concessions were actually enjoyed, but were recently withdrawn, they should be restored to the pupils concerned.”

MR. J. A. SALDANHA:—“May I know whether this rule of concession to the Christian converts from the depressed classes applies to the old and new converts alike—I mean to the descendants of the old converts?”

THE HON. DR. P. SUBBARAYAN:—“The answer is exactly what is stated in the answer; I cannot further amplify it.”

Government control over foreign lotteries and sweepstakes.

* 125 Q.—MR. J. A. SALDANHA: With reference to the answers given on 15th August 1938 to my questions Nos. 4 and 5, will the Hon. the Minister for Courts and Prisons be pleased to

[14th December 1938]

state whether Government have since come to a final decision on the question of controlling the distribution of tickets in foreign lotteries and sweepstakes?

THE HON. SRI S. RAMANATHAN (Minister for Public Information) on behalf of the Hon. Sri K. Raman Menon:—

“The matter is still under the consideration of the Government.”

Administration of the Ramnad Estate by the Court of Wards.

* 126 Q.—SRI A. RANGASWAMI AYYANGAR: Will the Hon. the Minister for Revenue be pleased to state—

(a) when the Ramnad Estate was taken charge of by the Court of Wards and the reasons for assumption of the management by the Court of Wards;

(b) what the total amount of debts payable is by the estate and how much of this was incurred by the present Raja;

(c) how long do the Government propose to continue the management of the Court of Wards and when does the Court of Wards propose to hand over the estate to the Raja;

(d) what the amounts of allowances paid are to the Raja of Ramnad and his dependants by the Court of Wards;

(e) who such dependants are and what their relationship is to the Raja;

(f) whether the Court of Wards hopes to discharge the debts within two years from the date of taking charge and if not whether the Government propose to take the estate out of the Court of Wards' management;

(g) whether any creditors of the Raja complained that their ordinary remedies to proceed against the estate are now made impossible;

(h) whether there are any junior members of the Raja's family who are entitled to maintenance;

(i) whether any of the junior members was denied his or her allowance by the Court of Wards;

(j) whether any decrees of the court have been obtained by any junior members and if so, whether such decrees for maintenance are being satisfied by the Court of Wards and if not, whether the Government will be pleased to state the reasons for withholding such maintenance;

(k) whether there is any proposal pending before the Court of Wards for leasing the whole estate; if not, what the measures are which the Court of Wards proposes to take for discharging the whole of the debts;

(l) how much has been spent by the Court of Wards since its assumption of management of tank maramat of the Ramnad Estate; and

[14th December 1938]

(m) whether the Court of Wards proposes to invest further amounts in tank maramat and whether there is any proposal before the Court of Wards for any comprehensive scheme for tank maramat for the whole of the zamindari and if not, whether the Government propose to ascertain one and carry out the same?

THE HON. SRI T. PRAKASAM:—“(a) The Government were, on an application by the Raja under section 18 of the Court of Wards Act, 1902, satisfied that it was in the public interests that the estate should be placed under the management of the Court of Wards and passed orders accordingly. The Court of Wards assumed the management of the estate on 31st July 1935.

“(b) The debts due by the estate on 1st July 1937 amounted to about Rs. 30 lakhs. The Government have no information regarding the latter part of the question.

“(c) It is not possible to say at present.

“(d) The normal budget of the estate provides for the payment of an annual allowance of Rs. 52,000 to the Raja and of Rs. 64,000 to his dependents.

“(e) & (h) The Government do not maintain a list of the Raja's dependents.

“(f) It is already over two years since the estate was taken over by the Court of Wards. The estate is not yet free from debt but there is no intention at present to remove the estate from the management of the Court of Wards.

“(g) No such complaint has been received by the Government.

“(i) & (j) Sri Rajaram Pandiyan, the paternal uncle of the Raja, had obtained a compromise decree against the late Raja for the payment of a maintenance allowance of Rs. 1,500 per mensem. The Court reduced this to Rs. 450 per mensem pending further examination and subsequently paid all arrears of allowance at Rs. 1,500 per mensem. The Government know of no other decrees.

“(k) The Government are not aware of any such proposal. The steps to be taken to discharge the debts are under the consideration of the Court of Wards.

“(l) Rupees 2,94,904 up to 30th June 1937.

“(m) The Court of Wards has a programme of improvements to irrigation works in the estate.”

SRI A. RANGASWAMI AYYANGAR:—“May I know whether the Government have got any scheme for liquidating the large amount of debt in the near future, and if not, whether the Government will hand over the estate to the Raja?”

14th December 1938]

THE HON. SRI T. PRAKASAM:—“There has been a scheme to liquidate the debt, and if the debt cannot be liquidated, Government would not care to keep it for any long period.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know whether any representation has been received from the Raja to hand over the estate to him?”

THE HON. SRI T. PRAKASAM:—“No.”

Water-supply scheme of the Cuddalore Municipal Council.

* 127 Q.—SRI R. SRINIVASA AYYANGAR: Will the Hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the Government directed the Municipal Council, Cuddalore, to keep in readiness Rs. 50,000 from the water fund account to commence the work in the current year and the Council accordingly withdrew the amount from the fixed deposit account in banks, foregoing interest;

(b) whether it is a fact that Department of Public Works which is in charge of the scheme was about to commence the work in December 1938 and even chalked out a programme of expenditure;

(c) whether it is a fact that the commencement of the water-supply scheme has been postponed definitely;

(d) what the reasons are for the telephonic cancellation of putting the scheme into execution by Government;

(e) when the work is likely to be commenced; and

(f) whether any allotment has been proposed to be made in the budget for 1939-40 towards the loan and grant for this scheme?

THE HON. DR. T. S. S. RAJAN:—“(a) In July last, the Commissioner of the Cuddalore Municipality was asked to report whether it will be possible for the council to find any portion of its share of the cost of the scheme from its own funds in the current year. He reported that a sum of Rs. 50,000 can be made available for expenditure on the work. In order to find this sum two fixed deposits amounting to Rs. 19,000 were withdrawn by the council when they matured for payment and kept it in the current account anticipating that sanction will be accorded for the execution of the scheme in the current year. The Government did not instruct the council to withdraw the fixed deposits.

“(b) & (c) The answer is in the affirmative.

“(d) The Government considered the question of sanctioning the execution of the scheme in the current year, but finally decided that it should be put forward as a Part II Scheme for 1939-40 as it was a new scheme involving the payment

[14th December 1938]

of a Government grant nearly 3.16 lakhs. Instructions were therefore issued to the Chief Engineer that the execution of the work should not be started in the current year.

“(e) It is likely to be taken up for execution during 1939-40.

“(f) It is proposed to provide a grant of Rs. 50,000 for the work in the Budget Estimate for 1939-40. No provision need be made for a loan as the council can meet its share of the anticipated expenditure on the work in 1939-40 from its own funds.”

Minor Ports Fund and improvements to minor ports.

* 128 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Public Works be pleased to state—

(a) the balances standing to the credit of the Minor Ports Fund in each of the ten years ending with 1937-38;

(b) what minor ports have applied for spending of funds in each of the three years ending with 1937-38 and during the year 1938-39 the amount applied for and granted or refused, together with the nature of the works in respect of which the amount was applied for during the said period;

(c) whether any applications or representations are now pending before the Government asking for improvements to minor ports; if so, from which minor ports and the nature of such applications or representations;

(d) what the minor ports are which left surpluses for being credited to the Minor Ports Fund during each of the ten years ending with 1937-38, the amount of such surpluses of each such port during each of the said years; and

(e) what, if any, the minor ports are which incurred deficits during each of the ten years ending with 1937-38, the amount of such deficits of each such port during each of the ten years ending with 1937-38?

THE HON. MR. YAKUB HASAN:—“(a), (b) & (c) The information is given in statements * I, II and III placed on the table.

“(d) & (e) As only one account under the name of Minor Ports Fund is maintained it is not possible to find out which ports contributed surpluses and which incurred deficits.”

MR. J. A. SALDANHA:—“Is it a fact that this Minor Ports Fund includes the balances of income derived from shipping and landing?”

THE HON. MR. YAKUB HASAN:—“No; there is a separate fund for each port for shipping and landing.”

* Printed as Appendix VII on pages 289-292 infra.

14th December 1938]

Status of teachers in aided schools.

* 129 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education and Legal Departments be pleased—

(a) to place before the House a statement showing the grievances sought to be remedied in the status and conditions of teachers in aided schools and to state—

(b) in what respect and to what extent they were remedied in the recent orders amending the Educational Rules;

(c) what defects in the said amendments are brought to the notice of Government by the associations and institutions concerned; and

(d) what action the Government have decided to take or contemplate taking on the representations made in the interests of teachers and managers of aided institutions?

THE HON. DR. P. SUBBARAYAN:—“(a) & (b) The hon. Member apparently refers to the amendments to the rules under the Madras Elementary Education Act recently issued. A perusal of the new rules will show in what respects they are intended to bring about an improvement in the conditions of service of teachers in aided elementary schools.

“(c) The rules referred to were published by Government and every opportunity was given for criticisms, objections and suggestions to be submitted to Government. Such criticisms and suggestions as were received were carefully considered by Government before the rules were confirmed.

“(d) As indicated in the answer to clause (c), representations from teachers and managers have already been considered by Government. After the rules have been in force for some time the Government will be in a better position to state whether any further alterations are necessary.”

Security furnished by the Executive Officer, Sri Karpaganathar temple, Tanjore district, and its income for fasli ending with June 1938.

* 130 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: With reference to answer given to starred question No. 37 put at the meeting held on 19th August 1938, will the Hon. the Minister for Public Health be pleased to state—

(a) why the amount of security has been fixed as Rs. 500 when the security obtained from the previous treasurer was Rs. 1,000; and

(b) whether the information called for with regard to the actual income of the temple for the fasli year ending with June 1938, has been received and if so, what it is?

[14th December 1938]

THE HON. DR. T. S. S. RAJAN:—“(a) The amount of security is fixed by the Hindu Religious Endowments Board with reference to the status and other qualifications of the individual concerned. In this case the executive officer of the temple was a member of the bar before his appointment in the temple.

“(b) The income was Rs. 7,186-5-11.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know what are the other qualifications of the individual concerned that were taken into account in fixing the amount of security?”

THE HON. DR. T. S. S. RAJAN:—“Apparently from what the board has done, it looks it is only the question of respectability of the man concerned—his general status in society. In this case, the executive officer has been a member of the bar and it has been taken for granted that he is a very respectable man.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know whether the Government have considered the question whether the income of the temple warrants the retention of an executive officer on a salary of Rs. 100 per mensem?”

THE HON. DR. T. S. S. RAJAN:—“That is a matter entirely left to the discretion of the board.”

Scheme for enlisting medical practitioners for rural medical relief.

* 131 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Health be pleased—

(a) to place before the House the new Government scheme for enlisting qualified medical practitioners for rural medical relief with a summary of objections raised to it and to state;

(b) whether the Government propose to obtain the sense of both the Houses of the Legislature before passing final orders thereon;

(c) if so, when; and

(d) if not, what orders have Government passed?

THE HON. DR. T. S. S. RAJAN:—“(a) The hon. Member is apparently referring to Memorandum No. 34730-1 D-2, P.H., dated 30th September 1938, issued by Government (copy placed on the table of the Madras Legislative Council). No scheme has yet been evolved by Government in the matter. Replies of most of the presidents of district boards are still due.

14th December 1938]

“(b) & (c) Government do not consider it necessary to place the matter before the Houses of the Legislature.

“(d) The question does not arise.”

MR. J. A. SALDANHA:—“May I know what time will it take to pass final orders?”

THE HON. DR. T. S. S. RAJAN:—“It is not a question of passing orders at all. It is a question of calling for information, and when once Government are in full possession of the information, Government may decide afterwards to do what all that may be necessary in the matter. It does not necessarily mean that all enquiries should always be followed by a Government Order.”

Failure of monsoon in South Arcot and proposal, if any, to grant suitable land revenue remission.

* 132 Q.—SRI R. SRINIVASA AYYANGAR: “Will the Hon. the Minister for Revenue be pleased to state—

(a) whether a major portion of the district of South Arcot has been much affected by the failure of the seasonal monsoon and distress prevails in consequence thereof;

(b) whether any detailed report has been called for from the Collector of South Arcot touching the distress;

(c) whether any instruction has been issued by the Government or the Board of Revenue for the inspection of the fields on a larger scale in villages affected by the distress with a view to grant remissions in a suitable manner;

(d) whether instructions have been or intended to be given not to insist on applications by pattadars to grant remissions; and

(e) whether, in view of the failure of the monsoon, there is any proposal to postpone payment of kist by a few months?

THE HON. SRI T. PRAKASAM:—“(a) The Government understand that seasonal conditions in the district are not satisfactory and that want of rain is keenly felt throughout the district.

“(b) The answer is in the affirmative.

“(c) & (d) No such instructions have been issued by the Government. Board's Standing Order No. 14-1 provides for field inspection as soon as the unfavourable character of the season has declared itself.

“(e) No such proposal is under the consideration of the Government. Postponement of kist within the fasli does not require the sanction of Government.”

[14th December 1938]

UNSTARRED QUESTIONS*Tobacco cultivation and its trade in the presidency.*

26 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) what varieties of tobacco are grown in the Madras Presidency;

(b) what the area under tobacco cultivation was in each of the villages in the Madras Presidency during the year 1937–38, giving the village name, the area in each such village, and the variety of tobacco grown in each such village;

(c) the several villages in the Madras Presidency which raise Virginia tobacco, and the area in each such village raising the said tobacco during each of the years 1931 to 1937;

(d) the company or companies in the Madras Presidency which buy such tobacco from the ryots;

(e) the prices of the Virginia tobacco from 1930 to 1937; and

(f) the barns erected in each village in the presidency for curing Virginia tobacco, the cost of each such barn, its capacity, its owner, the labour it employs, the period of its working, and the costs of working?

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

The varieties of tobacco grown in the Presidency are broadly of two types, namely (1) Country or desi types and (2) Virginia.

Of the country types, there are many different varieties as lankas tobacco of the Kistna and Godavari districts, chewing and cheroot tobacco of the Central and Southern districts called by various names as Usikkappal, Vattakkappal, Vazhaikkappal, Yerumaikkappal, etc.

(b) & (c) The information regarding the area under the different varieties of tobacco grown in each district is available only for the year 1937–38 and is furnished in the statement attached ^a. Total area under cultivation in each district for the years 1931–37 will be found in Appendix IX of the Season and Crop Report of the Madras Presidency supplied to the Secretariat Library. Particulars regarding the area under tobacco by varieties in each of the villages in the Madras Province is not available with the Government.

^a Printed as Appendix IX on page 293 infra.

14th December 1938]

(d) The following are the companies which purchase Virginia tobacco in the Guntur and other districts:—

- (1) Indian Leaf Tobacco Development Company, Chirala, branches in the Guntur district.
- (2) National Tobacco Company, Limited, Guntur.
- (3) Majeti Sri Sailam Panakalu and Company, Limited, Guntur.
- (4) T. N. Nagaratnam and Company, Limited, Guntur.
- (5) Zenith Tobacco Company, Limited, Guntur.
- (6) Vippurti Narasimham and Company, Limited, Guntur.
- (7) Burga Visvanathan and Company, Limited, Guntur.

Besides, there are about hundred small merchants buying virginia tobacco at Guntur.

(e) The ruling prices for the virginia tobacco paid by the Indian Leaf Tobacco Development Company, Limited, the largest buyers of this tobacco were as follows:—

Prices in annas per pound.

		1931 to 1935.	1936 and 1937.	1938.
I Grade	.. ..	9	9½	10
II	.. ..	7	7½	8
III	.. ..	5	5½	6
IV	.. ..	3	3½	4
V	.. ..	1	1½	2

For ungraded tobacco bought by other merchants, prices are very variable according to quality and rose from Rs. 150 to Rs. 180 till 1935, Rs. 200 to Rs. 350 during 1938 per candy of 500 lb. of first arrivals of best flue cured tobacco.

(f) There are about 5,000 barns situated mainly in the Guntur district and in parts of Kistna and Godavari districts. Many ryots as well as some curers and merchants own barns. No records of ownership are available. Barns are of two sizes, single and double, and the cost of raising a barn ranges from Rs. 200 to Rs. 500, sometimes Rs. 750 according to size and nature of the construction. A barn cures annually the output of about 20 to 30 acres or 30 to 45 candies of 500 lb. each of tobacco. Barns work in the months January to April and employ, besides a curer and fireman, a few coolies for tying, carrying and charging the tobacco. The curing charges range from Rs. 40 to Rs. 50 per acre of produce.

[14th December 1938]

Endowments of temples in various taluks and their administration.

27 Q.—SRI B. NARAYANASWAMI NAYUDU: Will the Hon. the Minister for Public Health be pleased to state—

(a) the names of the temples in each village in each revenue taluk in the Presidency which are assessed to contribution under section 69 of the Madras Hindu Religious Endowments Act;

(b) the amount to which each temple is assessed and the income of each temple on which it is assessed;

(c) the endowments of each such temple giving particulars as to lands whether dry or wet and the area under each head, as to buildings fetching rent or otherwise, investment, etc.;

(d) the trustee or trustees of each such temple and whether they are paid trustees or honorary trustees and the number of archakas employed in each temple and their remuneration;

(e) the temples for which executive officers have been appointed, the names of the officers now holding office, and their pay; and

(f) the temples still administered by the civil courts acting under court schemes?

A.—(a) to (d) The Government have not the information asked for and it cannot be collected without considerable labour.

(e) & (f) Two lists ^a are placed on the table of the House.

Improvements to certain ports in South Kanara.

28 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any plans and estimates have been framed by expert engineers for the improvement of the ports of Mangalore and Malpe for the entry of large steamers into them throughout the year;

(b) if so, when they were framed, and what the approximate cost of the projects were for each of the ports;

(c) whether Government have received representations from any persons or bodies in South Kanara for the improvements of either of these ports and what action has been taken thereon; and

(d) whether Government have decided to carry out any measures to improve these ports and, if so, in what way and at what cost?

A.—(a), (b) & (d) Improvements carried out to the ports of Mangalore and Malpe during the last 10 years are given in the statement ^b annexed. In 1935–36 the

^a Printed as Appendix X on pages 294–300 infra.

^b Printed as Appendix XI on page 301 infra.

14th December 1938]

Government sanctioned a dredging scheme for the port of Mangalore at a cost of about Rs. 3 lakhs and made a free grant of Rs. 1.68 lakhs to the Landing and Shipping Fund towards the cost of the scheme, which is being worked out. Recently, the Presidency Port Officer submitted estimates amounting to Rs. 2.9 lakhs for reconstruction and extension of north and south wharves at Mangalore and an estimate amounting to Rs. 18,500 for hand-dredging a channel to wharf No. 4, and for constructing masonry retaining walls at the port of Malpe. Proposals for the purchase of a sea-going dredger for the minor ports have also been received recently. These are under the consideration of Government.

(c) Yes; the representations are under consideration.

Proposal, if any, for establishing an aquarium on modern lines.

29 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to state—

(a) when the Marine Aquarium at Madras was built and at what cost;

(b) whether the Government have in contemplation a scheme for establishing an aquarium according to modern requirements for educational purposes and for development of fisheries as well as for exhibition of fishes of various species to the public in general; and

(c) if so, whether plans and estimates have been prepared and at what cost and when provision will be made for carrying them out?

A.—(a) The Aquarium was built in 1909 under an estimate sanctioned for Rs. 11,530.

(b) A proposal to this effect is under consideration.

(c) Rough plans and approximate estimate have been prepared. The cost involved is Rs. 65,000. Provision will be made after a decision has been reached as to whether a fresh building is really necessary or whether the existing one may be continued with some repairs and improvements.

Construction of a new building for the Madras Legislature.

30 Q.—MR. J. A. SALDANHA: Will the Hon. the Prime Minister be pleased to state—

(a) whether Government have decided to erect a new building for the Legislative Assembly; and

[14th December 1938]

(b) if not, what accommodation is going to be provided for the Assembly as well as the Legislative Council, and the Secretariat of the Legislature, at what cost and when?

A.—(a) The answer is in the negative.

(b) The approximate cost of a new Parliament House including cost of site would have been about Rs. 20 lakhs. Instead of this it has been decided that certain alterations, extensions and improvements to the existing Secretariat and Council Chamber buildings in the Fort St. George shall be undertaken at a cost of Rs. 2.03 lakhs which will provide adequate accommodation to enable the two Houses of the Legislature to sit, ordinarily at different times but jointly when the necessity arises and accommodation for the office of the Legislature. The alterations and improvements to the Council Chamber will be taken up after this Session of the Council and completed within about six months. The work of extensions to the Secretariat buildings in which the offices of the Legislature will be accommodated has already been taken up and is expected to be completed by August next.

Recognition of medical degrees of the Andhra University.

31 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Health be pleased to state—

(a) what the recommendations of the Indian Medical Council are for the due recognition of medical graduates of the Andhra University on the basis of necessary experience in a properly equipped, up-to-date medical hospital; and

(b) what measures have been adopted and are going to be adopted for the purpose in order to meet the conditions laid down by the Indian Medical Council?

A.—(a) The Inspectors of the Medical Council of India who inspected the Medical College, Vizagapatam, in 1937 were unable to say that the college was sufficient for the training of students up to the M.B.B.S. degree particularly because of—

(1) the inadequate accommodation and arrangement for the treatment and teaching in the out-patient department,

(2) the antiquated provision made for midwifery and gynaecology, and

(3) the inadequate space provided for the much improved museums of Anatomy and Physiology.

14th December 1938]

(b) The Government have taken measures to remedy the defects pointed out by the Inspectors of the Medical Council of India.

(1) They have sanctioned the construction of a new out-patient department for the King George Hospital, Vizagapatam, including a venereal department and a septic ward at an estimated cost of Rs. 3.15 lakhs and the work is in progress.

(2) They have pointed out to the Medical Council of India that there is at present no difficulty in giving the students of the Vizagapatam Medical College, the required training in obstetrics and gynaecology as, in addition to the training given to them at Vizagapatam, they are brought to Madras for training in the Government Hospital for Women and Children. The Medical Council of India have been informed that there is no immediate necessity to construct a new maternity block at Vizagapatam as the existing accommodation in the hospital is sufficient to admit the number of maternity cases seeking admission in that hospital.

(3) As regards the inadequacy of space for the museums there appears to have been some misconception on the part of the Inspectors of the Medical Council of India. The Principal, Medical College, Vizagapatam, has informed the Medical Council of India that the reference by the Inspectors to the Physiology museum was probably a mistake for the Pathology museum and that a comparison of the past and present position of the museums in Anatomy and Pathology showed a considerable improvement. The previous Inspectors had already admitted that the museum of the Pathology department was excellent and that of the Anatomy department was good.

(4) This Government have also informed the Medical Council of India that arrangements have been made for the students of the Vizagapatam Medical College to get the necessary training in Radiology in the Barnard Institute of Radiology, Madras, when these students come to Madras to undergo the training in obstetrics and gynaecology and that it is their intention to construct a more up to date operation theatre for the King George Hospital, Vizagapatam, as soon as funds become available.

[14th December 1938]

- (5) The Government have from time to time sanctioned additional staff for the college in accordance with the recommendation of the Inspectors.

Appointments of Commissioners of municipalities, their qualifications, etc.

32 Q.—SRI S. A. S. RM. RAMANATHAN CHETTIYAR: Will the Hon. the Minister for Local Administration be pleased to state—

(a) the names of municipalities for which Commissioners have been appointed;

(b) the names of municipalities for which Commissioners have not been appointed so far; and

(c) whether the Government will lay on the table a statement showing—

(1) the names of officers now working as Commissioners and their qualifications;

(2) their caste and nationality;

(3) their previous appointments, and length of service thereon;

(4) their pay in such previous appointments, and their present payment and allowances; and

(5) the travelling allowance and pay paid to them from the inception of the scheme up to 1st October 1938?

A.—(a) & (b) All the municipalities in the Presidency have been notified under section 12 (c) of the Madras District Municipalities Act, 1920, for appointment of Commissioners.

(c) A statement^a showing the names of Commissioners, their caste, the appointments previously held by them and their present pay and allowance is laid on the table. Information in regard to the other particulars is not available.

Supply of manure leaves from reserve forests.

33 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Agriculture and Rural Development be pleased to refer to the debates in the Legislative Council, Madras, on the 5th February 1925 (Volume XXII,* pages 317 to 331) in connexion with the resolution moved for supply of manure leaves from reserve forests

* Printed as Appendix XII on pages 302—304 infra.

[14th December 1938]

in this Presidency on payment of a seigniorage of 6 annas per cart-load without prejudice to any privileges now obtaining in any part of the Presidency and to state—

(a) to what extent and in which districts the resolution passed was enforced and is now in force;

(b) which districts were exempted from the operation of the general rule as to exaction of the seigniorage mentioned and in which districts is the exemption still in force and to what extent;

(c) on what grounds was the privilege specially based and since what time; and

(d) if the privilege has been withdrawn from the exempted districts, from which of them and for what reasons?

A.—(a) The resolution was not accepted by Government and the suggested rate of seigniorage was not therefore enforced.

(b) to (d) Do not arise.

Reduction of rates of commission allowed to stamp vendors.

34 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Revenue be pleased—

(a) to place before the House a statement of the various rates of discount or commission allowed to stamp vendors for sale of judicial and non-judicial stamps including copy stamp papers during the ten years ending the 31st March 1938, and to state—

(b) on what grounds the rates have been reduced; and

(c) whether Government have received representations complaining of the hardship caused to stamp vendors by the reduction?

A.—(a) A statement^a is appended.

(b) The rates of discount were reduced in order to reduce the disproportionately high expenditure incurred by this Government on the collection of stamp revenue as compared with that in other provinces.

(c) The answer is in the affirmative. With reference to a representation from the stamp vendors of Negapatam town the Government have ordered that the stamp vendors in that town should be allowed discount at the higher rates prescribed for places in the mufassal within 3 miles of which stamps are sold by the Government.

^a Printed as Appendix XIII on page 305 infra.

[14th December 1938]

Investment, if any on irrigation, industrial and other projects in certain districts.

35 Q.—MR. J. A. SALDANHA: Will the Hon. the Prime Minister be pleased to state—

(a) the revenue and expenditure in the following districts and taluks for the financial years 1931 to 1938:—

Districts.	Taluks.
1 South Kanara.	1 Madakasira (Anantapur district).
2 Bellary.	2 Hosur (Salem district).
3 Nilgiris.	3 Kollegal (Coimbatore district).

(b) whether the Provincial Government have invested any amount of money (1) on irrigation, (2) on industrial projects, (3) on any other projects—by way of capital expenditure in any of the districts and taluks mentioned above;

(c) if so, how much and what were the main items of such expenditure; and

(d) what the annual income was on such investments from 1931 to 1937?

A.—(a) The figures of revenue and expenditure for the three districts of South Kanara, Bellary and the Nilgiris for the years 1931–32 to 1937–38 as in District Treasury Accounts are given in the annexed Statement * No. 1. The figures of revenue and expenditure for the taluks are not separately available in the office of the Accountant-General.

Statement No. 1 does not include—

(1) the revenue and expenditure in the Public Works and Forest departmental accounts as figures are not available for these departments by districts;

(2) revenue or expenditure relating to the districts, booked outside the districts, for example, that relating to the Governor, Legislature, Secretariat, Heads of Departments, High Court, Debt charges, Stationery and Printing, Expenditure in England, Pension liability of headquarters establishments and the like.

(b) to (d) The information available is given in the Statement * No. II.

* Printed as Appendix XIV on pages 306–310 infra.

[14th December 1938]

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

II.—MESSAGE FROM THE ASSEMBLY.

MR. PRESIDENT:—“ I have to announce to the House that the following message, dated the 13th December 1938, has been received by me from the Hon. the Speaker of the Madras Legislative Assembly:—”

‘ In accordance with rule 94 of the Madras Assembly Rules, I transmit a copy of the Mappilla Marumakkattayam Bill (L.A. Bill No. 8 of 1937) as passed by the Assembly on the 7th December 1938, and signed by me, for the concurrence of the Council.’ ”

NON-OFFICIAL BUSINESS.

A.—BILL.

III.—A BILL TO AMEND THE INDIAN SUCCESSION ACT, 1925 (L.C. BILL No. 2 OF 1938)

* MR. J. A. SALDANHA:—“ Mr. President, I beg to move—
‘ That the Bill * to amend the Indian Succession Act, 1925 (L.C. Bill No. 2 of 1938), be referred to a Select Committee (names of the Members of the Committee to be given later).’ ”

“ This Bill seeks to place the Indian Christians on the same level as the Muslims and, to a large extent, the Hindus—all Hindus except those residing in the Presidency town, Madras City. I only plead for the removal of the injustice under which we, Indian Christians, have been labouring. What I say is that we should be placed on the same level as the other communities. The Statement of Objects and Reasons which is appended will explain briefly the grounds on which this appeal is made to the Council. For a better understanding of the Statement of Objects and Reasons, I shall read section 213 of the Indian Succession Act:

‘ No right as executor or legatee can be established in any court of justice, unless a court of competent jurisdiction in British India has granted probate of the will under which the right is claimed, or has granted letters of administration with the will or with a copy of an authenticated copy of the will annexed.

(2) This section shall not apply in the case of wills made by Muhammadans and shall only apply in the case of wills made by any Hindu, Buddhist, Sikh, or Jaina where such wills are of the classes specified in clauses (a) and (b) of section 57.’

The other relevant section which I shall read is section 370. It says:

‘ A succession certificate (hereinafter in this part referred to as a certificate) shall not be granted under this part with respect to any debt or security to which a right is required by section 212 or section 213 to be established by letters of administration or probate:

Provided that nothing contained in this section shall be deemed to prevent the grant of a certificate to any person claiming to be entitled to the effects of a deceased Indian Christian, or to any part thereof, with respect to any debt or security, by reason that a right thereto can be established by letters of administration under this Act.’

* Published in the Fort St. George Gazette, dated 23rd August 1938.

[Mr. J. A. Saldanha] [14th December 1938]

"The position, Sir, is this: so far as intestate succession is concerned, we are placed on the same level as any other Indian community; but if there is a will, probate has got to be obtained, if the matter is to be fought out in the courts of law or if the money is due from insurance companies or from a bank. I shall illustrate this briefly. Now if an Indian Christian leaves an estate worth Rs. 10,000, a thousand rupees of which is to be recovered from somebody else, in that case, if one goes to court, one has to apply for probate and has to pay court-fee on the whole estate and not merely on the due of 1,000 rupees. But in the case of a Mussalman or a Hindu making a will outside the Presidency town of Madras, no probate need be applied for. One can apply for a succession certificate under section 370 and pay court-fee only on the amount outstanding—Rs. 1,000. So, while in the case of an Indian Christian, court-fee which comes to 3 per cent has to be paid on the whole amount of Rs. 10,000, in the case of a Hindu or Muhammadan, one pays only on one thousand rupees.

"This inequality of treatment must be set right at once; I am sure, seeing the anxiety shown to do justice to the minority communities including the Indian Christians, this appeal will not fall on deaf ears. I wish that my request may be considered with the sympathy of the whole House."

Mr. S. J. Gonsalves seconded the motion.

* SRI B. BHIMA RAO:—"Mr. President, I want to submit to the House as a matter of law that it is not competent for this Legislature to legislate on this subject. As is seen from paragraph 2 of the Statement of Objects and Reasons, the effect of this Bill, the real object of it, is to do away with the duties payable on probates to be obtained by Indian Christians. I submit that though under the concurrent list, the third list of the Seventh Schedule of the Government of India Act, we are competent to legislate under item 7 on 'wills, intestacy and succession, save as regards agricultural land,' the last item in the concurrent list says: 'fees in respect of any of the matters in this part of the list but not including fees taken in any court.' I submit, Sir, the real object of this Bill is not merely to get a declaration to see that probates taken out by Indian Christians are removed from the operation of a certain provision of the Indian Succession Act, but to see that they escape the duties leviable by the courts. These probate duties are taken by the courts when they grant probate and hence it comes under this exclusion in this last item of the concurrent list. Therefore I submit that this House is not competent to legislate on this measure. That is the objection that I take to the introduction of the measure."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"If the objection, Sir, is that any Bill interferes with the existing law or seeks to modify Indian law, the only thing that has to be done is

14th December 1938] [Sri C. Rajagopalachariar]

that after the Legislature has passed it, if it is a concurrent or a Provincial subject, it will be reserved for the assent of the Governor-General. It does not debar the Legislature from seizing hold of the subject-matter."

* THE HON. SRI S. RAMANATHAN:—"I am grateful to the mover, Mr. Saldanha, for having pointed out this anomaly. It may be admitted at the outset that there are a lot of anomalies in regard to probates. And really section 57 of the Indian Succession Act makes a distinction not only between persons belonging to various religions but also makes territorial distinctions as to citizens of Madras, Bombay and Bengal. I may assure the House that the Government are aware of these anomalies and are taking steps to remove them. It is not an easy matter for us to bring about uniformity in this law, because if probate is to be taken for Hindus also, it affects the joint family property and so it requires a lot of careful consideration to work out the details in regard to other laws as well. I can only give the assurance that this matter is being looked into and the necessary alterations will be brought about in the law at the instance of the Government as early as possible. I think that with this assurance, the hon. Mover will withdraw the Bill."

* MR. J. A. SALDANHA:—"Mr. President, Sir, in view of the sympathetic speech of the Hon. Minister, and in view of the assurance given that as soon as possible—I hope it will be sooner than later—legislation will be brought up to place all communities without distinction of territory or religion on the same level, and in the hope that this assurance will be carried out soon, I beg leave of the House to withdraw the Bill. This matter has been before the Government for a long time. The Sir Charles Todhunter Committee had it before them—I myself was a witness before them. The difficulty was pointed out as to the joint families; but apart from joint families there are properties of Hindus and Muhammadans which can easily be brought under the operation of the Court-fees Act as well as of the Indian Succession Act. I hope that Government, at least as regards these persons and not as to joint families, will introduce legislation as soon as possible. I know there are difficulties because it is a taxation measure and nobody will relish it. I hope at the same time that my Muslim and Hindu friends will see the justice of what I say. Because the Hon. Premier wants as much money as possible, he may be impressed with what I say. (Laughter.) I hope the Congress party and all other communities and parties will join together in having one uniform rate for all communities with regard to death duties. If, for some reason that is not possible, I hope the Government will bring as early as possible a Bill to relieve the Indian Christians of the unequal and inequitable treatment. With these words, Sir, I beg leave of the House to withdraw my Bill."

12
noon.

[14th December 1938]

* THE HON. SRI C. RAJAGOPALACHARIAR:—"Sir, an impression may be created about the existence of an unequal and inequitable treatment, if we allow the last words of the previous speaker to be passed over without any comment. We have such varying personal laws that they should not be interpreted to mean and make out that the distinction is there with the intention of making a distinction between one community and another. As long as there are different personal laws, we have to provide rules for those different personal laws. For instance, even in the matter of the power to make wills, it took a long time for the Hindu community to get that right recognized. It was doubted whether there was any testamentary right at all. Then, take the case of the incidence of property. They are different in different classes. As was explained by the hon. Mover, the laws with regard to the testamentary alienation have differed whether it is survivorship or incidence of divided family. So if the testamentary system provided for the Hindus is different from that provided for the Indian Christians, which, by the way, is mostly based on that adopted by Europeans, it is not due to any attempt to make a discrimination between one community and another. This is not a ground for grievances being made out as discrimination of treatment. So I would urge on the Mover to unqualifiedly withdraw his motion without any sting in it."

* MR. J. A. SALDANHA:—"I would like to withdraw the words I used if such expression had caused any bitterness in the minds of my hon. Friends, and I beg leave of the House to withdraw my motion."

The motion was by leave withdrawn.

B.—RESOLUTION.

IV.—REDUCTION OF EXISTING LAND REVENUE ASSESSMENT.

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Mr. President, I beg to move—

that this Council recommends to the Government that the existing land revenue assessment be reduced by 33½ per cent from fasli 1348 and also to cancel the G.O. No. 1238, Revenue, dated the 14th July 1933.

"This resolution is a hardy annual which for the past one decade and more has been coming up for discussion in the Legislature of this Province year after year with an almost monotonous regularity. The question, however, has not acquired that staleness which one is apt to associate with a regularly recurring event. The question has as much vitality and force in it as it had when the resolution was first moved about ten years ago. In fact the necessity for affording relief to the land-owning community has with the passage of years become more and more urgent. Also, these never-failing annual resolutions have demonstrated the soundness of the biblical advice, 'Ask and it shall be given; knock and

14th December 1938] [Sri N. R. Samiappa Mudaliyar]

it shall be opened.' Our demands, when originally put forward, were attempted to be brushed aside by the then bureaucratic Government, as being of no force. But as years passed by, the justice of our claim came to be recognized and the much-maligned dyarchic Government granted a remission of two annas in the rupee, and kept it up with slight variations year after year. These concessions though coming nowhere near the relief required by the needs of the situation, were yet something to be thankful for.

"The people were eagerly looking forward to the 1st of April 1937, the date on which Provincial Autonomy was to be inaugurated in our Province. They expected that with the advent of a Government wholly responsible to the people the unbearable burden of land revenue would be substantially reduced. Your predecessors in office under the present system of Government, the Interim Ministers, gave a permanent reduction of 75 lakhs in the total land revenue of the Province. With the prominence which the land revenue question has been given in the Congress manifesto, we expected that immediately after the acceptance of office by the present Ministry, there would be an overhauling of the whole system of land revenue, with a substantial reduction in the burden which the land is to bear. You have now been in power for 18 months. There is still no sign of your having tackled this problem which is of vital consequence to the well-being of the millions of this Province. In fact you have gone back, if anything, on the state of affairs which obtained on the date of your coming into office."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"May I request the hon. Member, through you, Mr. President, to address the Chair?"

MR. PRESIDENT:—"Yes, I was about to draw the hon. Member's attention to that."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Thank you, Sir. What according to the order of the Interim Ministry was to be a permanent reduction, has been converted into a reduction for the year, leaving the future wholly uncertain. So, we are this day not in a position to know whether we are going to have any relief at all in the current fasli and in the years to come."

"This question of land revenue remission has been before the public for so long and has come up, as I said before, for discussion in the Legislature so frequently that there is hardly anything new which I can say in support of this resolution. It is needless for me to repeat how the commutation rate arrived at

[Sri N. R. Samiappa Mudaliyar] [14th December 1938]

in the last settlements of the various districts was based on prices prevailing in the post-War boom years; and how, therefore, that commutation rate cannot be a just basis during these years of depression. I can only state that the prices prevailing to-day are less than not merely the commutation rate but also the average prices of the standard year 1913-14. A reference to the latest issue of the *Fort St. George Gazette* would show that the prices of to-day are just about four-sevenths of the prices of 1913-14. A word about the peculiar season condition of this year would not be out of place. I refer to the cyclonic disaster which has overtaken certain parts of this Province, while in the remaining parts there has been a complete failure of the north-east monsoon. The distress, consequent on these two disasters must be well within the knowledge of the Government. I need not dwell further on this aspect of this question.

"There is another point of view from which I should like this question of land revenue to be looked at. Is this a burden merely on the land owner? Is it a case only of reducing the margin of profit in the case of the more well-to-do land-owning class—a margin which, I submit, is non-existent? I hope, I will not be getting beyond my depths when I state that it is one of the elementary principles of economic laws that money cannot be static. The burden imposed on the land-owner is ultimately bound to affect the millions whom he feeds with the produce of his lands.

"Sir, the Tanjore mirasidar has acquired an unenviable reputation of urging extravagant claims in the matter of land revenue. People who are of this view probably forget that it is the district which almost monopolizes the grain crops of this Province. The lands of other districts, as a rule, are unsuited for what might be termed industrial crops. Rice is the staple food of the people of this Province; and well over 75 per cent of the paddy crops of the south is confined to the Tanjore district, and every pie of taxation of these lands is really a tax on the food of the people. All the world over it is an accepted canon of taxation that the tax on foodstuffs is the most objectionable, and ought not to be resorted to. The objection from the point of view of the Congress to the tax on salt is based on the ground that salt is a natural product and that it is essential for the life of man. If you extend that analogy, does it not apply with equal force to paddy and other grain produce? Rice is as much a produce of nature and is as necessary as salt for human existence. Is it any wonder, then, that the Tanjore mirasidars who feed the mouths of the millions of this Province, should feel that the tax on an essential product should be as light as possible?

"One other reason why the Tanjore mirasidar is more agitated than others is that by reason of the reclassification of the sources

14th December 1938] [Sri N. R. Samiappa Mudaliyar]

of irrigation, he has not been having the full benefit of the periodical remissions which have been granted in the past few years. In fact almost the whole of the benefit given by the one hand has been taken away by the other.

"Further at the time of the last settlement, the Settlement Officer, Mr. Jackson, after investigation, recommended the enhancement at various rates—some at 18½ per cent, some at 12½ per cent and some at 25 per cent according to the *taram* of the land. As this enhancement was very high, all mirasidars, irrespective of party predilections, joined and agitated, and even a no-tax campaign was started. The then Government reduced the increase only on the *tarams* of lands originally raised to a maximum of 25 per cent to 18½ per cent and did not afford any relief to the other *tarams*. It is only logical that on the same principle the other *tarams* should also have had a corresponding reduction. The enhancement due to reclassification of *tarams* is estimated to be 15 per cent. Thus it will be seen that the enhancement made in the last settlement was not only not reduced on most of the lands, but also further enhancements were made according to the reclassification of *tarams*.

"It may be said that the raising of the *taram* is due to the construction of the Mettur Dam. I say, Sir, that the Government cannot with justification put forward that plea with regard to the old delta. It is the duty of the Government to incur the necessary expenditure. I am fortified in this view, Sir, by the majority report of the Estates Land Act Committee of which the Hon. the Minister for Revenue is a Member, and which has come to the conclusion that it is the duty of the zamindars to spend the necessary amount in that direction. If that is so, in the case of rent collectors and men like the zamindars, does it not follow that in the case of mirasidars, it is the duty of the Government to repair and improve the irrigation facilities, and in this case it is infinitely stronger and more imperative? Further the construction of this dam is anything but an unmixed blessing. It might be true that the old delta can expect water without depending on the vicissitudes of the season; but it has completely stopped the flow of silt and the mirasidars have been put to the necessity of spending more on manure.

"Further the Tanjore district is the most heavily taxed district in the whole world. The percentage of tax in relation to gross produce is 8.3 in United Kingdom, 4.8 in France, 3.0 in Germany, 4.9 in Austria, 7.0 in Italy, 2.8 in Belgium and Holland and 5.0 in India. In India, Madras is heavily taxed. The incidence of land revenue per cultivated acre in ryotwari area in India is Rs. 2-8-11 in Madras, Re. 1-5-7 in Bombay, Rs. 1-12-8 in the United Provinces, Rs. 1-8-6 in the Punjab, Rs. 1-12-6 in Bihar and Orissa, As. 12 in the Central Provinces

[Sri N. R. Samiappa Mudaliyar] [14th December 1938]

and Rs. 1-15-8 in Assam. In the Madras Presidency the average tax per acre in the Tanjore district is 7-4, in West Godavari it is 5-7, in South Kanara it is 5-1, in East Godavari it is 5-0 and so on. Before the first settlement in 1892, the land revenue of the Tanjore district was almost 39 lakhs (vide Mr. Clarke's Report, page 59). By the first settlement it was raised to 55 lakhs (vide actual figures given in paragraph 51 of Mr. Jackson's report). After the resettlement in 1922, it is 71½ lakhs. This is only regular assessment without cesses, and you can see, the increase is about 80 per cent. Before 1922, the cess was only 6-25 per cent. After the settlement it rose up to 11-12 per cent. Including cess, the demand for Tanjore district will be about 79 lakhs, double of what it was before 1892. From this it will be seen that the cry of the mirasidars of Tanjore is a real cry due to the inability to bear the burden, not vociferous for its own sake, nor a political stunt; I may assure the Treasury Bench that it is also not with a view to embarrass the Government. In this connexion I wish to draw the attention of the House to the very helpful and sympathetic remarks made yesterday by our hon. Friend, Mr. D. M. Reid, in the annual meeting of the Madras Chamber of Commerce. And I take this opportunity to thank him for the valuable ideas offered and for his interest in, and sympathy for the agricultural population, and the advancement of the Province.

"Sir, in conclusion, may I appeal to the Treasury Bench not to treat this matter as a party question but accept the resolution in the spirit in which it is moved and afford the much-needed relief to the poor millions of this Province?"

12-15 p.m. *SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"Mr. President, I rise to second the resolution moved by my hon. Friend, Mr. Samiappa Mudaliyar, just now. It is admitted on all hands that the Indian cultivator is perpetually poor and always on the brink of starvation, agriculture in India being more a method of life than a paying industry. If you look into the history of the . . ."

*MR. J. A. SALDANHA:—"I rise to a point of order, Sir. We cannot hear the speech of the hon. Member. I have not also heard the speech of the hon. Mover of the resolution. It will be better if the hon. Member speaks loudly."

MR. PRESIDENT:—"Yes, the hon. Member will raise his voice."

*SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"If you look into the history of the ryotwari system in this Presidency, Mr. President, you will be convinced of the fact that the

14th December 1938] [Sri M. Ramakrishna Reddi]

various rulers have from time to time added to the burden of the tax-payer during their regime. For instance, in the history of India, you will find that the Hindu Rajas allowed the ryots to pay the taxes to the State in kind, that is, one-sixth of the produce was given to the State towards land assessment. The ryot never cared about the fact as to how much he had to pay to the Government. He used to distribute in the field itself: one-sixth share to the Government. He had a very happy life in those days; he had only to think about the maintenance of his family; and he had no need to worry himself about the method of payment of the Government's share. If he raised the maximum crops, he gave more to the Government and if he got less, he gave only less. He never bothered himself with regard to the amount he had to pay to the Government. After the Hindu period the Muhammadan rulers came into power. They also allowed the ryots to pay the assessment in kind and never insisted that it should be paid in cash. The option was given to the ryot to pay it in cash if it was profitable for him to do so, or in kind, otherwise. A conference of leading ryots in each taluk was called to fix the price of the produce at a particular time. After the Muhammadan rule, the British came in. They introduced a number of changes. The first change they effected was with regard to the system of payment in cash in lieu of payment in kind. They insisted that the tax should be paid in cash whether the crop was good or bad. The result of this was that the ryot had to struggle hard to find funds to pay the assessment. The prices were low, but they had to pay the amount fixed by the Government. In those days the ryot had no difficulty in giving the one-sixth share to the Government. Now, whether there is produce or no produce, he is bound under the regulations to pay cash, whether he has money or not. Again, the Government substituted a tax on occupation for a tax on cultivation. In those days matters were different. If, for instance, a ryot had 50 acres and he cultivated only 40 acres, he had to pay only on the 40 acres cultivated by him and not on the whole area under his possession. Now, as I said, matters are different. The Government say that the *dhittam* system has been abolished and that the ryots should pay for all the lands in their possession and not merely for the lands actually cultivated by them. Not merely that. Rains or no rains, the charge is made on the entire holding. How can one cultivate his land when there is no water available? It is a physical impossibility also for any ryot, however rich, to cultivate all the lands under his control. And yet he is made to pay for all the lands in his possession. That is a change which this Government introduced.

"The other change they introduced was by bringing in the Settlement department. The Government appointed a Settlement

[Sri M. Ramakrishna Reddi] [14th December 1938]

department and ordered its officers to go from district to district measuring the entire area. That department was further asked to classify the lands according to the soil and the produce, and then fix the price of the produce. With these facts as the basis, they were also asked to fix the assessment for each survey number in a district. Sir, they have not taken all the facts into consideration. They took the average rainfall in a given place. For instance, in Salem, suppose they took 50 inches as the average rainfall and decided that if Salem got in a whole year about that rainfall, it must be said to be satisfactory for that district. In this calculation they never took into account the fact that rains are of no use if they are not seasonal. They may have rains in a particular month when they are not wanted and they may not have rains in another month when they are most wanted for cultivation purposes. Non-seasonal rains are sometimes positively injurious to the crops, besides being not helpful. For instance, if at the time of the harvest there are rains, they will cause much damage to the crops standing in the fields. So that, even though you may have the usual average rainfall, if it is not seasonal, it is no good. Therefore you cannot take consolation from the fact that a particular district got its average rainfall. You should also take into consideration the period when the rain fell. In some districts, they get plenty of rain. But what does it do? It washes away fertile paddy fields. So, in this matter you have to see whether the rains which a district gets have been seasonal or whether they are detrimental to the crops. To put it in short, a favourable season depends not only on the quantity of rain, but chiefly on its proper distribution according to seasonal requirements.

"The Settlement department have not taken into consideration the labour of the members of the ryot's family. Supposing there is a family of ten members. All of them go to the field and work and contribute their labour towards cultivation. No doubt in times of emergency they also employ some outside labourers. The Settlement department ignored altogether the actual labour turned out by the members of the ryot's family and they never gave credit to the family for this with the result that the members of the family have been left to their fate. As a matter of fact, the landholder and his family members go and work in the fields of their own, and they consider it beneath their dignity to go and work for other people in other fields. But this wonderful department never took into account this item of work contributed by the landholder and his family members. This is another mistake committed by the Settlement department.

"And then about the commutation, my hon. Friend the Mover has spoken at considerable length. The department has not taken into consideration the actual price of paddy at a

14th December 1938] [Sri M. Ramakrishna Reddi]

particular season. The price may be low at the time of the harvest and may be high at the time when the assessment is collected. They never paid any attention to this question, but fixed a uniform rate for the whole district at a particular season. This therefore works havoc on the ryots.

"The first settlement took place in the district of Salem under the supervision of Colonel Read in 1792. This gentleman then went from district to district making settlement. The effect of settlement and resettlement was an increase in the assessment. Each resettlement meant an increase of 25 per cent or 30 per cent in the assessment. Settlement parties had pre-conceived notions; even before they took up a district they had decided at what rate they should increase the tax there. They went about like machines from district to district and regularly and systematically increased the assessment, with the result that the ryots are now struggling hard against these taxes. What is happening now is that when the month of December comes, the poor ryot goes to the money-lender, borrows and pays the dues to the Government. He does not pay out of the income he gets from the land. If you take statistics, you will find that within the last 50 years lands have changed hands many times. The ryot having once borrowed finds it difficult to raise money a second time and sells his land away. The same fate overtakes the man who bought the land from him and so on. This is the miserable plight of our cultivators. All this misery is caused by the wonderful ryotwari system now prevailing. Therefore, Sir, unless the Government change the present policy, I am afraid, all the agricultural population will become insolvent.

"Sir, during the period when the Interim Ministry was functioning a committee was formed and it recommended that a remission of 75 lakhs must be granted *permanently*. But the present Government, the people's Government, said that they cannot give a permanent remission of 75 lakhs, but only a temporary remission. Even as regards this, there is one matter to which I wish to draw the attention of Government. Intimation about this remission is not now given in time. District officers may be informed sufficiently early about this. As a matter of fact in my district the decision of the Government in regard to this matter has not yet been given effect to. Some of us have already paid the first instalment of kist. Till now we have not received the orders of the Government with regard to the percentage of remission. The usual amount is collected even in the third instalment and only at the time of paying the fourth instalment, information with regard to remission is given and the amount deducted. The majority of the ryots are not aware of the intentions of the Government and somehow go on paying most of the instalments fully. My only request to the

[Sri M. Ramakrishna Reddi] [14th December 1938]

Government in this connexion is to give sufficient notice to the ryots about the percentage of remission they have granted, so that they may deduct it even from the first instalment. As the average ryot does not know the rules it is very easy for the karnams and others to swindle the ryots. It is not difficult for the Government to issue an order in time. If they do so it will go a long way in easing the difficulties of the ryot population in general.

"Then, Sir, I wish to enquire why the Government are making a temporary remission. Why should not they give that which they are going to give, permanently? Why should they not tell before hand the amount of remission each ryot may expect every year? If this is done the ryot will keep with him the amount due from him ready and in good time. Otherwise there is the danger of this sum being eaten away by a third party and the ryot will not get the full benefit.

"The ryotwari system of assessment is based upon executive orders. The other day my Hon. Friend the Minister for Revenue was able to tell us that he was going to place before the Legislature an Estates Land Act Amendment Bill. He has taken care to see that the condition of the ryots in zamindari areas is improved. As a matter of fact a committee was actually constituted to consider these questions and they have drawn up a scheme which will be placed before us, I think, next month.

12-30 p.m. "I would ask my Hon. Friend, Mr. Prakasam, to tell us what he is going to do with regard to ryotwari tenants. He has not told us whether he has got any definite proposals with regard to any legislation for giving relief to the ryotwari tenants. When he has taken so much trouble to appoint a committee to go into the question of land revenue assessment in the case of zamindari areas, he is not pleased to tell us what he is going to do for lowering the rates of assessment in regard to ryotwari areas. May I not ask him, Sir, whether he was not one of those who protested against the land revenue policy that has been adopted in this Province for a long time past? Possibly, in the report made by the Estates Land Act Committee they might have made a proposal to lower the rates of assessment by more than half. If that is so, may I ask whether it is not fair that my Hon. Friend, Mr. Prakasam, should also take up the cause of the ryotwari tenants, and bring in legislation to reduce the land revenue assessment by at least 33½ per cent? It does no good if the Government come and say that they have reduced the rate for this year or for that year. I would ask him to fix the rate permanently by means of legislation, so that the Executive may not pass orders each and every year according to their whims and fancies. So I would request the Government to consider this question sympathetically; and accept this resolution that is before this House."

14th December 1938]

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
"May I request you, Mr. President, to allow me to clear some doubts about the resolution that I have moved?"

MR. PRESIDENT:—"You can do that . . ."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
"Sir, the discussion will go on a wrong assumption if I do not clear those doubts. My resolution may be taken as consisting of two parts. The first is that 'this Council recommends to the Government that the existing land revenue assessment be reduced by 33½ per cent from fasli 1348 for the whole Province'; and the second is that 'G.O. No. 1238, Revenue, dated the 14th July 1933, be cancelled.' This Government Order relates to Tanjore district alone. That is to say, when the last settlement was made, the Settlement Officer made a report that the *taram* of the lands should be automatically raised as soon as the Mettur dam was constructed, and the Government have issued orders to give effect to that portion of the report. My submission to the Council is . . ."

THE RT. HON. V. S. SRINIVASA SASTRI:—"Mr. President, I wish to raise a point of order which is of very great importance. The hon. the Leader of the Opposition seems to make a supplementary speech. I thought he was merely offering a personal explanation, but if it is more, I am afraid, it will be creating a very inconvenient precedent and you, Mr. President, will be in great difficulty in regulating the procedure of this House."

MR. PRESIDENT:—"That is all right. That will do."
(Referring to Mr. Samiappa Mudaliyar.)

* DR. P. J. THOMAS:—"Mr. President, Sir, I am in great sympathy with the motive behind this resolution. There are two parts in the resolution. The first is that the rate of land revenue should be reduced by 33½ per cent and the second is that G.O. No. 1238, Revenue, dated the 14th July 1933, should be cancelled. I am only concerned with the first part of the resolution, i.e., the reduction of assessment by 33½ per cent. One must sympathise with all attempts at reducing the burdens on agriculturists, because throughout India and particularly in this Province the agriculturists are sharing larger tax-burdens than other classes of people. So, all measures calculated to give relief to this class of people would be welcome and I may assure my hon. Friend the Leader of the Opposition that I would support such measures. But when it comes to the mode of carrying out his intention, I fear that the proposal made by him is not suitable and may not lead to any great improvement in our

[Dr. P. J. Thomas] [14th December 1938]

whole system of land revenue. I shall explain why it is so. The real fault of our land revenue system is not that it is uniformly burdensome. I cannot support the hon. Members of this House and others who opine that a general reduction of the land revenue is necessary. In several districts, particularly in certain dry areas, the rate is very low. Investigations made recently by my students and myself go to show that the land revenue burden is between 15 to 30 per cent of the net income from land, while the Government demand is 50 per cent in theory. We may remember that this calculation was made after the prices fell. Although I agree that paddy areas have been comparatively more hit than certain other areas by the depression in prices, some of those areas like Tanjore have an assured crop on account of the large irrigation works carried out by the Government in the past. There may perhaps be certain classes of land and certain classes of landholders in Tanjore bearing heavy revenue burdens, but the burden on lands properly utilized is not too heavy and there is no general case for reduction of assessment. Taking the middling tarans of the land in the Tanjore district, it cannot be maintained that the present rate is more than half the net income; in most cases it is only a third of the net income. Those landholders who carry on a proper rotation of crops, e.g., paddy in one season, plantain in the following season, and betel in another season, cannot claim that their assessment is high. Again take the case of tobacco, chillies or other commercial crops. In many such cases, the assessment is a flea-bite. I know of tobacco land in South Arcot district which fetches a net income of Rs. 2,000 per annum and its sale value is Rs. 10,000 per acre. The assessment is Rs. 10 or Rs. 15. I cannot see why such crops should not bear heavier burdens. Therefore I would submit that merely to reduce the assessment by one-third or one-half is not going to make the revenue burden equitable. We need a more rational approach to this problem. A land revenue of Rs. 7 crores cannot be too high a burden for an agricultural province with more than 46 million people. The question is one of raising it equitably so that no land may be overtaxed.

"Here I may say in parenthesis that the analogy drawn between salt tax and land revenue is beside the point. Salt is a Government monopoly in India. Whatever price is fixed by them we have to pay; therefore the price of salt is affected by salt duty. But the price of paddy is not affected by the rate of assessment. The assessment per acre may be Rs. 10 or Re. 1 per acre. That does not go into the price normally. The price of agricultural produce is determined by supply and demand. So the analogy to salt revenue does not hold. The case is entirely different.

"On a previous occasion I pointed out in this House that the real defect of our system was that we were taxing the land and

14th December 1938] [Dr. P. J. Thomas]

not the crop. This is the cause of the inequity. We have to change this principle. We must somehow introduce the idea of taxing the crop and thus the income of the man rather than the acreage held. Secondly the revenue burden varies from time to time. It is low in periods of high prices, but becomes heavy when prices go down or crops partially fail. There is a cyclic phenomenon working, both in regard to prices and in regard to seasons. Booms and slumps recur. Similarly weather conditions also go on repeating and there is a periodicity in crop failures. For instance, in the Ceded districts, only once in three years, generally, is the crop good. In certain other regions, crops fail once in three years by drought or excess of rain. In the irrigated tracts and the river deltas, crop failures are not too frequent. Revenue remissions are given only if crops fail so badly that the crop outturn is below 4 annas in the rupee. This is not helpful. The revenue must be made to depend on the actual economic position of the year, by some device. The Government demand must also vary according to the price-level. The need for this was felt especially in the time of the recent depression. The time for urging such a claim is now past. What we now need is a thorough re-organization of the whole system. No good purpose will be served by making a percentage reduction of land assessment. A percentage reduction may give an undue advantage to many landholders; the really deserving ones will not get the relief and excessive inroads will be made into the Government's finances.

"I may take this opportunity to urge that the attitude of our politicians and public men towards land revenue has to be revised. When the question of relieving the agriculturist of his burdens is considered, the first thing that they think of is to call for a reduction of land revenue. But the most grievous burden is not land revenue; after all this is a payment for the upkeep of the State. Relief must come in regard to marketing of produce, raising of loans, etc. The toll of the money-lender and the middleman is heavy and less justified than the tax paid to the State. In spite of the Agriculturists' Relief Act, many ryots have to pay high rates of interest for their loans. In some cases, even conditional sales are resorted to for raising loans. The statutory rate of 6 per cent does not seem to be operative. The assistance now needed by the agriculturist is in regard to the reduction of marketing charges and money-lenders' dues, and this must be the Government's first concern. We must also try in every manner to increase the income of the ryot. I would like to see many measures being put into operation for increasing the income from agriculture. All this seems urgent. By reducing land revenue, the chances of carrying out such measures will become smaller.

"Neglecting these obviously urgent matters, people often talk of reducing the revenue; others talk of raising prices by some

[Dr. P. J. Thomas] [14th December 1938]

artificial means. With all deference to the Hon. Minister for Revenue, I maintain that the manipulation of currency will do little good to the agriculturist; it may perhaps give some temporary advantage to some classes; it cannot give any real help. Indeed land revenue reform is needed; I do not question that. But the reform must go much beyond concession. The interim Government decided, and the present Government have granted, a revenue remission of Rs. 75 lakhs. In my opinion, this has been a wrong move. The reform must be a comprehensive one, and must be decided on after due consideration. Perhaps an enquiry is needed, although not by a Parliamentary Commission of the kind which has just concluded its labours. On these labours, I hope to have an opportunity before long to express an opinion. I do hope that the Hon. the Revenue Minister is carrying out an enquiry, a departmental enquiry, although no clear indication of it has been given yet.

“The question before us is not merely one of readjusting land revenue burdens. It is much bigger—that of adopting a suitable budget system. If land revenue is to be reformed on the lines suggested by me, there will be variation of revenue from year to year, and therefore our present budget system must also be reformed. Already some western countries like Sweden, have abandoned the old rigid budget system. In prosperous periods, they are able to raise large revenues and they spend part of it in bad years when revenue is poor. Some funds are set apart for certain important purposes and from this they draw in lean years. I very much appreciate the principle behind our rural water-supply fund. I hope that this principle will be considerably extended by raising more revenue in periods of high prices and prosperity and adding a portion to the consolidated fund to be spent in lean years. With such budget arrangements, land revenue can be adjusted to prices and to seasons. They will enable us to raise large revenues in prosperous years and keep a part for lean years. This is the fundamental problem; there is no use of tinkering with it. While sympathising with the objects of the resolution, I therefore am unable to support it, but I do hope that the Government will give the whole question its earnest attention.”

* KHAN BAHADUR SIR MAHOMED USMAN SAHIB BAHADUR:—“Mr. President, I would be very glad if it is possible for me to give my support to this resolution. Anything that goes to relieve the burden of taxation, is a great blessing to the ryot. But the whole question is: is it possible for Government to do it at the present juncture? The reduction of land revenue assessment by 33½ per cent will, I am sure, make the administrative machinery crumble to pieces. Further we ought to remember that Prohibition has been introduced in this Province. That means we have to lose a great deal of revenue,

14th December 1938] [Sir Mahomed Usman]

excise revenue. With the loss of excise revenue, if we are going to lose even the revenue from land, the question is, is it possible for the Government to carry on the administration? The Prohibition policy has been adopted by the present Government with the support of almost all the parties, with the support of practically all the Members of this House. Therefore I think we should see that nothing is done which will make Prohibition fail in any way whatever. Prohibition has been a success in Salem; it has been introduced in two other districts this year; I am sure that it is going to be a success there also. We are all very anxious that Prohibition should be introduced into more districts as early as possible, because it will bring joy and happiness to the poor people and will raise the moral standard of this Province. For the sake of this high ideal, I think we can afford to lose the excise revenue. If you say that the Government should lose the land revenue also, what will happen is, the Government might perhaps think of revising their Prohibition policy. I am sure the Hon. Prime Minister will never do so, and the country will resent any such thing. From the point of view of one who has some experience of administration, I think that this resolution is not at all practicable. On account of floods and famines, the Government will have to give generous remissions of land revenue for several areas. It will not be possible to do so, if a general reduction by 33½ per cent is given as demanded by the resolution. I am sorry I am unable to give my support to this resolution as it is impracticable and irresponsible.”

* Mr. J. A. SALDANHA:—“Sir, so far as my district of South Kanara is concerned, I have to support this resolution strongly. The history of the revenue administration of South Kanara has been one of distress and disaster. When the British Government conquered and took possession of the district after the fall of Seringapatam on the death of Tippu Sultan, they found that the revenue assessment was very high on account of wars that had been carried on by him. The first Collector of the district went very sympathetically into the matter and fixed the assessment somewhat less than what was levied by Tippu Sultan. All measures were adopted to give relief to the people. But after all, the Government wanted to keep up the land assessment at a high level, because it was necessary for their own purposes. In the year 1831, the matter went to such a critical condition that the people *en masse* had recourse to civil disobedience. South Kanara and North Kanara resorted to civil disobedience and they refused to pay the land tax. That was in 1831. Then the Government opened their eyes; they sent a special officer to enquire into the grievances of the people; that gave some amount of relief to the people; people became contented and the assessment was kept at that level till the year 1899. Then there was a survey

[Mr. J. A. Saldanha] [14th December 1938]

and settlement of the district in the modern sense for the first time; the assessment was increased on an average to something like 60 or 68 per cent in the year 1902. In spite of protests from all classes of people, in the face of opposition from all sides, the Government found it necessary to fix the assessment at a very high figure. Then came the settlement of the district in the year 1930-1935. Members of the Legislative Council and other representatives of the people protested against the survey, which cost a great deal. The Government at that time were sympathetic, guided by the Hon. Revenue Minister, Sir Norman Marjoribanks, they stopped the re-survey. Soon after that, Sir Norman Marjoribanks retired; then they commenced the operation of re-settlement with all vigour possible; the re-settlement was effected in the year 1935.

"This morning I put a question which was answered by the Hon. Minister for Revenue; he told us that the settlement was in force.

"Sir, it is one o'clock; I have to continue my speech for some time. Shall I go on now or after lunch?"

MR. PRESIDENT:—"The hon. Member can go on now."

* MR. J. A. SALDANHA:—"The reply received from the Hon. Minister for Revenue was very unsympathetic.

"At that time the Congress leaders, gentlemen and ladies were crying hoarse with pledges of reduction of land revenue; I also joined the cry. All the same, the rate was fixed high in all cases by increasing the assessment by $12\frac{1}{2}$ per cent. The increase was 60 per cent in the year 1918. All sections of the people made the vehement protests that this increase of the assessment was too much; but the Revenue Settlement Officer and the Collector at that time made the Government believe that South Kanara was a rich and wealthy district, that it was wealthier and richer than Malabar. We felt a lot of amusement at that time, when the Government and the Revenue Settlement Officer fixed the assessment for South Kanara at a higher figure than that for Malabar. Then we waited on deputation on His Excellency the Governor who came to South Kanara in 1932; representatives of the people pointed out to him that the rate for South Kanara was higher than that elsewhere. People in South Kanara are a little more civilized; they are a little more showy; that perhaps left an impression on the Government and Revenue Members that our district was a richer district. At one time, Sir, I had occasion to point out to His Excellency the Governor of the day that he should not be misled

1 p.m.

[Mr. J. A. Saldanha] 14th December 1938]

by the showy life of the people to believe that our district was richer.

"We expected that at least with the advent of the Congress Government the rate of assessment would be reduced. Promises and declarations were made by the Congress in their manifestos that the reduction of assessment would be given effect to—at that time as I was a Congressman myself, I also joined in making such declarations—and that the settlement of 1935 would be set aside and would not be enforced. I now find that this has not been done. I have found from a printed report—I have not brought it now and I shall show it after luncheon interval—that as a result of this enhancement the assessment has been increased by 3 to 5 lakhs. Is this the result of the new policy of the Government? I would therefore support the reduction of assessment by $33\frac{1}{3}$ per cent as stated in the resolution, because it is a very reasonable one; I do not, however, think that it should be final. I support this resolution as a first and initial step in the direction of revision of the land revenue settlement. I wish also to point out that the reduction should be made in a more scientific manner; and until that is done, I am for supporting this resolution as a preliminary step in the hope that the rate of assessment in my district as well as the other districts would be reduced by $33\frac{1}{3}$ per cent."

KHAN BAHADUR T. M. MOIDOO SAHIB BAHADUR:—"Sir, in supporting the resolution most wholeheartedly, I beg to bring to the notice of this House that the condition prevailing in Malabar is quite different from that prevailing in all other districts of the Presidency. The land tenure in Malabar has been classified even by successive Collectors and other eminent gentlemen like Mr. Thorne, to be quite different from that in other districts. In Malabar it is the janmis who pay the tax to the Government, and the tenant has nothing to do with the increase or decrease in taxation. The tenant who got a lease of a paddy field, say for 1,000 measures of paddy, will have to pay the janmi according to the then prevailing price; and on the contrary the janmi will have to pay the increased revenue, whether the increase is due to improvements done by him in the case of garden lands or not. The tenant, on the other hand, has got to pay to the janmi the stipulated measures of paddy or an equal amount, whatever he may get out of the field.

"Recently, the Congress Government passed two pieces of legislation, of which one is the Debt Relief Act, which is intended to help the tenants, but did nothing to benefit the janmi. The janmi who actually pays increased taxation is suffering like anything. Now comes the re-settlement or re-survey and the janmi has to meet all the expenses. Instances are not wanting in regard to sales of property by eminent landholders, even Rajas; I may

[T. M. Moidoo Sahib Bahadur] [14th December 1938]

mention here the case of Chirakkal and some other Rajas. Why? Because they get nothing from their tenants. The tenant has got the protection of the tenancy legislation and of the Agriculturists' Relief Act. There is everything for the tenant but nothing for the janmi who pays the actual assessment to the Government. Now, Sir, conditions have become worse; and coming as I do from a family which owns a vast property in Malabar, I can say that no janmi is at present in a position to pay this enhanced assessment. Somehow or other they have to pay this assessment; otherwise their property will be attached. So, Sir, the remission as suggested in this resolution is absolutely necessary. But, I have my own doubts whether the present Government with all the commitments they have undertaken, can do anything substantial in regard to this matter. If, Sir, they cannot reduce it to the extent asked for in the resolution, I humbly request the Government to consider the cases of jannmis who are affected by this increased taxation and do something for them, considering the fact that the two pieces of legislation that were referred to by me have done something for the tenants but nothing for the jannmis. With these few words, I support the resolution before the House."

* THE HON. SRI T. PRAKASAM:—"Sir, at the outset I may state that the hon. Mover of the resolution did not take the advice given to him by the Hon. the Premier before he actually moved the resolution, not to move it at this juncture. However, he moved it and other hon. Members made speeches in support of the resolution, but only one hon. Member opposed it. It has been pointed out that this Government must be considerate to the ryots and that we should not oppose this resolution, though not in so many words. Sir, if I oppose this resolution, it is not because the Government are not inclined to give any relief to the ryot, it is not because the Government do not realize the condition of the ryot; but the opposition is on the ground that this is not the sort of resolution that should have been moved at this juncture when the Government have been engaged in formulating their revenue policy with a view to place it before the Legislature as early as possible. The question has been asked as to what time it would take to revise the policy and why we should not hurry it up. Sir, to say definitely any time, or our not being able to give the exact time, is not a good thing either for the Government or for the hon. Members of this House. It would be wrong to do so. The revenue policy of the Government in regard to this matter is not a simple matter or a question that would be settled by saying that the reduction should be 33½ per cent. Conditions are changing from year to year, even from month to month; and while we were expecting to formulate the policy and were about to make a statement, unforeseen things have come upon the people of the country and on the Government. Even with regard to the remission of 75 lakhs that was granted

14th December 1938] [Sri T. Prakasam]

last year, we have not been able to settle it up immediately in view of the cyclone and floods on the one hand washing away everything that was made ready, and on the other hand rains having failed and famine conditions having prevailed. So, Sir, the hon. the Mover of the resolution ought to have known the conditions; and if the Government had not been engaged in this direction, certainly there would have been some excuse for moving this resolution. This is not the first time that the Government are making a statement before this House or before the other House; perhaps it has been repeated three or four times before as to what the Government have been doing. But, how to give relief to the ryot whose suffering has been the subject of the most anxious consideration of the Government ever since they came to office; how to give relief to the poor as well as the rich ryot who is in a position to pay, has been pointed out by Dr. Thomas. I said on a previous occasion that having regard to all the conditions, both world depression as well as the economic depression of this country, the question of the fall in prices has been causing a great deal of trouble in the matter of taxation. We have been giving our best consideration to this matter by studying not only the conditions in this Province or the other adjoining Provinces, but also by carefully going into the systems that have been recently adopted in the far-off Punjab. Work has been going on in this respect and persons who are competent to deal with the matter have been dealing with it. Government also, in reply to questions, have been giving out that, as soon as a decision is reached and proposals are formulated, they will be duly placed before the House in the form of a Bill, as we are bound to do under the new constitution. The hon. Mover of this resolution ought to have had some consideration for the Government and should not have pressed for the acceptance of this resolution.

1-15
p.m.

"I submit, Sir, it is not easy for me to give replies to each one of the points raised during the debate and the arguments advanced, because, as I said, every one of these points is being considered in the formulation of the revenue policy of the Government. How am I to give any reply with regard to those points here, without waiting for the results that we are expecting to arrive at in the near future? If I oppose this resolution, it is mainly on the ground that it is impossible to accept it at this stage. This is quite a preliminary point, and the hon. the Mover himself ought to have seen the inadvisability of pressing a resolution like this and putting the Government in a position where it can be stated that, because we oppose this resolution, the Government are opposed to the interests of the ryots. It ought to be clear by this time that one of the very first acts of this Government has been to give as much relief as possible to the suffering ryots; but at the same time particular care should be

[Sri T. Prakasam] [14th December 1938]

taken to see that this Government should not cease to function one morning for want of funds. Both these things go together and both have to be weighed and the conclusion arrived at.

"That is why I do not propose to go into any of the points referred to by the hon. Member, Dr. Thomas. He has generally stated some points, and all those points have not been mentioned here for the first time. As he has himself pointed out, all suggestions made by him and by other hon. Members on previous occasions have been under consideration, and it has also been stated on the floor of this House that, if necessary, expert advice would be taken on them at the right moment. That is why I say this resolution must be opposed by the Government at this stage. I would request the hon. the Mover, if he pleases, to consider the position again and withdraw his resolution. With the permission of the Prime Minister and of the other Members of the Government, I may say that we have been trying to expedite this matter and come to a final decision as early as possible. It is not a simple thing; it is a very important matter. On that ground alone, I would oppose this resolution and request all of you to give us the necessary help to decide this matter as early as possible. It would not be very long, having regard to the progress that has already been made.

"It was pointed out that because of Prohibition, we will not be able to do this. Prohibition will carry on; without prejudice to Prohibition, we will give effect to any decision that we may come to in regard to this matter, so far as relief to the ryot is concerned. We have no difficulty in regard to that. Such an old problem as this cannot after all be solved in one day. I therefore request the hon. the Mover to withdraw the resolution, if he so likes."

MR. PRESIDENT:—"Is the hon. Member withdrawing his resolution?"

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"I have to reply to some of the points referred to, Sir."

MR. PRESIDENT:—"All right."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Mr. President, I shall try to be brief in replying to some of the points raised by the hon. Members. The hon. Dr. Thomas seems to think that the Tanjore mirasidars are very well off and that this resolution is intended to better the position of the bigger holdings. Both these points are not correct.

"Before I proceed to deal with them, I may say this: that in the whole Presidency, there are 3,688,118 pattas, of which only

[14th December 1938] [Sri N. R. Samiappa Mudaliyar]

921 pattas are paying an assessment of Rs. 1,000 and more. There are 2,286 pattas paying over Rs. 500 and below Rs. 1,000; 7,832 pattas paying over Rs. 250 and below Rs. 500; 35,025 pattas paying over Rs. 100 and below Rs. 250; 847,014 pattas paying over Rs. 50 and below Rs. 100 and 153,768 pattas paying over Rs. 30 and below Rs. 50. I do not know which of the small holdings Dr. Thomas wants to benefit. Anyhow, I shall take pattas which are paying Rs. 30 and less as coming under the category of small holdings. In the whole Presidency, out of 3,688,118 pattas, there are only 284,606 pattas paying Rs. 30 and more and the rest namely, 3,403,512 pattas are paying less than Rs. 30. Therefore, this resolution, if given effect to, will relieve mostly the poor ryots and not only the big ryots, as many of the hon. Members here seem to think.

"My hon. Friend, Sir Mahomed Usman, has made a speech on this occasion. It seems to me that he could not forget even now that he is not on the Treasury Bench. He was pleased to characterize my resolution as 'absolutely irresponsible.' Sir, it is not my resolution that is absolutely irresponsible; only his characterization of my resolution is absolutely irresponsible; because he never had any occasion to meet the people at large as all his time he was connected with the Government and therefore, he could not understand or appreciate the sufferings of the poor people. He said, Sir, that because Prohibition must be made successful in this Province, this resolution should not be given effect to. What is the use of having Prohibition, Sir, if the ryots are not able to get their food? Sir Mahomed Usman's speech on this occasion reminds me of a Tamil proverb which is to the following effect: தண்ணி கொடுக்காமல், சோறு போடாமல் உண்ண என் பிள்ளை போல் வளர்ப்பேன். It means, 'Without giving you any water or food, I will nourish you like my son.' If the hon. Sir. Mahomed Usman . . ."

* KHAN BAHADUR SIR MAHOMED USMAN SAHIB BAHADUR:—"My hon. Friend forgets that if he does not drink, he will have plenty of money for his food." (Laughter.)

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"All right, Sir, I do not want to dwell any further on that and I shall leave it at that.

"The Hon. the Minister for Revenue appealed to me to withdraw the resolution. I have no objection to withdraw if even now he gives an indication when exactly the Government will come to a decision on this question. From the very moment this Council was constituted, we are trying to get the Government to formulate a definite policy in respect of this important matter. Time and again, questions have been asked to get a reply that 'the

[Sri N. R. Samiappa Mudaliyar] [14th December 1938]
question is under consideration' and even to-day the Hon. the Revenue Minister was not communicative and did not take the House into confidence and tell us when they will come to a definite conclusion. If he is prepared, and if he is kind enough to tell us approximately the time within which the Government would come to a conclusion, I have no objection, Sir, to withdraw this resolution. If not, I am sorry I have to press the resolution."

MR. PRESIDENT:—"Is the hon. Member withdrawing his resolution?"

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"No, Sir. As the Government are not prepared to agree to decide this question within a fixed time, I am not withdrawing."

MR. PRESIDENT:—"Then I will put the question to the House. The question is that the following resolution be adopted by the House:—

'This Council recommends to the Government that the existing land revenue assessment be reduced by 33½ per cent from fasli 1348 and also to cancel G.O. No 1238, Revenue, dated the 14th July 1933.'

The resolution was put and declared lost.

Rao Bahadur N. R. Samiappa Mudaliyar demanded a poll. A poll was taken and the House divided thus:—

Ayes.

- | | |
|---|---|
| 1 Sri Rao Bahadur N. R. Samiappa Mudaliyar. | 6 C. P. Mammoo Keyi Sahib Bahadur. |
| 2 Sri Diwan Bahadur R. Srinivasan. | 7 Syed Abdul Wahab Bukhari Sahib Bahadur. |
| 3 Khan Bahadur T. M. Moidu Sahib Bahadur. | 8 Sri D. Manjappa Hegde. |
| 4 Munshi Abdul Wahab Sahib Bahadur. | 9 „ M. D. T. Kumaraswami Mudaliyar. |
| 5 Sri Rao Bahadur M. Ramakrishna Reddi. | 10 „ Rao Bahadur M. Raman. |
| | 11 Mr. J. A. Saldanha. |

Noes.

- | | |
|--------------------------------|---------------------------------|
| 1 The Hon. Dr. T. S. S. Rajan. | 9 Sri V. Vasantha Rao. |
| 2 Sri B. Bhima Rao. | 10 „ M. Narayana Rao. |
| 3 „ K. Madhava Menon. | 11 „ M. Narayana Menon. |
| 4 „ V. V. Jogayya Pantulu. | 12 „ L. Subburama Reddi. |
| 5 „ R. Srinivasa Ayyangar. | 13 „ K. Venkataswami Nayudu. |
| 6 „ A. Rangaswami Ayyangar. | 14 „ T. A. Ramalingam Chettiar. |
| 7 „ K. V. Srinivasa Ayyangar. | 15 „ D. Sriramamurti. |
| 8 „ N. Sankara Reddi. | 16 Sri V. Ganga Raju. |

14th December 1938]

Noes—cont.

- | | |
|-----------------------------------|--|
| 17 Sri L. Subba Rao. | 25 Khan Bahadur Sir Mahomed Usman Sahib Bahadur. |
| 18 „ P. Veerabhadraswami. | 26 S. K. Ahmed Meeran Sahib Bahadur. |
| 19 „ K. P. Mallikharjunudu. | 27 Dr. P. J. Thomas. |
| 20 „ N. Venkatachalamaji. | 28 Mr. D. M. Reid. |
| 21 „ V. Venkatapunnayya. | 29 The Rt. Hon. V. S. Srinivasa Sastri. |
| 22 „ C. Perumalswami Reddiyar. | |
| 23 „ K. S. Sivasubrahmanya Ayyar. | |
| 24 „ S. K. Satagopa Mudaliyar. | |

(While the counting was going on)

SRI L. SUBBA RAO:—"May I know whether neutrals have been recorded?"

MR. PRESIDENT:—"It is too late now."

The result of the poll is as follows:—

Ayes: 11 Noes: 29.

The resolution was lost.

The Council then adjourned to meet again at 11 a.m. on the 27th January 1939.

[14th December 1938]

APPENDIX I.

[Vide answer to starred question No. 98 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 14th December 1938, page 192 supra.]

Statement showing the rates of fees prescribed for applications for admission to examinations for the public services.

Nature of examination.	Amount of fees. RS.
A. Competitive examinations for—	
(1) Assistant Engineers in the Madras Engineering Service	25
(2) Assistant Surgeons in the Madras Medical Service	25
<i>These two examinations are now held in abeyance.</i>	
(3) The Madras Ministerial Service	10
(4) The Madras Secretariat Service	10
Name of the test.	Fee prescribed. RS.
B. Special Test Examinations—	
(1) The Translation Test	10
(2) The Civil Judicial Test	10
(3) The Criminal Judicial Test	15
(4) The Revenue Test—each part	4
(5) The Code of Criminal Procedure as prescribed for the Criminal Judicial Test	5
(6) The Account Test for Public Works Department Officers and Subordinates	10
(7) The Account Test for Executive Officers	10
(8) The Account Test for Subordinate Officers—Part I	10
(9) The Account Test for Subordinate Officers—Part II	10
(10) The Jail Test	10
(11) The Agricultural Department Test	10
(12) The paper on "Laws, rules regulations and orders relating to jail management" in the Jail Test.	2

Amounts collected and expenses incurred in 1936-37 and 1937-38 in connexion with examinations.

	1936-37. RS.	1937-38. RS.
Receipts—		
Amount of fees collected for examinations for admission to several public services—		
(a) Competitive examinations	44,005	32,730
(b) Special and departmental tests	28,844	39,596
	<u>72,849</u>	<u>72,326</u>
Expenditure—		
Pay of officers	1,18,829	1,13,407
Pay of establishment	24,494	23,884
Travelling allowance and other compensatory allowances.	1,458	4,320
Contingent expenditure for postage, rent, etc...	10,985	11,698
Remuneration paid to Examiners	21,657	19,563
Contingent expenditure connected with examinations.	2,516	2,603
Advertisement charges	2,931	2,697
Total	<u>1,82,870</u>	<u>1,78,172</u>

APPENDIX II.

14th December 1938]

[Vide answer to starred question No. 99 asked by Sri D. Manjaya Hegde at the meeting of the Legislative Council held on the 14th December 1938, page 193 supra.]

Statement of Revenue and Expenditure for the South Kanara District for the years 1936-1937 and 1937-1938 as compiled from the treasury accounts.

	1936-1937.		1937-1938.	
	RS.	LAKHS.	RS.	LAKHS.
Revenue Heads.				
Land Revenue	21.70	26.43	11	.94
Provincial Excise	10.34	10.25	1.23	1.30
Stamps	6.00	5.56	.10	.09
Forest	..	..	..	..
Registration	..	.90	..	.86
Receipts under Motor Vehicles	..	1.97	..	.61
Acta.	..	..	..	..
Other Taxes and Duties	..	.03	..	..
Irrigation, etc. (for which Capital accounts are kept).	..	..	..	..
Irrigation, etc. (for which no Capital accounts are kept).	..	..	..	..
Interest ..	.04	.08	..	..
Administration of Justice	.43	.30	7.32	7.05
Expenditure Heads.				
Land Revenue	..	..	..	..
Provincial Excise	..	..	..	..
Stamps	..	..	..	..
Forest	..	..	..	..
Registration	..	..	..	..
Charges on account of Motor Vehicles	..	..	..	..
Other Taxes and Duties	..	..	..	..
Irrigation—Other Revenue	..	..	..	..
Expenditure financed from Ordinary Revenues.	..	..	..	..
Interest on Debt and other Obligations.	..	..	..	..
General Administration	..	7.32	..	7.05

[14th December 1938]

Revenue Heads—cont.

	1936-1937.	1937-1938.
	RS.	RS.
	LAKHS.	LAKHS.
Jails and Convict Settlements.	·01	·01
Police ..	·02	·03
Education ..	·30	·29
Medical ..	·05	·05
Public Health ..	·03	·03
Agriculture ..	·16	·06
Veterinary ..	·56	·09
Co-operation ..	2·16	·64
Miscellaneous Departments ..	·07	·21
Civil Works ..	·01	·14
Receipts in aid of superannuation.	·08	·02
Stationery and Printing ..	·84	·05
Miscellaneous ..	..	·99
Total ..	46·66	48·13

Expenditure Heads—cont.

	1936-1937.	1937-1938.
	RS.	RS.
	LAKHS.	LAKHS.
Administration of Justice ..	2·54	2·56
Jails and Convict Settlements.	·13	·12
Police ..	2·77	2·79
Scientific Departments ..	..	..
Education ..	·98	9·79
Medical ..	1·75	1·70
Public Health ..	·28	·29
Agriculture ..	·96	·49
Veterinary ..	..	·16
Co-operation ..	·52	·42
Industries ..	1·11	·57
Miscellaneous Departments ..	3·04	·53
Civil Works † ..	2·58	2·75
Superannuation Allowances ..	..	2·60
and Pensions.	·32	·16
Commutation of pensions financed from Ordinary Revenues.	·05	·05
Stationery and Printing ..	·01	·02
Miscellaneous ..	..	..
Total ..	35·46	35·82

* Included under Miscellaneous departments.

† Represents mostly grants-in-aid for roads.

14th December 1938]

APPENDIX III.

[Vide answer to starred question No. 100 asked by Sri Rao Bahadur N. R. Samiappa Mudaliyar on behalf of Khan Bahadur T. M. Moidu Sahib Bahadur at the meeting of the Legislative Council held on the 14th December 1938, page, 195 supra.]

I

G.O. No. 2688, L.A., dated 13th July 1938.

Complaints were received from some of the members of the Kodavasal Panchayat Board that the administration was not carried on right lines. Sri V. Narasimhachariar, the Deputy Inspector of Municipal Councils and Local Boards, inspected the panchayat board on the 28th and 29th May 1938 and has brought to notice of Government the following irregularities:—

- (1) The board is torn by factions. The president has only four adherents while the opposition party is in a majority and consists of eight members and does not co-operate with the president and obstructs the smooth working of the panchayat. This has resulted often in a dead-lock in the administration of the board. The opposition allows only such business as it has a mind to allow and the consideration of several important subjects on the agenda is adjourned for no reasons whatever. Meetings were not held in February 1937 and May 1938. A no-confidence motion was also moved by a member of the opposing party and seconded by the vice-president. The president ruled out this but made no record of it in the minutes book.
- (2) In December 1937 the budget for 1938-39 was placed before the board but it chose to refer it to a sub-committee which did not meet though the president made attempts to convene meetings. Since October 1937 the opposition has been insisting upon the president to resign his office. The president feared not without reason that the budget would not be passed by the board. He therefore fixed the meeting on 12th May 1938 at a time when he was sure that certain members of the opposition would be away from the town and when he could get the budget passed, if necessary by the use of his casting vote. An allegation has been made that he had not issued notices for the meeting to all the members but it is observed that this allegation is not true. The president had sent notices of this meeting to all the members and had obtained certificates of posting. Yet the members of the opposition failed to attend the meeting complaining that they did not receive meeting notices.

- (3) The collection of revenue is deplorably bad. The arrear demand amounted to Rs. 3,063 on 1st April 1937 and as much as Rs. 1,754 remained to be collected on 31st

[14th December 1938]

March 1938. The current demand for the year 1937-38 amounted to Rs. 4,802 and Rs. 2,277 remained uncollected at the end of the year. The total arrears thus rose up to Rs. 4,031 at the close of the year, i.e., more than a half of the total demand of Rs. 7,865. Subsequent collections up to 28th May 1938 amounted to Rs. 410 only. Three of the members belonging to the president's party were themselves in arrears. The president has not taken adequate steps to realize the arrears. The demand for house-tax is not settled promptly and bills issued. The decrees obtained against two lessees of avenues for Rs. 90 and Rs. 120, respectively have not been executed. The board has been indifferent to this and it has not also adjudicated on the outstanding tax appeals of which 33 cases are pending. The president moved the board to sanction the post of a special bill collector to expedite collection for four months on a salary of Rs. 10-15 per mensem but the board refused to sanction the creation of the post.

(4) Electric lighting has been introduced from 1st May 1937 but some of the hamlets especially the Adi-Dravida cheris have not been provided even with ordinary lighting though the board is incurring a heavy expenditure of Rs. 2,160 on this account.

(5) The financial position of the board is not sound. From the present sources the total revenues are not likely to exceed Rs. 4,500 but the total expenditure amounts to Rs. 5,000. There is a deficit of Rs. 500 to be made good every year and the deficit is due to the introduction of electric lighting which has involved the board in an additional expenditure of nearly Rs. 1,000. In spite of an increase in the expenditure on lighting the board has not cared to improve its finances by levying additional taxes to meet the extra expenditure.

(6) There are two mills of 20 h.p. each in residential quarters owned by the president. One is run by electricity and the other by an oil engine. A third mill is run by the ex-president with 30 h.p. engine in a suburb in residential area but it is an old one installed fourteen years ago. The provisions of section 194 of the Madras Local Boards Act were not complied with before licences were granted. Only in the case of the mill run by electric power the site has been approved by the District Health Officer. The panchayat board has not so far fixed any industrial area in spite of the repeated orders of Government.

This panchayat board was superseded by the Inspector in 1936 and it was re-constituted only on 15th March 1937. The conditions that prevailed in 1936 to justify supersession are still

[14th December 1938]

in existence in a greater degree and the Government consider that the Kodavasal Panchayat Board as at present constituted is incompetent to perform the duties imposed on it by law. They hereby call upon the Kodavasal Panchayat Board and the East Tanjore District Board to show cause within fifteen days from the date of receipt of this notice why the said panchayat board should not be superseded under section 45-A of the Madras Local Boards Act, 1920, as amended for a period of one year. The reply should be sent through the Inspector of Municipal Councils and Local Boards.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

II

G.O. Ms. No. 2789, L.A., dated 21st July 1938.

Complaints were received from Sri K. Ramaswami Pillai of Tiruturaipundi that the President of the Tiruturaipundi Panchayat Board had not been convening meetings properly. The Deputy Inspector of Municipal Councils and Local Boards inspected the panchayat on 26th May 1938 and his inspection report reveals that—

(i) the collection work is very bad. Out of the total demand of Rs. 12,849 for 1937-38 only a sum of Rs. 6,289 was collected. There was an outstanding balance of Rs. 6,560 comprising large sums under house-tax, slaughter-house fees and lease of coconut garden.

As many as seven members including the vice-president were in arrears. One member who was formerly a lessee of the cart-stand owes Rs. 190 to the board and another who was formerly a lessee of the slaughter-house owes Rs. 145. The panchayat board has been indifferent and has not taken steps to see that collection was expedited.

(ii) agreements were not taken from the lessees of slaughter-houses in spite of the fact that some of the previous lessees had committed default in the payment of fees.

(iii) the panchayat board incurred law charges in respect of suits for the recovery of the revenues without getting the sanction of the Inspector; and

(iv) the devasthanam private market gets an income of Rs. 6,000 per annum. But the panchayat board gets only Rs. 300 as licence fees. During the inspection of the board in October 1935, the then Personal Assistant to the Inspector instructed the panchayat to levy a fee of at least 10 per cent on the gross income, the maximum

[14th December 1938]

leviable under Section 174 of the Madras Local Boards Act being 15 per cent. In spite of this instruction the panchayat board has continued to levy 5 per cent only.

Several of the members of the board are the devasthanam servants and would not be a party to making the devasthanam pay more, and would not vote for an enhancement of the devasthanam's contribution from its market income, lest they should be turned out of the houses owned by the devasthanam in which they live. Barely a year has elapsed since the panchayat board was reconstituted on 11th June 1937, but it has again lapsed into the old state of indifference which existed prior to its supersession in June 1936 and it is not interested in improving its finances.

The Government therefore consider that the Tiruturaipundi Panchayat Board as at present constituted is incompetent to perform the duties imposed on it by law. They hereby call upon the Tiruturaipundi Panchayat Board and the East Tanjore District Board to show cause within fifteen days from the date of receipt of this order why the said panchayat board should not be superseded for one year under section 45-A of the Madras Local Boards Act, 1920, as amended. The reply should be sent through the Inspector of Municipal Councils and Local Boards.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

III

Proceedings of the special meeting held at the office of the Panchayat Board, Kodavasal, at 4 p.m. on Wednesday, the 20th July 1938.

President:

- 1 Sri K. S. Varadachariar, Vice-president in charge.

Members.

- 2 Sri O. R. Sambasiva Ayyar.
- 3 Sri K. R. Aravamuda Ayyangar.
- 4 Sri T. Virayya Sozhagar.
- 5 Sri A. K. Chinnayya Archutthiyar.
- 6 Janab M. Ismail Ravuttar.
- 7 Janab M. Abdul Khadar Ravuttar.
- 8 Sri P. Appadurai Udayar.
- 9 Sri S. Ponnuswami Pillai.
- 10 Sri R. Swaminatha Mudaliyar.
- 11 Sri A. Ramaswami Ayyangar.
- 12 Sri Virabhadra Samban.

*

[14th December 1938]

Consideration of G.O. No. 2688, L.A., dated the 13th July 1938, received from the Government of Madras asking the Kodavasal Panchayat Board to show cause why it should not be superseded for a period of one year under section 45 (A) of the Madras Local Boards Act.

[NOTE.—G.O. Ms. No. 2688, dated 13th July 1938, of the Government of Madras, Local Administration Department, is placed on the table.]

Sri O. R. Sambasiva Ayyar, one of the members present, says that, as a copy of the notice of supersession received from the Government has not been supplied to him and to others and as there has not been sufficient time to consider this subject, the consideration of the subject may be postponed to another date and that a copy of the notice may be sent to the members. Sri K. R. Aravamuda Ayyangar, one of the members present, proposes the following. Sri A. Ramaswami Ayyangar seconds it.

Resolution No. 2.—G.O. Ms. No. 2688, dated the 13th July 1938, was read. It is stated in the aforesaid order that, as regards the financial condition of the Board, the Board's income is Rs. 4,500 while its expenditure is Rs. 5,000 and that it is therefore working at a loss. As it is thought that the Board will incur more loss if it is superseded for a period of one year in accordance with the aforesaid notice, as a new president is going to be elected in the place of the old president who has now resigned, as the majority of the members of the board believe that by their co-operation it will be possible to improve, within a period of three months, the administration of the board and its financial condition and as the majority of the members give an assurance that they will co-operate sufficiently in this behalf, the aforesaid Government Order may be kept in abeyance for a period of three months from this date. If thereafter the administration of the board and the collection of taxes do not improve, the board may be superseded in accordance with the Government Order. This Board resolves to make the aforesaid request and suggestion to the Government and the East Tanjore District Board. This resolution was moved by Sri K. R. Aravamuda Ayyangar and seconded by Sri A. Ramaswami Ayyangar. It was carried unanimously by the remaining eight members present excepting Sri O. R. Sambasiva Ayyar.

K. S. VARADACHAR,
Vice-president-in-charge.

21st July 1938.

IV

Extracts from the proceedings of the meeting of the Panchayat Board, Tiruturaipundi, dated the 3rd August 1938.

Anent the notice received from the Government of Madras regarding this Board.

The notice of supersession issued by the Government and the report of the president were read.

[14th December 1938]

Resolution No. 25.—Sri I. R. S. Murugayyan Chettiyar proposed and Sri Shanmukham Pillai seconded the motion that this board should be superseded. Sri Pandarinathan Chettiyar proposed and Sri Sarangapani Nayudu seconded the motion that the board need not be superseded inasmuch as it was working properly. As there was no other motion, the above motions were put to vote. Eight votes were recorded in favour of the motion that the board need not be superseded and three in favour of the motion that the board should be superseded. As a larger number of votes were recorded in favour of the motion that the board need not be superseded, it was resolved that the board need not be superseded.

A. K. CHANDRASEKHARAN,
President.

V

G.O. Ms. No. 3327, L.A., dated 26th August 1938.

READ—the following papers:—

G.O. Ms. No. 2688, L.A., dated 13th July 1938.

Proceedings of the Panchayat Board, Kodavasal, dated 20th August 1938.

Resolution No. 78, dated 25th July 1938, from the District Board, East Tanjore.

Order—No. 3327, L.A., dated 26th August 1938.

In their Order Ms. No. 2688, L.A., dated 13th July 1938, the Government called upon the Kodavasal Panchayat Board and the East Tanjore District Board to show cause why the Kodavasal Panchayat Board should not be superseded for the reasons specified therein.

At a meeting held on 20th July 1938 eight members of the panchayat have passed a resolution that the board will incur a loss if it is superseded for one year that as the president has now resigned, the majority of the members will work amicably under a new president and that the status of the panchayat will be improved within a period of three months and that the question of supersession may be deferred. In its Resolution No. 78, dated 25th July 1938, the District Board, East Tanjore, has requested its president to visit and enquire into the affairs of the panchayat board and place his report at its next meeting.

The panchayat board has not explained the charges framed against it. Several petitions are still being received from the villagers and the members some welcoming the supersession and others resenting it. That the board is torn by faction cannot be denied.

[14th December 1938]

The Government do not consider that an inspection of the panchayat by the president is in the circumstances necessary and do not therefore propose to wait till the report of the President, District Board, is received by the East Tanjore District Board and the matter considered by that board. In the opinion of Government the panchayat is incompetent to perform the duties imposed on it by law and that none but a competent special officer can improve the administration. They therefore direct that the panchayat board be superseded for a period of one year with effect from the date of publication of the appended notification in the *Tanjore District Gazette*.

The Senior Translator to Government is requested to have the notification translated into Tamil and to forward the translation at an early date to the Superintendent, Government Press, for publication in the district gazette.

Under sub-section (5) of section 45-A of the Madras Local Boards Act as amended read with section 45 (3) of the said Act, Government hereby appoint Sri C. R. Soundararajan as special officer of the Kodavasal Panchayat Board, and direct that during the period of supersession he shall exercise the powers, discharge the duties and perform the functions of the panchayat board and of its president except those relating to appeals (taxes and others) which shall be exercised by the District Panchayat Officer, East Tanjore. The special officer will draw a salary of Rs. 50 per mensem from the panchayat funds.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

APPENDIX.

NOTIFICATION.

Whereas the Kodavasal Panchayat Board in the Nannilam taluk of the Tanjore district as at present constituted is in the opinion of the Government of Madras incompetent to perform the duties imposed on it by law, they hereby direct that the said Kodavasal Panchayat Board shall be superseded under sub-section (1) of section 45-A of the Madras Local Boards Act, 1920, as amended for a period of one year with effect from the date of publication of the notification in the *Tanjore District Gazette*.

VI

G.O. Ms. No. 3479, L.A., dated 3rd September 1938.

READ—the following papers:—

G.O. No. 2789, L.A., dated 21st July 1938.

From the President, District Board, East Tanjore, dated 28th July 1938, R.C. No. 3558/38.

From the President, Panchayat Board, Tiruturaipundi, dated 5th August 1938, No. 142/38.

[14th December 1938]

Order—No. 3479, L.A., dated 3rd September 1938.

In G.O. No. 2789, L.A., dated 21st July 1938, the Government called upon the Tiruturaipundi Panchayat Board, and the East Tanjore District Board to show cause why the Tiruturaipundi Panchayat Board should not be superseded for the reasons stated therein. In its resolution, dated 3rd August 1938, the panchayat board has requested that it may not be superseded. In its resolution No. IX, dated 25th July 1938, the East Tanjore District Board, suggested that in view of the assurance given by the president, panchayat board, to collect the arrears of taxes, etc., and to remedy defects as early as possible, the panchayat board need not be superseded. In view of the circumstances stated above the Government are pleased to drop the proposal to supersede the panchayat board for the present. They, however, warn the panchayat board that if early steps are not taken to remedy the defects and improve the administration they will be constrained to consider the question of supersession later.

2. The Inspector of Municipal Councils and Local Boards is requested to watch the administration of the panchayat board and submit a report to Government after the expiry of six months from the date of this order.

(By order of His Excellency the Governor)

L. J. MACIVER,
Secretary to Government.

14th December 1938]

APPENDIX IV.

[Vide answer to starred question No. 101 asked by Sri Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 14th December 1938, page 196 supra.]

Statement showing the number of persons charged under section (4) (1) (a) of the Madras Prohibition Act, 1937, in the Salem district and the nature of the sentences passed by the Magistrate and the appellate court.

Serial number. (1)	Number of persons charged. (2)	Nature of sentence passed by the trying magistrate. (3)	Sentence awarded by the Appellate Court, if any. (4)
INDIANS.			
Salem Town Circle.			
1937—			
1	1	Two months rigorous imprisonment ..	....
2	2	One sentenced to four months rigorous imprisonment and one to six months rigorous imprisonment.	....
3	2	Two months rigorous imprisonment each.	....
4	1	Two months rigorous imprisonment ..	....
5	1	Do. ..	....
6	1	Three months rigorous imprisonment ..	Reversed on appeal.
7	1	Two months rigorous imprisonment ..	....
8	1	Do. ..	....
9	1	Six months rigorous imprisonment ..	....
10	1	Two months rigorous imprisonment ..	....
11	1	Do. ..	....
12	1	Rupees 100 fine .. ..	....
13	1	Rupees 15 fine .. ..	....
14	1	Two months rigorous imprisonment ..	....
15	1	Do. ..	....
16	1	Do. ..	....
17	1	Four months rigorous imprisonment ..	....
18	1	Do. ..	....
19	1	Do. ..	....
20	1	Do. ..	....
1938—			
21	1	Six months rigorous imprisonment ..	....
22	1	Two months rigorous imprisonment and Rs. 30 fine.	....
23	1	Three months rigorous imprisonment.	....
24	1	Acquitted. .. ..	....
25	1	Six months rigorous imprisonment ..	....
26	1	Do. ..	....
27	1	Two months rigorous imprisonment ..	....
28	1	Do. ..	....
29	1	Do. ..	....
30	1	Do. ..	....
31	1	Four months rigorous imprisonment ..	....
32	1	Six months rigorous imprisonment ..	....
33	1	Acquitted .. ..	....
34	4	Five months rigorous imprisonment each.	Reduced to four months on appeal.
35	1	Two months rigorous imprisonment ..	....
36	1	Do. ..	....

[14th December 1938]

Serial number. (1)	Number of persons charged. (2)	Nature of sentence passed by the trying magistrate. (3)	Sentence awarded by the Appellate court, if any. (4)
INDIANS—cont.			
Salem Town Circle—cont.			
1938—cont.			
37	1	Four months rigorous imprisonment ..	Confirmed.
38	1	Do. ..	Do.
39	1	Two months rigorous imprisonment ..	....
40	1	Do. ..	....
41	1	Four months rigorous imprisonment and eight months rigorous imprisonment under section 332, Indian Penal Code.	....
42	1	Two months rigorous imprisonment ..	....
43	2	One fined Rs. 50 and one acquitted ..	....
44	1	Six months rigorous imprisonment ..	....
45	1	Do. ..	....
46	1	Do. ..	....
47	1	Rupees 30 fine ..	....
48	1	Two months rigorous imprisonment ..	....
49	1	Do. ..	....
50	1	Four months rigorous imprisonment ..	....
51	1	..*	....
52	1	Four months rigorous imprisonment ..	....
53	1	Two months rigorous imprisonment ..	....
54	1	Rs. 50 fine ..	....
55	1	Two months rigorous imprisonment ..	....
56	1	Four months rigorous imprisonment ..	....
57	1	Two months rigorous imprisonment ..	....
58	1	Six months rigorous imprisonment ..	....
59	1	Rs. 100 fine ..	....
60	1	Committed to the custody of her father after executing a bond for Rs. 50.	....
61	1	Five months rigorous imprisonment ..	....
62	1	Six months rigorous imprisonment ..	....
63	1	Six weeks rigorous imprisonment ..	....
64	1	Committed to custody of his guardian after executing a bond for Rs. 50.	....
65	1	Two months rigorous imprisonment ..	....
66	1	Six months rigorous imprisonment ..	....
67	3	Two sentenced to two months rigorous imprisonment each and one convicted to be of good behaviour for one year.	....
68	1	Two months rigorous imprisonment ..	....
69	1	Do. ..	....
70	1	Acquitted ..	....
71	1	One month simple imprisonment ..	....
72	1	Three months rigorous imprisonment ..	....
73	1	Rs. 30 fine ..	....
74	1	One month simple imprisonment ..	....
75	1	Do. ..	....
76	1	Two months rigorous imprisonment ..	....
77	1	Do. ..	....
78	1	Do. ..	....
79	1	Acquitted ..	....
80	1	Rs. 60 fine ..	Confirmed on appeal.
81	1	Convicted and released after due admonition.	....
82	1	Six months rigorous imprisonment ..	....

* Pending trial.

14th December 1938]

Serial number. (1)	Number of persons charged. (2)	Nature of sentence passed by the trying magistrate. (3)	Sentence awarded by the appellate court, if any. (4)
INDIANS—cont.			
Salem Town Circle—cont.			
1938—cont.			
83	1	Two months rigorous imprisonment ..	....
84	1	Four months rigorous imprisonment ..	....
85	1	Six months rigorous imprisonment ..	....
86	1	Acquitted ..	....
87	1	One month simple imprisonment ..	....
88	1	Rupees 35 fine ..	....
89	1	Two months rigorous imprisonment ..	....
90	1	Four months rigorous imprisonment ..	....
91	1	Rupees 35 fine or in default one and a half months rigorous imprisonment.	....
92	1	Six months rigorous imprisonment ..	....
93	1	Do. ..	....
94	1	Do. ..	....
95	1	Three months rigorous imprisonment ..	....
96	1	Acquitted ..	....
97	1	Six months rigorous imprisonment ..	....
98	1	Do. ..	....
99	1	Two months rigorous imprisonment ..	....
100	1	Four months rigorous imprisonment ..	....
101	1	Two months rigorous imprisonment ..	....
102	1	Three months rigorous imprisonment ..	....
103	1	Two months rigorous imprisonment ..	....
104	1	Do. ..	....
105	1	Do. ..	....
106	1	Do. ..	....
107	1	Do. ..	....
108	1	Do. ..	....
109	1	Acquitted ..	....
110	1	Four months rigorous imprisonment ..	....
111	1	Two months rigorous imprisonment ..	....
112	1	Do. ..	....
113	1	Rupees 35 fine or seven days rigorous imprisonment.	....
114	1	One month rigorous imprisonment ..	....
115	1	Four months rigorous imprisonment ..	....
116	1	Six months rigorous imprisonment ..	....
117	1	Do. ..	....
118	1	Do. ..	....
119	1	Two months rigorous imprisonment ..	....
120	1	Do. ..	....
121	1	Do. ..	....
122	2	One sentenced to two months rigorous imprisonment and one to four months rigorous imprisonment.	....
123	1	Six months rigorous imprisonment ..	....
124	1	Three months rigorous imprisonment ..	....
125	1	Two months rigorous imprisonment ..	....
126	1	Six months rigorous imprisonment ..	....
127	1	Do. ..	....
128	1	Sent to Borstal school for three years.	....
129	1	Two months rigorous imprisonment ..	....
130	1	One month rigorous imprisonment ..	....
131	1	Four months rigorous imprisonment ..	....
132	1	Rupees 50 fine ..	....
133	1	Six months rigorous imprisonment ..	....

[14th December 1938]

Serial number. (1)	Number of persons charged. (2)	Nature of sentence passed by the trying magistrate. (3)	Sentence awarded by the appellate court, if any. (4)
INDIANS—cont.			
Attur Circle.			
1937—			
1	1	Two months rigorous imprisonment ..	....
2	1	Do.	....
3	1	Three months rigorous imprisonment.	....
4	1	Fined Rs. 200 ..	....
5	2	One sentenced to three months rigorous imprisonment and one acquitted.	....
6	2	Do.	....
7	1	Two months rigorous imprisonment ..	....
8	1	Do.	....
9	1	Do.	....
10	1	Do.	....
11	1	Do.	....
12	1	Do.	....
1938—			
13	1	Fined Rs. 50 ..	....
14	3	Six months rigorous imprisonment each.	....
15	2	One sentenced to three months rigorous imprisonment and one acquitted.	....
16	1	Three months rigorous imprisonment.	....
17	1	Fined Rs. 50 ..	....
18	1	Do.	....
19	1	Do.	....
20	1	Do.	....
21	1	Do.	....
22	1	Two months rigorous imprisonment ..	....
23	1	Do.	....
24	1	Three months rigorous imprisonment.	....
25	1	Two months rigorous imprisonment ..	....
26	2	Do.	....
27	2	Six months rigorous imprisonment each.	....
28	2	Do.	....
29	1	Do.	....
30	1	Four months rigorous imprisonment..	....
31	1	Two months rigorous imprisonment..	....
32	1	Three months rigorous imprisonment.	....
33	1	Do.	....
34	1	Two months rigorous imprisonment..	....
35	1	Three months rigorous imprisonment.	....
36	1	Do.	....
37	1	Six months rigorous imprisonment ..	....
38	1	Two months rigorous imprisonment..	....
39	1	Four months rigorous imprisonment..	....
40	1	Ten days rigorous imprisonment ..	....
41	1	Two months rigorous imprisonment..	....
42	1	Four months rigorous imprisonment.	....
43	1	Do.	....
		Do.	....
Omalur Circle.			
1937—			
1	1	Two months rigorous imprisonment ..	....
2	1	Acquitted	....
3	1	Re. 1 fine ..	....

14th December 1938]

Serial number. (1)	Number of persons charged. (2)	Nature of sentence passed by the trying magistrate. (3)	Sentence awarded by the appellate court, if any. (4)
INDIANS—cont.			
Omalur Circle—cont.			
1937—cont.			
4	1	Six months rigorous imprisonment ..	....
5	1	Do.	....
6	1	Two months rigorous imprisonment ..	On appeal fined Rs. 50.
7	1	Six months rigorous imprisonment ..	....
8	1	Do.	....
9	1	Do.	....
10	1	Four months rigorous imprisonment.	....
11	1	Do.	....
12	1	Rupees 25 fine or three weeks rigorous imprisonment.	....
13	1	Do.	....
14	1	Six months rigorous imprisonment ..	....
15	1	Rupees 100 fine or six weeks simple imprisonment.	....
16	1	Six months rigorous imprisonment ..	....
17	1	Do.	On appeal fined Rs. 500.
18	1	Three months rigorous imprisonment.	....
19	1	Rupees 100 fine ..	....
20	1	Rupees 50 fine ..	....
21	1	Do.	....
22	1	Six months rigorous imprisonment ..	On appeal sentence reduced to Rs. 300 fine—Fine paid.
23	1	Six months rigorous imprisonment ..	....
24	1	Three months rigorous imprisonment.	....
25	1	Rupees 100 fine ..	....
26	1	Six months rigorous imprisonment ..	....
27	1	Do.	....
1938—			
28	1	Six months rigorous imprisonment ..	....
29	1	Four months rigorous imprisonment.	....
30	1	Six months rigorous imprisonment ..	....
31	1	Do.	....
32	1	Do.	....
33	1	Do.	....
34	1	Do.	....
35	1	Four months rigorous imprisonment..	....
36	1	Do.	....
37	1	Six months rigorous imprisonment ..	....
38	1	Do.	....
39	1	Rupees 20 fine ..	....
40	1	Rupees 25 fine ..	....
41	1	Six months rigorous imprisonment ..	....
42	1	Do.	....
43	1	Do.	....
44	1	Do.	....
45	1	Two months rigorous imprisonment ..	....
46	1	Four months rigorous imprisonment.	....
47	1	Two months rigorous imprisonment..	....
48	1	Acquitted ..	....
49	1	Rupees 50 fine ..	....
50	1	Two months rigorous imprisonment ..	....
51	1	....	....
52	1	Four months rigorous imprisonment,	....

* Pending trial.

[14th December 1938]

Serial number. (1)	Number of persons charged. (2)	Nature of sentence passed by the trying magistrate. (3)	Sentence awarded by the appellate court, if any. (4)
INDIANS—cont.			
<i>Omatur Circle—cont.</i>			
1938—cont.			
53	1	Six months rigorous imprisonment ..	....
54	1	Do. ..	....
55	1	Do. ..	....
56	1	....*	....
57	1	....*	....
58	1	Four months rigorous imprisonment..	....
59	1	Six months rigorous imprisonment ..	....
60	1	Do. ..	....
61	1	Do. ..	....
62	1	Do. ..	....
63	1	Four months rigorous imprisonment.	....
64	1	Three months rigorous imprisonment.	....
65	1	Do. ..	....
66	1	Six months rigorous imprisonment ..	....
67	1	Rupees 25 fine or two weeks rigorous imprisonment.	....
68	1	Four months rigorous imprisonment	....
69	1	Two months rigorous imprisonment ..	....
70	1	Do. ..	....
71	1	Six months rigorous imprisonment ..	....
72	1	Do. ..	....
73	1	Three months rigorous imprisonment	....
74	1	Do. ..	....
75	1	Do. ..	....
76	1	Do. ..	....
77	1	Do. ..	....
78	1	Rupees 50 fine ..	....
79	1	Two months rigorous imprisonment.	....
80	1	Do. ..	....
81	1	Six months rigorous imprisonment ..	....
82	1	Do. ..	....
83	1	Do. ..	....
84	1	Two months rigorous imprisonment.	....
85	1	Rupees 25 fine or two weeks simple imprisonment.	....
86	1	Three months rigorous imprisonment.	....
87	1	One month rigorous imprisonment ..	....
88	1	Do. ..	....
89	1	Do. ..	....
90	1	Three months rigorous imprisonment.	....
91	1	Six months rigorous imprisonment ..	....
92	1	Four months rigorous imprisonment.	....
93	1	Six months rigorous imprisonment ..	....
94	1	Two months rigorous imprisonment.	....
95	1	Six months rigorous imprisonment ..	....
96	1	Do. ..	....
97	1	Do. ..	....
98	1	Rupees 30 fine or six weeks rigorous imprisonment.	....
99	1	Do. ..	....
<i>Sankari Circle.</i>			
1937—			
1	1	Six months rigorous imprisonment and fined Rs. 200.	Confirmed on appeal.
2	1	Acquitted ..	....
3	1	Two months rigorous imprisonment ..	....
4	1	Rupees 100 fine ..	....
5	1	Three months rigorous imprisonment.	....

* Pending trial.

14th December 1938]

Serial number. (1)	Number of persons charged. (2)	Nature of sentence passed by the trying magistrate. (3)	Sentence awarded by the Appellate court, if any. (4)
INDIANS—cont.			
1937—cont.			
6	2	Three months rigorous imprisonment each.	....
7	1	Three months rigorous imprisonment.	....
8	1	Rupees 200 fine ..	....
9	1	Do. ..	....
10	1	Six months rigorous imprisonment ..	....
11	1	Three months rigorous imprisonment.	....
12	1	One month simple imprisonment ..	....
13	1	Four months rigorous imprisonment.	....
14	1	Two months rigorous imprisonment ..	....
15	1	Do. ..	....
16	1	Do. ..	....
17	1	Three months rigorous imprisonment.	....
18	1	Two months rigorous imprisonment..	....
19	1	Three months rigorous imprisonment.	....
20	1	Six months rigorous imprisonment and fined Rs. 20.	....
21	1	Six months rigorous imprisonment ..	....
22	1	Three months rigorous imprisonment.	....
23	1	Two months rigorous imprisonment.	....
24	1	Do. ..	....
25	1	Do. ..	....
26	1	Four months rigorous imprisonment.	....
27	1	Three months rigorous imprisonment.	....
28	1	Fined Rs. 100 ..	....
29	1	Six months rigorous imprisonment and fined Rs. 100.	Acquitted on appeal.
30	1	Fined Rs. 200 ..	....
31	1	Two months rigorous imprisonment..	....
32	1	Three months rigorous imprisonment.	....
33	1	Do. ..	....
34	1	Do. ..	....
35	1	Fined Rs. 150 ..	Confirmed on appeal.
36	1	Three months rigorous imprisonment.	....
37	1	Do. ..	....
38	1	Two months rigorous imprisonment ..	....
39	1	One month rigorous imprisonment ..	....
40	1	Three months rigorous imprisonment.	....
41	1	Do. ..	....
42	1	Ten days simple imprisonment	....
43	1	Six months rigorous imprisonment ..	....
44	1	Three months rigorous imprisonment.	....
45	1	Two months rigorous imprisonment ..	....
46	1	Three months rigorous imprisonment.	....
47	1	Do. ..	....
48	1	Do. ..	....
49	1	Do. ..	....
50	1	Do. ..	....
51	3	Acquitted ..	....
52	1	One month rigorous imprisonment ..	....
53	1	Fined Rs. 20 ..	....
54	2	One sentenced to three months rigorous imprisonment and one acquitted.	....
55	1	Three months rigorous imprisonment.	....
56	1	Two months rigorous imprisonment ..	....
57	1	Six months rigorous imprisonment ..	....
58	1	Acquitted ..	....
59	1	Four months rigorous imprisonment.	....

[14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
<i>Sankari Circle—cont.</i>			
1937—cont.			
60	1	Three months rigorous imprisonment.	....
61	1	Four months rigorous imprisonment.	....
62	1	Three months rigorous imprisonment.	....
63	1	Do.	....
1938—			
64	1	Six months rigorous imprisonment ..	....
65	7	Four fined Rs. 200 each, two fined Rs. 100 each and one sentenced to two months rigorous imprisonment and Rs. 100 fine.	....
66	1	Six months rigorous imprisonment ..	....
67	2	One sentenced to three months rigorous imprisonment and one to six months rigorous imprisonment.	....
68	1	Six months rigorous imprisonment ..	....
69	1	One and a half months rigorous imprisonment.	....
70	1	Three months rigorous imprisonment.	....
71	1	Two months rigorous imprisonment ..	....
72	1	Fined Rs. 100 ..	....
73	1	Two months rigorous imprisonment.	....
74	1	Do.	....
75	1	Fined Rs. 200 ..	....
76	1	Two months rigorous imprisonment.	....
77	1	Do.	....
78	1	Do.	....
79	1	Five months rigorous imprisonment.	....
80	1	Two months rigorous imprisonment.	....
81	1	Do.	....
82	1	Do.	....
83	1	Do.	....
84	1	Do.	....
85	1	Do.	....
86	1	Do.	....
87	1	Four months rigorous imprisonment.	....
88	1	Two months rigorous imprisonment.	....
89	1	Four months rigorous imprisonment.	....
90	1	Acquitted ..	....
91	1	Two months rigorous imprisonment ..	....
92	1	Four months rigorous imprisonment.	....
93	1	Do.	....
94	1	Two months rigorous imprisonment ..	....
95	1	Three months rigorous imprisonment.	....
96	1	One month rigorous imprisonment ..	....
97	1	Acquitted ..	....
98	1	Two months rigorous imprisonment ..	....
99	1	Three months rigorous imprisonment.	....
100	1	Do.	....
101	1	Do.	....
102	1	Do.	....
103	1	Fined Rs. 200 ..	....
104	1	Three months rigorous imprisonment	....
105	1	Six months rigorous imprisonment ..	....
106	1	Three months rigorous imprisonment	....
107	1	Acquitted ..	....
108	1	Two months rigorous imprisonment ..	....
109	1	Do.	....
110	1	Fined Rs. 75 ..	....

14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
<i>Sankari Circle—cont.</i>			
1938—cont.			
111	1	Two months rigorous imprisonment ..	....
112	1	Do.	....
113	1	Do.	....
114	1	Six months rigorous imprisonment ..	....
115	2	One sentenced to three months rigorous imprisonment and one to four months rigorous imprisonment.	....
116	1	Ten days simple imprisonment	....
117	1	Two months rigorous imprisonment ..	....
118	1	Four months rigorous imprisonment ..	....
119	1	Six months rigorous imprisonment ..	....
120	1	Two months rigorous imprisonment ..	....
121	1	Three months rigorous imprisonment.	....
122	1	Two months rigorous imprisonment ..	....
123	1	Three months rigorous imprisonment.	....
124	1	Do.	....
125	1	Do.	....
126	1	Do.	....
127	1	Do.	....
128	1	Two months rigorous imprisonment ..	Confirmed on appeal.
129	1	Three weeks rigorous imprisonment ..	....
130	1	Three months rigorous imprisonment.	....
131	1	Two months rigorous imprisonment ..	....
132	1	Do.	....
133	1	Do.	....
134	1	Do.	....
135	1	Six months rigorous imprisonment ..	....
136	1	Two months rigorous imprisonment ..	....
137	1	Do.	....
138	1	One month rigorous imprisonment ..	....
139	1	.... *	....
140	1	.... *	....
141	1	Three months rigorous imprisonment.	....
142	1	One month simple imprisonment ..	....
143	1	Three months rigorous imprisonment.	....
<i>Rasipur Circle.</i>			
1937—			
1	1	Six months rigorous imprisonment ..	....
2	1	Do.	....
3	1	Do.	....
4	3	Fined Rs. 90 each ..	Confirmed on appeal.
5	1	Six months rigorous imprisonment ..	....
6	1	Do.	....
7	1	Fined Rs. 30 ..	....
8	1	Fined Rs. 40 ..	....
9	1	Six months rigorous imprisonment ..	....
10	1	Three months rigorous imprisonment.	....
11	1	Do.	....
12	1	Sent to Borstal school for three years.	....
13	1	Fined Rs. 200 ..	Confirmed on appeal.
14	1	Six months rigorous imprisonment ..	....
15	1	Three months rigorous imprisonment.	....
16	1	Two months rigorous imprisonment ..	....
17	1	Fined Rs. 50 ..	....

* Pending trial.

[14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
<i>Rasipur Circle—cont.</i>			
1937—cont.			
18	1	Six months rigorous imprisonment	..
19	1	Do.	..
20	1	Do.	..
21	1	Two months rigorous imprisonment	..
22	2	Acquitted	..
23	1	Six months rigorous imprisonment	..
24	1	Fined Rs. 15	..
25	1	Four months rigorous imprisonment	..
26	1	Six months rigorous imprisonment	..
27	1	Do.	..
28	1	Do.	..
29	1	Acquitted	..
30	1	Six months rigorous imprisonment	..
31	1	Three months rigorous imprisonment	..
1938—			
32	1	Three months rigorous imprisonment	..
33	1	Two months rigorous imprisonment	..
34	1	Six months rigorous imprisonment	..
35	1	Do.	..
36	1	Do.	..
37	1	Do.	..
38	3	Four months rigorous imprisonment each.	..
39	1	Two months rigorous imprisonment	..
40	1	Three months rigorous imprisonment	Confirmed appeal.
41	1	Four months rigorous imprisonment	..
42	1	Released under section 562, Criminal Procedure Code.	..
43	1	Two months rigorous imprisonment	..
44	1	Six months rigorous imprisonment	..
45	1	Do.	..
46	1	Do.	..
47	1	Four months rigorous imprisonment	..
48	1	Six months rigorous imprisonment	..
49	1	Two months rigorous imprisonment	..
50	1	Three months rigorous imprisonment	..
51	1	Two months rigorous imprisonment	..
52	1	Do.	..
53	1	Do.	..
54	1	Do.	..
55	1	Fined Rs. 50	..
56	1	One month rigorous imprisonment	..
57	1	Fined Rs. 10	..
58	1	Three months rigorous imprisonment	..
59	1	Two months rigorous imprisonment	..
60	1	Fined Rs. 60	..
61	1	Acquitted	..
62	1	Fined Rs. 15	..
63	1	One month rigorous imprisonment	..
64	1	Fined Rs. 15	..
65	1	Do.	..
66	1	Six months rigorous imprisonment	..
67	1	Fined Rs. 40	..
68	2	One fined Rs. 100 and the other sentenced to three months rigorous imprisonment.	..

14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
<i>Rasipur Circle—cont.</i>			
1938—cont.			
69	1	Six months rigorous imprisonment	..
70	1	One month rigorous imprisonment	..
71	1	Do.	..
72	4	One sentenced to one month rigorous imprisonment and three to one week rigorous imprisonment each.	..
73	1	Three months rigorous imprisonment.	..
74	1	Do.	..
75	1	Two months rigorous imprisonment.	..
76	1	Four months rigorous imprisonment.	..
77	1	Six months rigorous imprisonment	..
78	1	Do.	..
79	1	Four months rigorous imprisonment.	..
80	1	Do.	..
81	1	Do.	..
82	1	Six months rigorous imprisonment	..
83	1	Five months rigorous imprisonment.	..
84	1	One year rigorous imprisonment	..
85	1	Four months rigorous imprisonment	..
86	1	Two months rigorous imprisonment	..
87	1	Do.	..
88	1	Do.	..
89	1	Four months rigorous imprisonment.	..
90	1	Do.	..
<i>Harur Circle.</i>			
1937—			
1	5	One sentenced to six months rigorous imprisonment, three sentenced to three months rigorous imprisonment each and one fined Rs. 20.	..
2	1	Fined Rs. 25.	Reduced to Rs. 50.
3	1	Fined Rs. 75	..
4	1	Three months rigorous imprisonment.	..
5	1	Do.	..
6	1	Do.	..
7	1	Fined Rs. 15	..
8	1	Fined Rs. 50	..
9	2	Discharged	..
10	1	Two months rigorous imprisonment.	..
11	1	Three months rigorous imprisonment.	..
12	1	Released under the Children's Act	..
13	1	Two months rigorous imprisonment.	..
14	1	Do.	..
15	1	Do.	..
16	1	Acquitted	..
17	1	One day simple imprisonment	..
18	1	Acquitted	..
19	1	Fined Rs. 10	..
20	1	Acquitted	..

Appeal allowed by the High Court. Proclamation issued for the arrest of the accused.

On appeal the High Court, Madras, fined Rs. 5 or one week rigorous imprisonment. Fine not paid.

* Pending trial.

[14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
<i>Harur Circle—cont.</i>			
1038—			
21	1	Four months rigorous imprisonment.	....
22	1	Fined Rs. 9 .. .. .	....
23	1	Two months rigorous imprisonment.	....
24	1	Fined Rs. 100 .. .. .	....
25	1	Two months rigorous imprisonment ..	....
26	1	Three months rigorous imprisonment.	....
27	1	Two months rigorous imprisonment.	....
28	1	Do.	....
29	1	Released under section 562, Cr. P. C.	....
30	2	One fined Rs. 100, one died ..	....
31	1	Two months rigorous imprisonment.	....
32	2	One sentenced to six months rigorous imprisonment. One acquitted.	Reduced to three months on appeal.
33	1	Fined Rs. 75	Confirmed on appeal.
34	1	Fined Rs. 50	Reversed on appeal.
35	1	Two months rigorous imprisonment.	....
36	1	Do.	....
37	1	Do.	....
38	1	Do.	....
39	1	Do.	....
40	2	Six months rigorous imprisonment each.	....
41	1	....	* .. .
<i>Dharmapuri Circle.</i>			
1937—			
1	1	Fined Rs. 50 and four months rigorous imprisonment.	Reversed.
2	1	Four months rigorous imprisonment.	Reduced to twenty-three days.
3	1	Do.	....
4	1	Do.	Reduced to twenty-nine days.
5	1	Do.	....
6	1	Fined Rs. 100 or in default six weeks rigorous imprisonment.	....
7	1	Fined Rs. 60 or in default one and a half months rigorous imprisonment.	Reduced to Rs. 25
8	1	Fined Rs. 75 or one and a half months rigorous imprisonment.	....
9	1	Four months rigorous imprisonment.	....
10	1	Do.	....
11	1	Five months rigorous imprisonment.	Reversed.
12	1	Four months rigorous imprisonment.	....
13	1	Fined Rs. 100 or in default one and a half months rigorous imprisonment.	....
14	1	Fined Rs. 80 or in default one and a half months rigorous imprisonment.	....
15	1	Six months rigorous imprisonment ..	....
16	1	Four months rigorous imprisonment.	....
17	1	Do.	....
18	1	Fined Rs. 50 .. .. .	....

* Pending trial.

14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
<i>Dharmapuri Circle—cont.</i>			
1937—cont.			
19	1	Four months rigorous imprisonment.	....
20	1	Do.	....
21	1	Do.	On appeal fined Rs. 50 or three months rigorous imprisonment.
1938—			
22	2	One sentenced to six months rigorous imprisonment and one to three months rigorous imprisonment.	....
23	1	Five months rigorous imprisonment.	....
24	1	Five months rigorous imprisonment and fined Rs. 30.	....
25	1	Four months rigorous imprisonment.	Confirmed on appeal.
26	3	One sentenced to four months rigorous imprisonment and fined Rs. 100. Two acquitted.	....
27	1	Fined Rs. 100 .. .. .	....
28	1	Three months rigorous imprisonment.	....
29	1	Six months rigorous imprisonment ..	....
30	1	Fined Rs. 75 or in default one and a half months rigorous imprisonment.	....
31	1	Two months rigorous imprisonment.	....
32	1	Fined Rs. 50 or in default one and a half months rigorous imprisonment.	....
33	1	Six months rigorous imprisonment ..	....
34	1	Four months rigorous imprisonment.	....
35	1	Two months rigorous imprisonment.	....
36	1	Do.	....
37	1	Six months rigorous imprisonment ..	....
38	1	Fined Rs. 50 .. .. .	....
39	1	Four months rigorous imprisonment.	....
40	1	Three months rigorous imprisonment.	....
41	1	Do.	....
42	1	Fined Rs. 50 or, in default, one and a half months rigorous imprisonment.	....
43	1	Two months rigorous imprisonment.	....
44	1	Three months rigorous imprisonment.	....
45	1	Six months rigorous imprisonment ..	....
46	1	Fined Rs. 30 or, in default, one and a half months rigorous imprisonment.	....
47	1	Four months rigorous imprisonment.	....
48	1	Do.	....
49	1	Six months rigorous imprisonment ..	....
50	1	Do.	....
51	1	Fined Rs. 30 or, in default, one month rigorous imprisonment.	....
52	1	Fined Rs. 50 or, in default, one and a half months rigorous imprisonment.	....
53	1	Four months rigorous imprisonment.	....
<i>Namakkal Circle.</i>			
1937—			
1	1	Fined Rs. 10 .. .. .	....
2	2	One acquitted and one fined Rs. 100.	....
3	1	Fined Rs. 25 .. .. .	....
4	1	Fined Rs. 10 .. .. .	....
5	1	Two months rigorous imprisonment.	....

[14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
Namakkal Circle—cont.			
1937—cont.			
6	1	Three months rigorous imprisonment.	
7	1	Fined Rs. 10	
8	1	Six months rigorous imprisonment	
9	1	Do.	
10	1	Two months rigorous imprisonment	
11	1	Do.	
12	1	Do.	
13	1	Fined Rs. 100	
14	1	Four months rigorous imprisonment.	
15	1	Fined Rs. 50	
16	1	Three months rigorous imprisonment.	
17	1	Two months rigorous imprisonment.	
18	1	Four months rigorous imprisonment.	
19	1	Three months rigorous imprisonment.	
1938—			
20	1	Two months rigorous imprisonment.	
21	1	Do.	
22	1	Fined Rs. 10	
23	1	Fined Rs. 15	
24	1	Do.	
25	1	Four months rigorous imprisonment.	
26	1	Five months rigorous imprisonment.	
27	1	Four months rigorous imprisonment.	
28	4	Two months rigorous imprisonment each.	
29	1	Two months rigorous imprisonment.	
30	1	Four months rigorous imprisonment.	
31	1	Do.	
32	2	One released under section 562, Criminal Procedure Code, and one discharged.	
33	1	Four months rigorous imprisonment.	
34	1	Five months rigorous imprisonment.	
35	1	Two months rigorous imprisonment.	
36	1	Three months rigorous imprisonment.	
37	1	Two months rigorous imprisonment.	
38	1	Fifteen days rigorous imprisonment.	
39	1	Two months rigorous imprisonment and Rs. 30 fine.	
40	1	Two months rigorous imprisonment.	
41	1	Do.	
42	1	Do.	
43	1	Do.	
44	1	Do.	
45	1	Fined Rs. 60	
46	1	Fined Rs. 15	
47	2	Four months rigorous imprisonment each.	
48	1	Three months rigorous imprisonment.	
49	1	Four months rigorous imprisonment.	
50	1	Six months rigorous imprisonment.	
51	1	Two months rigorous imprisonment.	
52	1	Fined Rs. 40	
53	1	Two months rigorous imprisonment.	
54	1	Fined Rs. 60	
55	1	Two months rigorous imprisonment	
56	1	Do.	

14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
Namakkal Circle—cont.			
1938—cont.			
57	1	Four months rigorous imprisonment.	
58	1	Do.	
59	1	Two months rigorous imprisonment.	
60	1	One month rigorous imprisonment	
61	1	Four months rigorous imprisonment.	
62	1	Do.	
63	1	Two months rigorous imprisonment.	
64	1	Do.	
65	2	One sentenced to four months rigorous imprisonment and one to three and a half months rigorous imprisonment.	Confirmed.
66	1	Two months rigorous imprisonment.	
67	1	Three months rigorous imprisonment.	
68	1	Four months rigorous imprisonment.	Confirmed.
Krishnagiri Circle.			
1937—			
1	1	Fined Rs. 2	
2	1	Fined Rs. 20	
3	1	Six weeks rigorous imprisonment	
4	1	Fined Rs. 200	Reduced to Rs. 150.
5	1	Two months rigorous imprisonment	
6	1	Do.	
7	1	Six weeks rigorous imprisonment	
8	1	Two months rigorous imprisonment.	
9	1	Three months rigorous imprisonment.	
10	1	Do.	
11	1	Do.	
12	1	Six months rigorous imprisonment	
13	1	Two months rigorous imprisonment.	
14	1	Do.	
15	1	Six weeks rigorous imprisonment	
16	1	Two months rigorous imprisonment	
17	9	Five weeks rigorous imprisonment	
18	2	Fined Rs. 25 each	
19	1	Three months rigorous imprisonment.	
20	1	Two months rigorous imprisonment	
21	1	Do.	
22	1	Do.	
23	1	Bound over under section 562, Criminal Procedure Code, for one year in sum of Rs. 100.	
24	1	Two months rigorous imprisonment.	
25	1	Three months rigorous imprisonment.	
26	1	Four months rigorous imprisonment.	Confirmed on appeal.
27	1	Do.	Do.
28	1	One week simple imprisonment	
29	1	Fined Rs. 75	
30	1	Three months rigorous imprisonment.	
31	1	Two months rigorous imprisonment.	
1938—			
32	1	Two months rigorous imprisonment.	
33	1	Six months rigorous imprisonment	
34	3	Two sentenced to six months each and one to three months rigorous imprisonment.	

[14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
Krishnagiri Circle—cont.			
1938—cont.			
35	1	Two months rigorous imprisonment.	....
36	1	Do.	....
37	1	Fined Rs. 25 .. .. .	....
38	1	Three months rigorous imprisonment.	....
39	1	Six months rigorous imprisonment ..	....
40	1	Fined Rs. 40 .. .. .	....
41	1	Two months rigorous imprisonment.	....
42	1	Three months rigorous imprisonment.	....
43	1	Do.	....
44	4	Fined Rs. 60 each .. .. .	....
45	1	Fined Rs. 25 .. .. .	....
46	1	Ten days rigorous imprisonment ..	....
47	1	Two months rigorous imprisonment.	....
48	1	Three months rigorous imprisonment.	....
49	1	Two months rigorous imprisonment.	....
50	1	Acquitted .. .. .	....
51	1	Two months rigorous imprisonment.	....
52	1	Three months rigorous imprisonment.	....
53	1	Released under section 562, Criminal Procedure Code.	....
54	1	Ten days simple imprisonment ..	....
55	1	Two months rigorous imprisonment.	Confirmed on appeal.
56	1	Acquitted .. .. .	....
57	1	Two months rigorous imprisonment ..	....
58	1	Do.	....
59	1	Three months rigorous imprisonment.	....
60	1	Fined Rs. 30 .. .. .	....
61	1	Six weeks rigorous imprisonment in default of payment of fine Rs. 40.	....
62	1	Six weeks rigorous imprisonment ..	....
63	1	Three months rigorous imprisonment.	....
64	1	Two months rigorous imprisonment.	....
65	1	Do.	....
66	1	Do.	....
67	1	Do.	....
Hosur Circle.			
1937—			
1	1	One month rigorous imprisonment ..	....
2	1	Do.	....
3	3	One month rigorous imprisonment each.	....
4	1	One month rigorous imprisonment ..	....
5	1	Acquitted .. .. .	....
6	1	One month rigorous imprisonment ..	....
7	1	Do.	....
8	1	Do.	....
9	1	Two months rigorous imprisonment ..	....
10	1	One month rigorous imprisonment ..	....
11	1	Do.	....
12	1	Do.	....
13	1	Do.	....
14	1	Do.	....
15	1	Do.	....
16	1	Do.	....
17	1	Do.	....
18	1	Do.	....
19	1	Fined Rs. 50 .. .. .	....

14th December 1938]

S rial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)
INDIANS—cont.			
Hosur Circle—cont.			
1937—cont.			
20	1	One month rigorous imprisonment ..	....
21	1	Do.	....
22	1	Do.	....
23	1	Fifteen days rigorous imprisonment ..	....
24	1	Acquitted .. .. .	....
25	1	One month rigorous imprisonment ..	....
26	1	Acquitted .. .. .	....
27	1	Do.	....
28	1	Two months rigorous imprisonment ..	....
29	1	One and a half months rigorous imprisonment.	....
30	1	Two months rigorous imprisonment ..	....
31	1	Do.	....
32	1	One month rigorous imprisonment ..	....
33	1	Two months rigorous imprisonment ..	....
34	1	Fined Rs. 100 .. .. .	....
35	1	Fined Rs. 75 .. .. .	....
36	1	Do.	....
37	1	Fined Rs. 200 .. .. .	....
38	1	Fined Rs. 100 .. .. .	....
39	1	One month rigorous imprisonment ..	....
40	1	Acquitted .. .. .	....
41	1	Two months rigorous imprisonment ..	....
42	1	Do.	....
43	1	Three months rigorous imprisonment.	....
44	1	Six months rigorous imprisonment ..	....
45	1	Four months rigorous imprisonment ..	....
46	1	Six months rigorous imprisonment ..	....
47	3	Two months rigorous imprisonment each.	....
48	1	Two months rigorous imprisonment ..	....
49	1	One month rigorous imprisonment ..	....
50	1	Acquitted .. .. .	....
51	1	Fined Rs. 100 .. .. .	....
52	2	One month rigorous imprisonment each.	....
53	1	Two months rigorous imprisonment ..	....
54	1	Fined Rs. 100	Acquitted on appeal.
55	2	One month rigorous imprisonment each.	....
56	1	Six months rigorous imprisonment ..	....
57	1	One month rigorous imprisonment ..	....
58	1	Fined Rs. 100 .. .. .	....
59	1	Six weeks rigorous imprisonment ..	....
1938—			
60	1	Acquitted	Confirmed on appeal.
61	1	Two months rigorous imprisonment ..	Reduced to Rs. 100.
62	1	Fined Rs. 200 .. .. .	....
63	1	Two months rigorous imprisonment ..	....
64	1	Acquitted .. .. .	....
65	1	Do.	....
66	1	Two months rigorous imprisonment ..	Confirmed on appeal.
67	1	Do.	....
68	1	Do.	....
69	1	Three months rigorous imprisonment ..	....

APPENDIX

[14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)

INDIANS—cont.

Hosur Circle—cont.

1938—cont.

70	1	Fined Rs. 30 .. .. .	....
71	1	Two months rigorous imprisonment ..	....
72	1	Do. ....	....
73	1	Do. ....	....
74	1	One month rigorous imprisonment ..	....
75	1	One and a half months rigorous imprisonment ..	....
76	1	Do. ....	....
77	1	Two months rigorous imprisonment ..	....
78	1	One and a half months rigorous imprisonment ..	....
79	1	Two months rigorous imprisonment ..	Confirmed.
80	1	Do. ....	....
81	1	Do. ....	....
82	1	Three months rigorous imprisonment ..	....
83	1	Two months rigorous imprisonment ..	....
84	1	Do. ....	....
85	1	Do. ....	....
86	1	Fined Rs. 75 .. .. .	....
87	1	Fined Rs. 200 .. .. .	....
88	1	Two months rigorous imprisonment ..	....
89	1	Do. ....	....
90	1	Do. ....	....
91	1	Fined Rs. 100 .. .. .	....
92	1	Two months rigorous imprisonment ..	....
93	1	Do. ....	....
94	1	Do. ....	....
95	1	Do. ....	....
96	1	Do. ....	....
97	1	Do. ....	....
98	1	Do. ....	....
99	1	Do. ....	....
100	1	Four months rigorous imprisonment ..	....
101	1	Fined Rs. 200 .. .. .	....
102	1	Four months rigorous imprisonment ..	....
103	1	Two months rigorous imprisonment ..	....
104	1	Six months rigorous imprisonment ..	....
105	1	One and a half months rigorous imprisonment ..	....
106	1	Two months rigorous imprisonment ..	....
107	1	One month rigorous imprisonment ..	....
108	1	Two months rigorous imprisonment ..	....
109	1	Do. ....	....
110	1	Three months rigorous imprisonment ..	....
111	1	Fined Rs. 100 .. .. .	....
112	1	Do. ....	....
113	1	Four months rigorous imprisonment ..	....
114	1	Fined Rs. 75 .. .. .	....
115	1	One and a half months rigorous imprisonment ..	....
116	1	Six months rigorous imprisonment ..	....

APPENDIX

281

14th December 1938]

Serial number.	Number of persons charged.	Nature of sentence passed by the trying magistrate.	Sentence awarded by the appellate court, if any.
(1)	(2)	(3)	(4)

INDIANS—cont.

Hosur Circle—cont.

1938—cont.

117	1	Two months rigorous imprisonment ..	....
118	1	Do. ....	....
119	1	Do. ....	....
120	1	Do. ....	....
121	1	Do. ....	....
122	1	Do. ....	....
123	1	Do. ....	....
124	1	One and a half months rigorous imprisonment ..	....
125	1	Do. ....	....
126	1	Fined Rs. 30 .. .. .	....
127	1	Fined Rs. 50 .. .. .	....
128	1	Two months rigorous imprisonment ..	....
129	1	Four months rigorous imprisonment ..	....
130	1	Two months rigorous imprisonment ..	....
131	1	Fined Rs. 45 .. .. .	....
132	1	Two months rigorous imprisonment ..	....
133	1	Do. ....	....
134	1	Do. ....	....
135	1	Three months rigorous imprisonment ..	....
136	1	Four months rigorous imprisonment ..	....
137	1	Fined Rs. 60	Acquitted appeal.
138	1	....	o.i
139	1	Four months rigorous imprisonment ..	....
140	1	Six months rigorous imprisonment ..	....
141	1	Fined Rs. 100 .. .. .	....
142	1	Two months rigorous imprisonment ..	....
143	1	Six weeks rigorous imprisonment ..	....
144	1	Do. ....	....
145	1	Two months rigorous imprisonment ..	....
146	1	Six months rigorous imprisonment ..	....
147	2	Two months rigorous imprisonment .. and fined Rs. 50 .. .. .	....

EUROPEANS.

Omalur Circle.

1937—

1

1

Fined Rs. 500

* Reduced by the Government to Rs. 50

[14th December 1938]

APPENDIX V.

[Vide answer to starred question No. 109 asked by Sri Rao Bahadur M. Ramakrishna Reddi on behalf of Sri B. Narayanaswami Nayudu at the meeting of the Legislative Council held on the 14th December 1938, page 200 supra.]

I

Inspector's order—R.O.C. No. 2304/38-C-3, dated 4th April 1938.

[Removal of President—Kapileswarapuram Panchayat Board—Gannavaram taluk—Kistna district—Notice to show cause against—Issued.]

The following defects in the administration of the Kapileswarapuram Panchayat Board by its President M.R.Ry. Tatineni Venkatakrishnayya Garu are brought to the notice of the Inspector:—

- (1) Articles worth Rs. 744-8-9 for providing 36 lights in the village were purchased by the board on 12th October 1936 and were handed over to the present President by the ex-President on 18th May 1937. The President did not utilize the articles and allowed them to go to waste to a large extent.
 - (2) He did not send notices of the meetings held on 5th June 1937, 13th July 1937 and 2nd August 1937 to four members of the opposition, and disqualified them from membership for not attending the said meetings.
 - (3) He has not convened a meeting of the board since 23rd November 1937 even when requested by the members.
 - (4) Grass sales were held by him on 27th July 1937 resulting in a bid of Rs. 283. He has not imposed any conditions on the lessees for the payment of the lease amount, nor has he obtained agreements from them. He has still to collect a balance of Rs. 182 of the lease amount, and has not taken any action in the matter.
 - (5) He deliberately prevented the member selected by the board from attending the Provincial Conference of Panchayats at Madras by not intimating to him the date of the Conference till after the Conference was over.
 - (6) He has not taken any steps to undertake works of public utility though the board which gets an annual income of Rs. 1,500 has at its credit Rs. 4,700.
2. The Inspector considers that the above defects show that the President of the board has abused his powers and wilfully omitted to perform the duties imposed on him by law. He therefore proposes to remove the President from office under section 43 (1) of the Madras Local Boards Act, 1920.

[14th December 1938]

3. M.R.Ry. Tatineni Venkatakrishnayya Garu, the President of the Kapileswarapuram Panchayat Board, is hereby called upon to show cause, if any, within fifteen days from the date of receipt of this notice, why he should not be removed. If no reply is received within the prescribed time, further action will be taken on the presumption that he has no cause to show.

II

G.O. Ms. No. 1839, L.A., dated 19th May 1938.

It is brought to the notice of the Government that the administration of the Kapileswarapuram Panchayat Board is at a standstill consequent on the refusal of the majority members of the board to co-operate with the President. Meetings convened by the President are either not attended by the members or adjourned for want of quorum or for other reasons. The budget estimate for 1937-38 has not yet been passed though the year has ended. No works of public utility were undertaken by the board though it gets an annual income of Rs. 1,500 and has at its credit a sum of Rs. 4,700.

2. The Government are of opinion that the Kapileswarapuram Panchayat Board as at present constituted is not competent to perform the duties imposed on it by law, and they accordingly propose to dissolve and reconstitute the panchayat board under section 45 (1) of the Madras Local Boards Act, 1920.

3. Under sub-section (1) (a) of section 45 of the Act, the Kapileswarapuram Panchayat Board and the Bezwada District Board are hereby called upon to show cause, if any, within fifteen days from the date of this order, why the Kapileswarapuram Panchayat Board should not be dissolved and reconstituted as proposed. If no replies are received within the prescribed period, further action will be taken on the presumption that they have no cause to show.

4. Explanation should be submitted through the Inspector of Municipal Councils and Local Boards.

(By order of His Excellency the Governor)

L. J. MacIVER,
Secretary to Government.

III

Petition to the Secretary to the Government of Madras, Local Administration Department, Fort St. George, Madras.

The representation of the five duly elected members of the Panchayat Board, Kapileswarapuram, Kistna district, respectfully sheweth as follows.

1. Rumours are afloat that a notice for supersession under section 45-A (1) of the Madras Local Boards Act, 1920, was issued

[14th December 1938]

to the President, Panchayat Board, Kapileswarapuram, on or about the 4th September 1938. In this connexion we bring to your notice that we heard a fortnight back that notices for the removal of the President for his several acts of omission and commission and for the dissolution and the reconstitution of the said board were issued to the President and the panchayat board, respectively, about four or five months back.

2. We have been duly elected of the panchayat board on 20th November 1936. On 18th May 1937 the present President of the panchayat board was elected. Ever since 18th May 1937 till 2nd August 1937 we learnt that three meetings were held on 5th June 1937, 13th July 1937 and 2nd August 1937. None of us except one Tatineni Ramayya Garu (Vice-President) received any notice for any one of these meetings. We were not given an opportunity to take the oath of allegiance and take part in the deliberations of the meetings. The President wilfully and deliberately and with a mala fide intention of disqualifying us from membership of the board purposely refrained from sending us any notice of the abovesaid meetings. Realizing the danger that is ahead of us through a notice issued by the President on 2nd August 1937 to all of us except the Vice-President (wherein it is mentioned that our memberships have ceased for failure of attending the required number of meetings), we replied in writing on 9th August 1937 that we had no knowledge at all of the meetings and our membership could not be put an end to so abruptly and so unjustly. In this connexion we beg to submit that we sent reports even prior to 9th August 1937 to the District Panchayat Officer, Bezwada, and to the Inspector of Local Boards and Municipal Councils, Madras, that the President had not been sending notices of the meetings.

3. The District Panchayat Officer, Bezwada, having learnt the truth addressed the President, Panchayat Board, by a letter, dated 24th November 1937, to call for a meeting of the board through registered notices. Having realized that he could not but call for a meeting in view of the letter of the District Panchayat Officer, Bezwada, the President called for a meeting on 30th October 1937 and after the oath of allegiance was taken by four of us and after transacting a little business the meeting came to an end. Another meeting was held on the same day for passing the budget for 1937-38 the President being afraid that all his proposals might not be carried out in toto abruptly adjourned the meeting without assigning any reasons. On 23rd November 1937 another meeting was held wherein most of us raised the objection that we were not furnished the copies of the budget and that we had no occasion to study the budget and requested him to call for a meeting as early as possible to discuss the budget sending us the copies of the budget. Since then till now the President has not called for a meeting deliberately with the sole purpose of prejudicing

14th December 1938]

the entire board in the eyes of the higher authorities, in spite of the fact that we have always been ready to pass the budget. These facts clearly and unmistakably prove that the President alone is responsible for all these illegalities and that we were not given opportunities to carry on the administration for the betterment of the village.

4. Another significant factor is that, owing to the laches and wilful neglect of the duties imposed by law on the President we sent a requisition in proper form on 29th April 1938 to call for a meeting. In spite of the fact of having received our requisition on the same day, the President did not call for any meeting. Then on 26th May 1938 we issued notices to other members of the panchayat board requesting them to be present for the meeting to be held on 31st May 1938. As the President closed the office on 31st May 1938 we held the meeting on the pials of the office building and passed certain resolutions.

5. The villagers also having learnt several malpractices practised by the President sent petitions to the District Panchayat Officer, Bezwada, and the Inspector of Local Boards and Municipal Councils, Madras, for investigation of the charges levelled against the President. When the District Panchayat Officer came for enquiry it was conclusively proved that—

- (a) the President was not sending notices for the meetings to the members who are opposed to him,
- (b) that he was not calling for the meetings at all,
- (c) that grass sales were held on 27th July 1937 without imposing any conditions on the bidders, that he has not credited to the panchayat funds the amounts collected from the bidders, that he has misappropriated the said amounts,
- (d) that he has wilfully prevented a member of the panchayat board to attend the Provincial Conference at Madras in spite of the resolution of the board and in spite of the notice of the meeting of the said conference was served long prior to the date of the conference,
- (e) that he allowed to waste the lights and other accessories belonging to the board and worth about nearly Rs. 800.

We hear that the District Panchayat Officer after thorough and impartial enquiry sent a report to Government and that in pursuance of the same, the Inspector of Local Boards and Municipal Councils asked the President why he should not be removed from the office of Presidentship.

6. We are unaware of the fact whether the President sent an explanation for the said notice. The details of the explanation, if any, could be quite contrary through the facts on the records of the board. We can even to-day successfully prove to the hilt that the President, and the President alone is solely responsible for this state of affairs. The President has absolutely no majority

[14th December 1938]

in the Board. We respectfully submit that we have been in the majority from a very long time. Realizing that his illegal and unauthorized acts of commission and omission would be discussed and exposed and with a view to prepare the ground for supersession the President has been playing all these tricks all along to the detriment of proper working of the board.

7. When the notice for removal of the President was pending we learn that a notice for dissolution and reconstitution of the board was issued. It is but natural and proper that the President should at once call for a meeting and lay the notice on the table. The President with the said purpose of getting the board dissolved or superseded did not call for the meeting. If the President had given us an opportunity to meet and discuss the said notice we would have conclusively shown that there is no ground at all for dissolution and reconstitution of the said board. When we are thus left in the lurch and when we were not given information of the dissolution notice it is but strange and surprising how a notice of supersession could be issued. In the month of May 1938, notice was given for dissolution and reconstitution of the board by the Government. It is passing understanding on what grounds notice of dissolution was issued especially when the President has not called for the meeting and given us an opportunity to discuss the said notice.

8. We beg to submit that we never refused to co-operate with the President. On the other hand we were not wilfully given opportunities at all to co-operate with the President. The facts narrated in the previous paragraphs are clear proof of the same. Though we have been willing and anxious to pass the budget for the year 1937-38, the President has wilfully refrained from calling the meetings. When the President was thus behaving and was thus depriving us of the opportunities to carry on the administration it has not been possible to undertake the works of public utility.

9. From the above facts, it is clear that the President has no majority and with the said purpose of getting the board dissolved or superseded the President has been endeavouring his best in all ways to make it appear that we are not co-operating with him. The facts are just the contrary. Simply because of the faults and mistakes committed by the President it cannot be said by any stretch of imagination that the entire board is not competent to perform the duties imposed on it by law. We are in a majority. If the President is removed as per your original notice which is really just and in accordance with law and fresh elections held for the Presidentship the administration would go on smoothly as it had been going on since the very constitution of the board.

In conclusion we beg to submit that Kapileswarapuram, a village teeming with 5,000 population with a lower secondary school and other schools and probably being the biggest village in the entire

14th December 1938]

taluk, should not be treated in this manner. The case is really for the removal of the President and not for the supersession of the board. We therefore submit that the President may be removed from office and fresh elections may be held for the office of the President without superseding the panchayat board.

Copy submitted to the Inspector of Municipal Councils and Local Boards.

IV

Proceedings of the Bezwada District Board passed at the ordinary meeting held in the District Board office building at Bezwada on Friday, the 12th August 1938, at 9 a.m.

Read G.O. Ms. No. 1839, dated 19th May 1938, calling upon the Kapileswarapuram Panchayat Board and the Bezwada District Board to show cause why the Kapileswarapuram Panchayat Board should not be dissolved and reconstituted.

District Board Resolution No. 306, dated 12th August 1938.—
May be dissolved and reconstituted.

V. R. A. RAO,
President, District Board, Bezwada.

V

Proceedings of the District Board, Bezwada, passed at the meeting held in the District Board office building at Bezwada on Monday, the 8th October 1938 at 3 p.m.

Read D.B.R. No. 306, dated 12th August 1938, resolving that the Panchayat Board, Kapileswarapuram, may be dissolved and reconstituted as called upon by the Government in their Order Ms. No. 1839, dated 19th May 1938.

Also the Government's Order Ms. No. 3420, dated 1st September 1938, directing to show cause as to why the said panchayat board should not be superseded and requesting to submit the replies through the Inspector of Municipal Councils and Local Boards.

District Board Resolution No. 531, dated 8th October 1938.—
It is very regrettable that Government should issue three different notices on three different occasions, one for the removal of the President, the second for dissolution and reconstitution and the third for supersession. From the above, the Board is of opinion that supersession is not in the interests of the local self-governing

[14th December 1938]

institutions, and is a negation to all principles of democracy for which the Government stands and protests against supersession.

Proposed by M.R.Ry. A. Gopalakrishnayya Garu, seconded by M.R.Ry. Ch. Parthasarathi Garu alias Muppalla Babu Garu.

Opposed by M.R.Ry. T. Venkateswara Rao Garu, seconded by M.R.Ry. V. Kurmayya Garu.

For 11. Against 4.

Srimati Sri Rajeswaramma Garu—neutral.

V. R. A. RAO,
President, District Board, Bezwada.

APPENDIX VI.

[Vide answer to starred question No. 115 asked by Sri Rao Bahadur M. Ramakrishna Reddi at the meeting of the Legislative Council held on the 14th December 1938. page 204 supra.]

Statement No. I.

Serial number and name of college.	Number of students who applied for admission during 1938-39.						Number of students admitted during 1938-39.					
	Brahmans.	Non-Brahmans.	Christians.	Muhammadians.	Backward and Scheduled Classes.	Others.	Brahmans.	Non-Brahmans.	Christians.	Muhammadians.	Backward and Scheduled Classes.	Others.
1 Government Arts College, Rajahmundry ..	162	10	1	5	46	..	224	111	6	1	5	42
2 Ceded Districts College, Anantapur ..	94	6	4	19	105	..	228	60	4	2	17	83
3 Presidency College, Madras ..	400	253	81	40	..	..	783	195	162	29	27	..
4 Government College, Kumbakonam ..	75	13	5	1	10	..	110	74	13	5	1	15
5 Government Victoria College, Palghat ..	71	76	3	6	..	..	156	68	69	3	5	..
6 Government College, Coimbatore ..	54	75	17	5	..	..	151	45	66	14	5	..
7 Government Brennen College, Tellicherry ..	8	52	4	13	1	..	78	8	50	4	10	1
8 Government College, Mangalore ..	45	19	9	5	9	1	88	45	19	9	5	9
9 Law College, Madras ..	..	..	..	..	..	..	431	190	149	25	17	..
10 Government Training College, Rajahmundry.	213	53	19	8	8	1	297	73	24	9	3	1
11 Teachers' College, Saldapet ..	184	80	37	19	4	3	327	97	53	30	15	3
12 College of Engineering, Guindy ..	319	161	34	10	..	3	527	89	70	15	4	..

* This figure represents the number of candidates who registered their applications. But the number that actually turned up for admission was only 381 and all of them were admitted. Separate figures regarding number of applicants from various communities are not available as no such details are furnished with the application.

[14th December 1938]

Statement No. II.

Serial number and name of college.	Number of applications received during 1937-38.						Number of students admitted during 1937-38.					
	Brahmans.	Non-Brahmans.	Christians.	Muhammadians.	Backward and Scheduled Classes.	Others.	Brahmans.	Non-Brahmans.	Christians.	Muhammadians.	Backward and Scheduled Classes.	Others.
1 Government Arts College, Rajahmundry ..	123	13	1	11	40	..	193	114	13	1	11	36
2 Ceded Districts College, Anantapur ..	93	6	..	9	76	..	188	81	6	3	8	68
3 Presidency College, Madras ..	408	236	57	31	..	..	732	181	137	38	19	..
4 Government College, Kumbakonam ..	71	18	1	1	10	..	101	67	18	1	1	10
5 Government Victoria College, Palghat ..	64	80	1	3	1	..	149	57	76	1	2	1
6 Government College, Coimbatore ..	72	52	13	5	2	..	144	66	49	12	4	2
7 Government Brennen College, Tellicherry ..	7	5	3	48	2	..	65	7	44	3	8	2
8 Government College, Mangalore ..	38	23	6	1	17	1	91	38	28	6	1	17
9 Law College, Madras ..	..	..	..	..	..	..	583	245	33	23	..	1
10 Government Training College, Rajahmundry.	225	40	23	3	4	2	297	76	21	6	1	3
11 Teachers' College, Saldapet ..	202	89	65	17	7	6	386	86	53	33	13	7
12 College of Engineering, Guindy ..	280	139	27	16	5	2	469	74	72	16	7	4

* This figure represents the number of candidates who registered their applications. But the number actually turned up for admission was only 527 and all of them were admitted. Separate figures regarding number of applicants from various communities are not available as no such details are furnished with the application.

APPENDIX VII.

[Vide answer to starred question No. 128 asked by Sri R. Narayanaswami Nayudu at the meeting of the Legislative Council held on the 14th December 1938, page 214 supra.]

Statement I.

The balances at the credit of the Minor Ports Fund were as follows:—

				LAKHS,
				RS.
Closing balance for 1937-38	..	..	..	59.35
Do. 1936-37	..	..	..	58.04
Do. 1935-36	..	..	..	54.91
Do. 1934-35	..	..	..	50.73
Do. 1933-34	..	..	..	46.19
Do. 1932-33	..	..	..	40.68
Do. 1931-32	..	..	..	37.38
Do. 1930-31	..	..	..	33.07
Do. 1929-30	..	..	..	33.15
Do. 1928-29	..	..	..	27.6

Statement of minor ports which applied for funds during the three years ending with 1937-38 and during 1938-39 the amount applied for, granted or refused and the nature of works for which the amounts were applied for.

Year.	Malpe.		Hangarkatta.		Mangalore.		Adirampatnam.		Cuddalore.		Masulipatam.		Calicut.		Cocanada.	
	Loans.	Free grants.	Loans.	Free grants.	Loans.	Free grants.	Loans.	Free grants.	Loans.	Free grants.	Loans.	Free grants.	Loans.	Free grants.	Loans.	Free grants.
1935-36		RS. .. ..	.. ..	RS. .. ..	.. ..	RS. .. ..	.. ..	RS. .. ..	.. ..	RS. .. ..	.. ..	RS. .. ..	.. ..	RS. .. ..	.. ..	RS.
1936-37				(1) 30,000 (free of interest). (j)	(2) 1,67,750 (j)	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
1937-38																
1938-39		(5) 17,000 (a)	.. ..	(6) 18,200 (d)	(7) 1,00,000 (b)	.. ..	.. ..	(8) 17,500 (c)	.. ..	(11) 2,50,000 (g)	.. ..	(9) 1,31,500 (f)	.. ..	(10) 3,00,000 (e)	.. ..	(12) 1,80,000 (k)
																(13) 1,00,000 (t)

(k) For all ports Rs. 4 lakhs.

Remarks.

(k) Under consideration—cont.

(3) Purchase of a suction dredger.

(4) Purchase of a dragline excavator.

(5) Dredging the channel leading to wharf No. 4 with a revetment on the eastern side.

(6) Extension of wharf wall and reclaiming land for it.

(7) Reconstruction and realignment of north wharf wall and reclaiming it, Rs. 25,000 and for extending the south wharf wall and reclaiming area for wharf, Rs. 75,000.

(8) Extension of Port road.

(9) Construction of a dry dock.

(10) Construction of additional pier.

(11) Construction of concrete training wall and groynes.

(12) Construction of a new dry dock.

(13) Extension of North and South Groyne.

(14) Sea-going dredger for Minor Ports, Rs. 4 lakhs.

(a) Further report called for or under consideration of Government.

(b) Do.

(c) Do.

(d) Do.

(e) Do.

(f) Do.

(g) Do.

(h) Do.

(i) Do.

(j) Already granted.

(k) Under consideration.

(l) Construction of a dry dock at Mangalore.

(m) For purchase of a suction dredger, construction of a dry dock and Capital dredging scheme.

[14th December 1938]

14th December 1938]

Statement III.

Serial number and name of petitioner.	Substance of petitions.	Remarks.
1 Citizens of Chirala and Municipal Council, Chirala, district.	Opening of Vadarevu for foreign trade.	Report called for from the Presidency Port Officer.
2 Citizens of Nizampatam.	Re-opening of port—Extension of road from Nidubrolu to Chandole wharf to Nizampatam lock and port, construction of a bridge over Nizampatam canal, or extension of road to Intur from Nidubrolu—metalling of roads from Repalle to Nizampatam and construction of two bridges and salt production.	Under consideration.
3 Merchants, shipping and labour contractors, Masulipatam.	Dredgers for dredging the bar urged, improvements to the wharves required—Employment of Marine police requested—drainage should be improved—Dredging of a canal from Kistna canal to creek for a distance of four miles, establishment of a signalling station to establish contact with vessels, powerful lighthouse, cutting a channel from the creek, west of Gilikaladindi to the lighthouse and laying a broad gauge line, along with metre gauge, from the Bezpada Railway station.	In G.O. Ms. No. 1845, P.W. (Marine), dated 25th August 1938, the employment of Marine Police has been sanctioned from the date when the revised Landing and Shipping fees come into force, while an estimate amounting to Rs. 30,000 for constructing a wharf wall has been sanctioned in G.O. No. 1713, P.W. (Marine), dated 10th August 1938. The question of purchasing a dredger and establishment of a signal station are under consideration. Other improvements are engaging the attention of Presidency Port Officer. The laying of a broad gauge line is not practicable as it is a matter for the Central Government.
4 Boatmen, Cuddalore ..	Reduction of ground rent exemption from boat licence, dredging bar prevention of erosion, etc.	Reports called for from concerned Heads of departments.
5 Point Callimere Syndicate.	Throwing open the port of Point Callimere for foreign trade and travel.	The Central Government have already been addressed on the subject and their reply is awaited.
6 Residents of Kasaragod taluk.	Improvements to ports of Kasaragod, Kumbha and Mangeshwar and to roads and bridges.	Under consideration.
7 Malpe Centre Congress Committee.	Development of Malpe harbour and extension of Tekkatte-Manur canal.	Do.
8 Public of Udupi and Municipal Council of Udupi.	Improvement of Malpe port construction of bridges and making the Agumbe-Someswar-Udupi road a trunk road.	Do.
9 Merchants of Gangolli (Coondapoor).	Improvements to Gangolli (Coondapoor).	The Presidency Port Officer has taken action and submitted an estimate. Further report has been called for.
10 Public of South Kanara and merchants and residents of South Kanara.	Improvements to ports, roads, bridge works, inland navigation and development of electricity.	Under consideration.
11 Coondapoor Congress Committee.	Improvements to Gangolli, road culverts, opening of a canal between Tekkatte and Manur, co-ordination of Public Works and Local Fund departments and entrusting of estimates below Rs. 2,000 to the Heads of departments concerned.	Do.
12 Hon. Secretary, Kanara, Passengers and Goods Traffic Association.	Improvements to ports and roads dredging of rivers, purchase of a seagoing dredger, construction of docks, provision of launches, landing stage, etc.	Do.
13 Hon. Secretary, South Kanara Unification League.	Improvements to Mangalore and Malpe.	Under consideration. (The Presidency Port Officer has already submitted certain estimates.)

14th December 1938

Serial number and name of petitioner.	Substance of petitions.	Remarks.
14 Other petitions in connexion with the Minor Ports Fund Bill from the various Landing and Shipping Committees and Port Conservancy boards and private parties.	Improvements to ports in general.	Under consideration. (The Presidency Port Officer has already formulated a scheme.)
15 Boatmen of Baruva, Kothuru and Vadapalem.	Protesting against the closure of Baruva.	No such proposal is under the consideration of Government. Petitioners already informed of it in another connexion.
16 Merchants of Baruva ..	Do.	Do.
17 Assistant Secretary, Madras Legislature, Congress Party.	Opening of Nizampatnam port ..	Presidency Port Officer's report already called for in another connexion.
18 Sri Muthu Mudaliyar, Tamil Nadu Congress Working Committee.	Port of Cuddalore Godown accommodation.	Under consideration.

APPENDIX VIII.

[Vide answer to starred question No. 131 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on 14th December 1938, page 216 supra.]

Memorandum No. 31730-1-D-2, P.H., dated 30th September 1938.

[Medical institutions—Rural (subsidized)—Appointment of honorary men.]

Presidents of District Boards are requested to furnish information on the following points:—

- (1) The number of rural medical practitioners in the district, and .
- (2) the number of such practitioners who are willing to continue to serve in rural dispensaries under each of the following conditions:—
 - (a) payment of subsidy at 50 per cent of the existing rate;
 - (b) without payment of any subsidy but with supply of medicines of the value of Rs. 360 a year for each dispensary; and
 - (c) without payment of subsidy or supply of medicines but with the services of a midwife paid for by the Government or the local body concerned.

Presidents of District Boards are requested to consult the rural medical practitioners on these points and furnish Government with their views in the matter.

C. H. MASTERMAN,
Secretary to Government.

14th December 1938]

APPENDIX IX.

[Vide answer to unstarred question No. 26 asked by Sri B. Narayanaswami Nayudu at the meeting of the Legislative Council held on the 14th December 1938, page 218 supra.]

Statement showing the area under different varieties of tobacco in 1937-38.

Districts.	Area under tobacco.			Total.
	Nicotiana Rustica.	Country or Desi type.	Virginia.	
	ACS.	ACS.	ACS.	ACS.
Vizagapatam ..	..	31,549	..	31,549
East Godavari ..	..	19,204	105	19,309
West Godavari ..	..	8,190	600	8,790
Kistna ..	1,488	6,502	5,649	13,639
Guntur ..	128	67,264	81,437	148,829
Kurnool ..	..	6,598	..	6,598
Bellary ..	..	1,906	..	1,906
Anantapur ..	..	1,855	..	1,855
Cuddapah ..	..	1,828	..	1,828
Nellore ..	..	3,715	..	3,715
Chingleput ..	..	14	..	14
South Arcot ..	..	1,741	..	1,741
Chittoor ..	..	367	..	367
North Arcot ..	..	2,112	..	2,112
Salem ..	..	5,984	..	5,984
Coimbatore ..	3,311	21,922	925	26,158
Trichinopoly ..	..	4,073	..	4,073
Tanjore ..	69	1,407	..	1,476
Madura ..	1,106	7,778	..	8,884
Ramnad ..	..	2,281	..	2,281
Tinnevely ..	..	1,211	..	1,211
Malabar ..	..	71	..	71
South Kanara ..	..	1,815	..	1,815
The Nilgiris ..	..	27	..	27

[14th December 1938]

APPENDIX X.

[Vide answer to unstarred question No. 27 asked by Sri B. Narayanaswami Nayudu at the meeting of the Legislative Council held on the 14th December 1938, page 220 supra.]

I

TEMPLES FOR WHICH EXECUTIVE OFFICERS HAVE BEEN APPOINTED.

Names of the officers now holding office and their pay.

Serial number and name of district.	Names of temples, village and taluk.	Name of the executive officer.	Pay.
1 Vizagapatam ..	Jagannadhaswami temple, Kolluru, Ichapur (Sompeta) taluk.	Bhudavajhula Krishnamurti. Do.	RS. 25 (Scale 20—1—30).
2 Do. ..	Gopinatha Math, Mandala, Sompeta taluk.	Do.	10
3 Do. ..	Jagannathaswami and Gopalswami temples, Tekkali, Tekkali taluk.	Brajasundar Das Samant.	(Scale 10—1—12). Honorarium of Rs. 60 per annum.
4 Do. ..	Venkateswaraswami temple, Byragipeta, Chicacole taluk.	Tayi Narasimha Rao.	30
5 Do. ..	Jagannathaswami temple, Palkonda village, Palkonda taluk.	K. Gajapathi Rao Patnaik.	40 (Scale 30—3/2—45—2/2—55).
6 Do. ..	Kodandaramaswami temple, Sompeta, Ichapur taluk.	E. Ramachandra Rao.	25 (Scale 25—1—30).
7 East Godavari ..	Kesavaswami temple, Muktheswaram, hamlet of Inavalli, Amalapur taluk.	Y. Venkata Rao ..	15
8 Do. ..	Kesavaswami, Inavalli, Amalapur taluk.	Do. ..	5
9 Do. ..	Vigneswaraswami temple, Inavalli.	Do. ..	10
10 West Godavari.	Ksheeraramalingeswaraswami temple, Palacole, Narasapur taluk.	N. Rudrayya ..	40 (Scale 40—5/2—60).
11 Do. ..	Madanagopalaswami temple, Ballipadu, Tanuku taluk.	P. Rangayya Nayudu.	30 (Scale 30—2—40).
12 Kistna ..	Sitaramaswami temple, Buttayyapet, Bandar.	A. Chalapati Rao ..	22 (Scale 20—1—25).
13 Do. ..	Ranganayakaswami temple, Robertsonpet, Bandar.	Vemuri Durgaprasad Rao.	30
14 Do. ..	Visweswaraswami temple, Peda Avutapalli, Gannavaram taluk.	G. V. Subba Rao ..	20
15 Do. ..	Sobanachala and Mallikarjunaswami temples, Agiripalle, Nuzvid taluk.	Suri Ramajogi Sastri.	40
16 Do. ..	Sitharamaswami temple, Gandrayi, Nandigama taluk.	Thota Ganga Rao ..	20
17 Do. ..	Venkatachala, Venugopala and Umamaheswara temples of Kankatava, Bandar taluk.	Kolapalli Sitapathi.	20
18 Guntur ..	Balakoteswaraswami temple, Aravapalli village, Repalle taluk.	M. V. Krishnayya. ..	25
19 Do. ..	Lakshminarasimhaswami temple, Kethavaram, Agraharam, Sattenapalli taluk.	N. Subbayya ..	25 (Scale 25—1—35).
20 Bellary ..	Vadakaraya and Ranganathaswami temples, Hospet, Hospet taluk.	B. Babiah ..	15
21 Chittoor ..	Subrahmanya-swami temple at Tiruttani and nine other temples under the Zamindar of Karvetnagar.	T. L. Narayanaswami Nayudu.	80 per mensem.
22 Nellore ..	Talpagiri Ranganathaswami temple, Ranganayakulupet, Nellore town.	C. Koteswara Rao ..	50
23 Chingleput ..	Vedapuriswaraswami temple, Tirukkalkundram.	V. Sadanandam ..	35
24 Do. ..	Vijja Varadarajaperumal temple, Balarayanpet.	O. P. Rajagopalachari.	25
25 Do. ..	Tirukameswarar temple, Madavilagam.	Vacant ..	..
26 Do. ..	Masilmaneswarar temple, Tirumullavayal.	C. S. Sivasankara Mudaliyar.	20
27 Do. ..	Sundareswarar temple, Kovur ..	S. K. Srinivasa Ayyangar.	50
28 Do. ..	Vaikuntaperumal temple, Maduramangalam.	Adikesavalu ..	25

14th December 1938]

Serial number and name of district.	Names of temples, village and taluk.	Name of the executive officer.	Pay.
29 Chingleput ..	Sundararajaperumal and Dadiswarar temples, Tirumanam.	K. S. Rajagopalan ..	45
30 North Arcot ..	Lakshminarasimhaswami devasthanam, Sholinghur, Wallajah taluk.	W. C. Manickaswami Mudaliyar.	50
31 South Arcot ..	Vriddagiriswarar temple, Vriddhachalam.	Balasubrahmanyam ..	50
32 Do. ..	Pattumariamman temple, Kurinjipadi, Cuddalore taluk.	P. Subbaraya Pillai ..	40
33 Do. ..	Thillaijamman temple, Chidambaram.	S. Venkatachalam ..	25
34 Do. ..	Thillaiagovindarajaswami temple, Chidambaram.	S. Natarajan ..	20
35 Do. ..	Ranganathaswami temple, Tiruvarangam, Kallakurichi taluk.	Balasubrahmanyam ..	20
36 Tanjore ..	Santhanaramaswami, etc., temples, Nidamangalam, Mannargudi taluk.	B. Natesa Ayyar ..	100 per mensem.
37 Do. ..	Rajagopalaswami temple, Mannargudi, Mannargudi taluk.	T. V. Panchapagesa Ayyar.	75 per mensem.
38 Do. ..	Karpaganathaswami temple, Karpaganatharkulam, Tiruturaiundi taluk.	C. Theagaraja Mudaliyar.	100
39 Do. ..	Arunachaleswarar, etc., temples at Kulayur and Theagarajaswami temple at Tiruvaimur, Negapatam taluk.	S. Periaswami ..	54
40 Do. ..	Theagarajaswami temple, Tiruvavur, Negapatam taluk.	V. P. Narayanan Nambiyar.	250 per mensem.
41 Trichinopoly ..	Ranganathaswami devasthanam, Srirangam.	S. Rajagopal Nayudu.	100
42 Do. ..	Uthamar temple, Bikkshandar Kovil village, Laigudi taluk.	Srinivasan ..	40
43 Do. ..	Kalyanapasupathiswarar, etc., temples, Karur.	Vasudevan Pillai ..	40
44 Do. ..	Kumaravadiswami temples, Manapparai, Kullittalai taluk.	Mutiumalli Reddi ..	50
45 Madura ..	Madura, etc., devasthanams, Madura.	R. S. Nayudu ..	400 per mensem.
46 Do. ..	Kudalalagar devasthanam, Madura.	Siddayya Mudaliyar ..	30
47 Ramnad ..	Vaidyanathaswami devasthanam, Madhavamangalam, Srivilliputtur taluk.	P. Subrahmanyam ..	55
48 Do. ..	Sivan temple, Kalluppatti, Tirupattur taluk.	R. S. Krishnaswami ..	50
49 Coimbatore ..	Kuppidu Vinayar temple, Aruppupalaiyam, Coimbatore taluk.	S. Srinivasa Mudaliyar.	25
50 Do. ..	Natturayaswami temple, Mettupalaiyam, Dharepuram taluk.	V. Tiruvengada Mudaliyar.	60
51 Do. ..	Kalyana Varadarajaswami and Thandiswaraswami temples, Sankramanallur, Udamalpet taluk.	K. V. Balasubrahmanyam.	40
52 Tinnevely ..	Tirumalai Kumarar temple, Panpoli, Tenkasi taluk.	S. Ramalinga Nayudu.	75
53 Malabar ..	Karumanasseri Krishnaswami, Kizhakkancherry village, Palghat taluk.	K. Kochunnu Nayar.	15
54 Do. ..	Parakkat Bhagavathi Kavasseri, Palghat taluk.	K. Padmanabhan Nayar.	25
55 Do. ..	Keralapuram Viswanathaswami, Koduvayur village, Palghat taluk.	T. Gopalan Nayar ..	15
56 Do. ..	Kizhakketharam Bhagavathi, Kuthanur, Palghat taluk.	A. Ravunni Nayar ..	25
57 Do. ..	Tiruvallathur, etc., temples under Naduvil Math, Kuthanur, Palghat taluk.	K. V. Madhavan Nayar.	100
58 Do. ..	Tirunelli, etc., temples, Peringode, Palghat taluk.	Audi Achari ..	30
59 Do. ..	Vettakorumakan, Ayuwir, Ponnani taluk.	V. Damodaran Menon.	15
60 Do. ..	Pookattiyur, etc., temples, Edayur, Ponnani taluk.	Oherianujan Raja ..	20
61 Do. ..	Mukuthala Bhavavathi, Pallikara, Ponnani taluk.	K. B. Yegneswara Ayyar.	20
62 Do. ..	Trikanamukku, Vallathur, Ponnani taluk.	O. Madhavan Nayar ..	18
63 Do. ..	Natalath, Alamallur, Walluvanad taluk.	P. Balakrishna Menon.	8

[14th December 1938]

Serial number and name of district.	Names of temples, village and taluk.	Name of the executive officer.	Pay.
64 Malabar	Ayyappan, Cherplachery, Walluvanad taluk.	V. U. Govindan Nayar.	50
65 Do.	Vallamkunnur Bhagavathi, Kadambazhiprom village, Walluvanad taluk.	E. P. Appuguptan ..	18
66 Do.	Erkkateri, Karkitankunnu village, Walluvanad taluk.	P. Appunni Nayar ..	15
67 Do.	Tirumullapally temple, Karalamanna village, Walluvanad taluk.	K. Achuthan Nayar.	40
68 Do.	Mahadevamangalam, Mundamuka village, Walluvanad taluk.	P. Kunhikuttapoduval.	18
69 Do.	Chethalur, Chethalur village, Walluvanad taluk.	C. Ravunni Menon ..	20
70 Do.	Panan Kurissi Bhagavathi, Chethalur village, Walluvanad taluk.	A. Narayana Nayar ..	15 paras of paddy.
71 Do.	Alayakat temple, Perintalmanna village, Walluvanad taluk.	A. Krishnan Nayar ..	Do.
72 Do.	Kilikurissi Mangalam, Lakkitti village, Walluvanad taluk.	T. Bhavadasan Nambudiri.	80
73 Do.	Chengankottukavu, Pattambipalliprom village, Walluvanad taluk.	K. V. Sekharan Nambiyar.	15
74 Do.	Eravinangalam temple, Eravinangalam village, Walluvanad taluk.	C. Raman Nayar ..	20
75 Do.	Thrikalayur temple, Kizhuparamba village, Ernad taluk.	P. Sivarama Menon.	50
76 Do.	Pottat temple, Melmurri village, Ernad taluk.	M. N. Nambiyar ..	25
77 Do.	Tirunelli temple, Tirunelli village, Ernad taluk.	P. Vasudeva Menon.	50
78 Do.	Kannancherry Ganapathi, Panniyakkara village, Calicut taluk.	P. Sreedharan ..	15
79 Do.	Edakkayiltheru Ganapathi, Cheruvannur village, Kurumbranad taluk.	C. H. Kuntappa Kurup.	20
80 Do.	Vaprathi Kazhakavu temple, Manyur village, Kurumbranad taluk.	K. Chandu ..	15
81 Do.	Kuttioti, Purameri village, Kurumbranad taluk.	M. Govinda Marar ..	6
82 Do.	Lakshminarasimhaswami temple, Tellicherry, Kottayam taluk.	V. Mukunda Nayak.	15
83 Do.	Sreeramaswami, Tellicherry, Kottayam taluk.	Krishna Marar ..	30
84 Do.	Kankole Siva, Kankole, Kottayam taluk.	K. A. Subrahmanya Ayyar.	25
85 Do.	Chalat, Puzhathy, Kottayam taluk.	M. K. Sridharan Nambiyar.	1,000 seers of paddy a year.
86 Do.	Theru Ganapathi, Azhikoda, Kottayam taluk.	K. N. Kunchiraman Nayar.	860 seers of paddy a year.
87 South Kanara	Vishnumurti temple, Kasaragod taluk.	K. A. Subrahmanya Ayyar.	25
88 Do.	Ananthanadmanabha Perdoor, Udupi taluk.	P. N. Madhava Rao, M.A., B.L.	90

II

TEMPLES STILL ADMINISTERED BY THE CIVIL COURTS ACTING UNDER COURT SCHEME.

Serial number and name of district.	Taluk.	Village.	Temple.
1 Vizagapatam.	Sarvasiddhi	Pulaparthi	Sri Venugopalswami temple.
2 Do.	Vizianagaram	Jinnam	Sri Venkateswaramwami and Sri Jagannathaswami temples.
3 East Godavari.	Razole	Munganda Agraharam.	Sri Malleswaramwami temple.
4 Do.	Do.	Modikurru	Sri Madanagopalswami temple.
5 Do.	Ramachandrapur	Kutukuluru	Sri Kottawaramwami temple.
6 Do.	Do.	Ramavaram	Sri Ramalingeswaramwami temple.
7 Do.	Cocanada	Chollangi	Sri Anjaneyaswami temple.
8 Do.	Ramachandrapur	Bleccavolu	Sri Gollingeswaramwami and Lakshminarasimhaswami temples.
9 Do.	Rajahmundry	Korukonda	Sri Lakshminarasimhaswami temple.

14th December 1938]

Serial number and name of district.	Taluk.	Village.	Temple.
10 Gannavaram.	Cocanada	Penugudur	Sri Venugopalswami temple.
11 Do.	Ramachandrapur	Vedurumudi	Sri Gopalaswami temple.
12 Do.	Razole	Vellocheru	Sri Seetharamaswami temple.
13 Do.	Do.	Kadali	Sri Kapoteswaramwami temple.
14 Do.	Cocanada	Injaram	Sri Kuppeswaramwami temple.
15 West Godavari.	Bhimavaram	Bondada	Sri Bhogeswaramwami temple.
16 Do.	Do.	Do.	Sri Janardhanaswami temple.
17 Do.	Do.	Bhimavaram	Sri Bhimeswaramwami temple.
18 Do.	Do.	Gunepudi	Sri Someswaramwami temple and Sri Janardhanaswami temple.
19 Do.	Do.	Kondapadu	Sri Lakshminarasimhaswami temple.
20 Do.	Do.	Do.	Sri Meridi Mahalakshamma temple.
21 Do.	Do.	Koppole	Sri Ramalingeswaramwami temple.
22 Do.	Do.	Rayakuduru	Sri Muleswaramwami temple.
23 Do.	Do.	Veeravasaram	Sri Veereswaramwami, Sri Visweswara and Subrahmanyeswaramwami temples.
24 Do.	Do.	Do.	Sri Venugopalswami and Sri Sitaramaswami temples.
25 Do.	Ellore	Punukollu	Sri Sitaramaswami temple.
26 Do.	Do.	Dwaraka malai.	Sri Venkateswaramwami temple.
27 Do.	Narasapur	Achanta	Sri Rameswaramwami temple and Sri Madanagopalswami temple.
28 Do.	Do.	Daggaluru	Sri Nilakanteswaramwami temple.
29 Do.	Do.	Digamarru	Sri Venugopalswami temple and Sri Someswaramwami temple.
30 Do.	Do.	Kaza	Sri Gopalaswami temple.
31 Do.	Do.	Do.	Sri Narendraswami temple.
32 Do.	Do.	Mogalturu	Sri Jagannathaswami temple.
33 Do.	Do.	Narasapur	Sri Madanagopalswami temple.
34 Do.	Do.	Do.	Sri Emburamannaswami temple and Sri Adikesavaswami temple.
35 Do.	Do.	Penumarru	Sri Vydanathaswami temple.
36 Do.	Do.	Penumanchilli	Sri Someswaramwami temple.
37 Do.	Do.	Ravipadu	Sri Gowthameswaramwami temple.
38 Do.	Do.	Vedangi	Sri Ramalingeswaramwami temple.
39 Do.	Kovvur	Kukunur Agraharam.	Sri Umamaheswaramwami temple.
40 Do.	Tanuku	Kothalapattu	Sri Kesavaswami, etc., temples.
41 Do.	Do.	Rameswaram	Sri Rameswaram temple.
42 Do.	Do.	Tamarada	Sri Sangameswaramwami and Madanagopalswami temples.
43 Do.	Do.	Mallipuri	Sri Madanagopalswami temple.
44 Kistna	Bezavada	Bezavada	Sri Durgamalleswaramwami temple.
45 Do.	Do.	Gudivada	Sri Gowthameswaramwami temple.
46 Do.	Do.	Do.	Sri Kesavaswami temple.
47 Do.	Do.	Angalur	Sri Sitharama and Amareswaramwami temples.
48 Do.	Do.	Nemmaluru	Sri Nageswaramwami temple.
49 Do.	Bandar	Godugupeta	Sri Venugopalswami temple.
50 Do.	Do.	Kara Agraharam	Sri Someswaramwami temple.
51 Do.	Gannavaram	Gurajada	Sri Ramalingeswaramwami temple.
52 Do.	Gudivada	Guraja	Sri Venugopalswami temple.
53 Do.	Do.	Gudivada	Sri Veeranjaneyswami temple.
54 Do.	Do.	Moturu	Sri Nageswaramwami temple.
55 Do.	Divi	Pedamuktevi	Sri Lakshminarasimhaswami temple.
56 Do.	Kalkalur	Mandavilli	Sri Malleswaramwami temple.
57 Do.	Gannavaram	Indupalli	Sri Kesava and Anjaneyaswami temples.
58 Do.	Do.	Gurajada	Sri Kodandaramaswami temple.
59 Do.	Kalkalur	Kalidindi	Sri Venkateswaramwami temple.
60 Do.	Gudivada	Vinnakota	Sri Janardanaswami temple.
61 Do.	Do.	Venkatapragada	Sri Nageswaramwami temple.
62 Do.	Bandar	Bachupeta	Sri Venkateswaramwami temple.
63 Do.	Gannavaram	Sayapuram	Sri Lakshminarasimhaswami temple.

[14th December 1938]

Serial number and name of district.	Taluk.	Village.	Temple.
64 Kistna ..	Gannavaram ..	Katur ..	Sri Bhimalingoswaraswami temple.
65 Do. ..	Bandar ..	Godugupet ..	Sri Venkateswaraswami temple.
66 Do. ..	Do. ..	Robertsonpet ..	Sri Ramalingoswaraswami temple.
67 Do. ..	Do. ..	Kojilipeta ..	Sri Nageswaraswami temple.
68 Do. ..	Kaikalur ..	Vadali ..	Sri Jagannadhaswami temple.
69 Do. ..	Nuzvid ..	Gollapalli ..	Sri Ranganathaswami temple.
70 Do. ..	Bandar ..	Godugupeta ..	Sri Venugopaswami temple.
71 Guntur ..	Guntur ..	Mangalagiri ..	Sri Lakshminarasimhaswami temple.
72 Do. ..	Do. ..	Ankiredipalem ..	Sri Puttalamma alias Ghantamma temple.
73 Do. ..	Narasaraopet ..	Konidena ..	Sri Sankaraswami temple.
74 Do. ..	Do. ..	Do. ..	Sri Chennakesavaswami temple.
75 Do. ..	Guntur ..	Anamalapudi Agraharam.	Sri Malleswaraswami temple.
76 Do. ..	Do. ..	Yamaru ..	Do.
77 Do. ..	Do. ..	Kortepadu ..	Sri Anjaneyaswami temple.
78 Kurnool ..	Nandikotkur ..	Sreesailam ..	Sri Mallikarjunaswami temple.
79 Nellore ..	Kovvur ..	Utukur village ..	Sri Nagaswaraswami and Sri Kamakshi Amman temples.
80 Chingleput ..	....	Sriperumbudur ..	Sri Adikesava Perumal and Sri Bastiyakaswami temples.
81 Do. ..	....	Conjeeveram ..	Sri Devarajar temple.
82 Do. ..	....	Do. ..	Sri Ekambareswarar temple.
83 Do. ..	....	Melur ..	Sri Manageswarar temple.
84 Do. ..	....	Tirunerikarai ..	Sri Satyanatheswarar temple.
85 Do. ..	....	Kavanur ..	Sri Ramanatheswarar temple.
86 Do. ..	....	Sirukalathur ..	Sri Amaravatheswarar temple.
87 Do. ..	....	Tirumushi ..	Sri Tirumushi Alwar temple.
88 Do. ..	....	Tinnaneri ..	Sri Bakthavatsala Perumal temple.
89 Do. ..	....	Padiri ..	Sri Varadaraja Perumal temple.
90 Do. ..	....	Conjeeveram ..	Sri Adhuta Parameswari (Kali- amman) temple.
91 Do. ..	....	Singaperumalkoll. ..	Sri Pataladi Narasimhaswami temple.
92 Do. ..	....	Tirukuchur ..	Sri Marundeswarar and Sri Thilagajayaswami temples.
93 Do. ..	....	Tiruvallur ..	Sri Veeraraghavar temple.
94 Do. ..	....	Tirumarakadu ..	Sri Sattanadeswarar temple.
95 Do. ..	....	Kaladipet ..	Sri Kalyanavaradarajaswami temple.
96 Do. ..	....	Seethaljin ..	Sri Kalceswarar temple.
97 Do. ..	....	Konnur ..	Sri Sowmya Damodara Perumal temple.
98 Do. ..	....	Angambakkam ..	Sri Ambalavanceswarar temple.
99 Do. ..	....	Perungoli ..	Sri Kumareswarar temple.
100 Do. ..	....	Saidapet ..	Sri Karneswarar temple.
101 Do. ..	....	Arni ..	Sri Sampangi Pichaleswarar temple.
102 Do. ..	....	Tiruvottiyur ..	Sri Thilagajayaswami temple.
103 Do. ..	....	Kolpathagai ..	Sri Sundareswarar and Sri Val- kundeswarar temples.
104 Do. ..	....	Tiruvadanthai ..	Sri Nithyakalyanaswami temple.
105 Do. ..	....	Tiruvanniyur ..	Sri Marudeneswarar temple.
106 Do. ..	....	Natham ..	Sri Tiruvadeswarar temple.
107 North Arcot ..	Arkonam ..	Avalur ..	Sri Sundararajaperumal temple.
108 Do. ..	Do. ..	Kalathur ..	Sri Thatheswarar temple.
109 Do. ..	Gudiyattam ..	Thuthipet ..	Sri Bindumathaswami temple.
110 Do. ..	Do. ..	Kamparajapuram ..	Sri Egavallamman temple.
111 Do. ..	Tiruvannamalai ..	Tiruvannamalai ..	Sri Arunachaleswarar devas- thanam.
112 Do. ..	Wallajah ..	Tirupparkadal ..	Sri Prasannavenkatesaperumal temple.
113 Do. ..	Do. ..	Wallajah ..	Sri Kannikaperameswari temple.
114 Do. ..	Vellore ..	Vellore ..	Sri Meenakshisundareswarar temple.
115 Do. ..	Do. ..	Virinchipuram ..	Sri Margabanduswami temple.
116 South Arcot ..	Chidambaram ..	Puliyankudi ..	Sri Ayyanar and Sri Mariamman temples.
117 Do. ..	Do. ..	Reddiyur ..	Sri Viswanathaswami temple.
118 Do. ..	Do. ..	Nattamangalam ..	Sri Kailasanathaswami temple.
119 Do. ..	Villupuram ..	Vikravandi ..	Sri Agatheeswaraswami and Sri Bhumeswarar temples.
120 Do. ..	Chidambaram ..	Perianargunam ..	Sri Mariamman and Sri Kallam- man temples.
121 Do. ..	Do. ..	Chidambaram ..	Sri Selliamman temple.
122 Do. ..	Do. ..	Srimushnam ..	Sri Bhuvarehaswami temple.
123 Do. ..	Do. ..	Viracholagam ..	Sri Drowpathiamman temple.
124 Do. ..	Do. ..	Karur ..	Sri Selliamman temple.

[14th December 1938]

Serial number and name of district.	Taluk.	Village.	Temple.
125 South Arcot ..	Chidambaram ..	Muttam ..	Sri Pranavapuriswarar, etc. temples.
126 Do. ..	Do. ..	Chidambaram ..	Sri Anantheswarar temple.
127 Do. ..	Cuddalore ..	Tiruppapullyur ..	Sri Pataleswarar temple.
128 Do. ..	Do. ..	Viruvendipuram ..	Sri Devanayakaswami temple.
129 Do. ..	Do. ..	Kurinipadi ..	Sri Puthumariamman temple.
130 Do. ..	Chidambaram ..	Valayamadevi ..	Sri Vedanarayanaaperumal temple.
131 Do. ..	Cuddalore ..	Tirukkandeeswa- ram.	Sri Natanapatheswarar temple.
132 Do. ..	Do. ..	Cuddalore ..	Sri Kuttilyandavar temple.
133 Do. ..	Do. ..	Cuddalore O.T. ..	Sri Kasiviswanathaswami tem- ple.
134 Do. ..	Do. ..	Do. ..	Sri Kumaraswami temple.
135 Do. ..	Kallakurichi ..	Chittalore ..	Sri Angalamman temple.
136 Do. ..	Villupuram ..	Kumarakuppam ..	Sri Subrahmanyaaswami temple.
137 Do. ..	Do. ..	Kolayanur ..	Sri Putlayee Amman temple.
138 Tanjore ..	Kumbakonam ..	Kumbakonam ..	Sri Varadarajaswami temple.
139 Do. ..	Patukkottai ..	Sillathur ..	Sri Viswanathaswami temple.
140 Do. ..	Tanjore ..	Tanjore ..	Sri Kamakshiamman temple.
141 Do. ..	Do. ..	Puduchatram (Alamelupuram).	Sri Venugopaswami temple.
142 Do. ..	Kumbakonam ..	Tiruvidadamarudur.	Sri Mahalingaswami temple.
143 Do. ..	Do. ..	Kumbakonam ..	Sri Svetavigneswarar temple.
144 Do. ..	Papanasam ..	Thillaiyanallur attached to Alangudi.	Sri Varadarajar temple.
145 Do. ..	Kumbakonam ..	Kumbakonam ..	Sri Bhagavathi Pillaiyar temple.
146 Do. ..	Do. ..	Pandanallur ..	Sri Pasupathiswaraswami temple.
147 Do. ..	Do. ..	Bhuvanendrapuram Agraharam, Kumbakonam town.	Sri Anjaneyaswami temple.
148 Do. ..	Do. ..	Pettai Mallaiyya, Jettai street, Kumbakonam town.	Sri Krishnaswami temple.
149 Do. ..	Do. ..	Tiruvelanjuli ..	Sri Tiruvelanjuli Vathilingam Pillai's charities attached to Sveta Vigneswarar temple.
150 Do. ..	Do. ..	Do. ..	Sri Sarangapaniaswami temple.
151 Do. ..	Shiyali ..	Velur ..	Sri Valdeswarankoil temple.
152 Do. ..	Mayavaram ..	Tirukkadayur ..	Sri Amirthagadeswarar temple.
153 Do. ..	Nannilam ..	Tiruppugalore ..	Sri Agniswaraswami temple.
154 Do. ..	Do. ..	Tiruchengattan- gudi.	Sri Rudrapureswaraswami tem- ple.
155 Do. ..	Do. ..	Tirumelchiyur ..	Sri Maganathaswami temple.
156 Do. ..	Do. ..	Ramagal ..	Sri Viswanathaswami temple.
157 Do. ..	Do. ..	Tiruppayathan- kudi.	Sri Tiruppayathanathaswami temple.
158 Do. ..	Tiruthurai pundi ..	Vedaranyam ..	Sri Vedaranyeswarar temple.
159 Do. ..	Negapatam ..	Ettigudi ..	Sri Subramanyaswami temple.
160 Do. ..	Papanasam ..	Ammappet ..	Sri Karpagavinaswami temple.
161 Trichinopoly.	Perambalur ..	Aduthurai ..	Sri Aparatharakeshagar temple.
162 Do. ..	Musiri ..	Reddiapatti ..	Sri Varadarajaswami temple.
163 Do. ..	Lalgudi ..	Omandur ..	Sri Kamakshiamman temple.
164 Do. ..	Trichinopoly ..	Big Kammala Street, Trichi- nopoly town.	Sri Kalliamman temple.
165 Madura ..	Madura ..	Madura ..	Sri Kallalagar devasthanam.
166 Ramnad ..	Sivaganga ..	Alagapuri ..	Sri Vettudayar Kalliamman tem- ple.
167 Do. ..	Do. ..	Arlakudy ..	Sri Tiruvengadamudayar temple.
168 Do. ..	Do. ..	Rameswaram ..	Sri Ramanathaswami temple.
169 Tinnevely ..	Tiruchendur ..	Alwartirunagari ..	Sri Athinathalwar temple.
170 Do. ..	Do. ..	Tiruchendur ..	Sri Subramaniaswami Devastha- nam.
171 Salem ..	Salem ..	Shevapet ..	Sri Prasannavenkatachalapati and Mariamman temples.
172 Do. ..	Do. ..	Fort—Salem ..	Sri Kottai Mariamman temple.
173 Do. ..	Do. ..	Salem (Gogai) ..	Sri Ramalingachowdeswari tem- ple.
174 Do. ..	Namakkal ..	Namakkal ..	Sri Narasimha-Ranganatha- swami devasthanam.
175 Do. ..	Do. ..	Sendamangalam ..	Sri Lakshminarayanaswami temple, Sri Someswaraswami temple and Sri Nainamahi Varadarajaswami devas- thanam.

[14th December 1938]

Serial number and name of district.	Taluk.	Village.	Temple.
176 Salem ..	Namakkal ..	Pandamangalam ..	Sri Kalyanavenkataramana- swami temple.
177 Do. ..	Do. ..	Paramathy ..	Sri Kothandaramaswami temple and Sri Bhumeswaraswami temple.
178 Do. ..	Do. ..	Mohanur ..	Sri Achala Deepeswaraswami and Sri Kalyanapurna Ven- kataramanaswami temples.
179 Do. ..	Do. ..	Kargudi ..	Sri Kallasanathaswami temple.
180 Do. ..	Do. ..	Tippamahadevi ..	Sri Srinivasaperumal temple.
181 Do. ..	Do. ..	Thathayyargarpet ..	Sri Iswaram temple.
182 Do. ..	Do. ..	Kablamalai ..	Sri Subramaniaswami temple.
183 Do. ..	Harur ..	Gudalur ..	Sri Alagiri Perumal temple.
184 Do. ..	Do. ..	Hanumathirtham ..	Sri Hanumantheeswaraswami temple.
185 Do. ..	Do. ..	Uthangarai ..	Sri Lakshminarayanawami temple.
186 Do. ..	Do. ..	Do. ..	Sri Kasiviswanathaswami tem- ple.
187 Do. ..	Do. ..	Nallapuram ..	Sri Pattabhiramaswami temple.
188 Do. ..	Do. ..	Pasardi ..	Sri Venkatanarasimhaswami temple.
189 Do. ..	Do. ..	Thengaraikottai ..	Sri Kalyanaramaswami temple.
190 Do. ..	Do. ..	Do. ..	Sri Nanjundeswaraswami tem- ple.
191 Do. ..	Do. ..	Harur ..	Sri Vaneswaraswami temple.
192 Do. ..	Do. ..	Do. ..	Sri Varadarajaswami temple.
193 Do. ..	Do. ..	Kambalnallur ..	Sri Lakshminarayanawami temple.
194 Do. ..	Do. ..	Do. ..	Sri Thestinatheswaraswami tem- ple.
195 Coimbatore ..	Erode ..	Erode ..	Sri Kongalamman temple.
196 Do. ..	Coimbatore ..	Perur ..	Sri Patteswaraswami temple.
197 Malabar ..	Palghat ..	Kavasseri ..	Sri Parakkat Bhagavathi tem- ple.
198 Do. ..	Do. ..	Peringodi ..	Sri Tirunelli, etc., temples.
199 Do. ..	Do. ..	Pallavoor ..	Sri Trippallavoor temple.
200 Do. ..	Ponnani ..	Edayur ..	Sri Pookatiyur temple.
201 Do. ..	Walluvanad ..	Cherplachery ..	Sri Cherplachery temple.
202 Do. ..	Do. ..	Katambazhiprom ..	Sri Vallamkundu Baghavathi temple.
203 Do. ..	Do. ..	Karalamanna ..	Sri Thirumullapalli temple.
204 Do. ..	Do. ..	Lakkiti ..	Sri Killikurissimangalam tem- ple.
205 Do. ..	Kottayam ..	Menaprom ..	Sri Vettakorumakan temple.
206 Do. ..	Do. ..	Tellicherry ..	Sri Ramaswami temple.
207 Do. ..	Chirakkal ..	Puthathi ..	Sri Chalath temple.
208 Do. ..	Do. ..	Kottoor ..	Sri Vellora Chuzhali temple.
209 South Kanara ..	Puthur ..	Subramanya ..	Sri Kukke Subramanya temple.
210 Do. ..	Mangalore ..	Mangalore Kasba ..	Sri Venkataramana temple.
211 Do. ..	Kasaragod ..	Manjeshwar ..	Sri Sreemad Ananthaswar tem- ple.

14th December 1938]

APPENDIX XI.

[Vide answer to unstarred question No. 28 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 14th December 1938, page 220 supra.]

From the Mangalore Landing and Shipping Fund.

	RS.	A.	P.
1 Hand-dredging of sand at Jeppoo to enable clay and tile boats to go alongside wharves (1928-29)	6,995	10	0
1-A. Reclamation work of foreshore construction of South Reclamation wall	10,693	0	0
2 Construction of a coal shed for storage of coal for dredger (1929-30)	2,139	0	0
3 Purchase of a single Grab dredger in lieu of the two Grab dredgers condemned with an extra wholetime grab (1929-30 and 1931-32)	57,521	0	0
4 Hand-dredging a channel from Kudroli to north reclama- tion to enable clay and tile boats from Kudroli to go to native craft (1930-31 and 1931-32)	4,932	0	0
5 Five-ton hand-crane for lifting heavy packages (1930-31)	5,056	13	0
6 Suction cutter dredger with 24 pontoons and pipe line 600 feet and Capital dredging for 1½ years	2,47,000	0	0
7 Construction of a dry dock (Rs. 1,18,641 — Rs. 30,141).	88,500	0	0

From the Malpe Landing and Shipping Fund.

1 Removing silt from channel for boat traffic (1929-30) ..	350	0	0
2 Construction of sheet pile jetty for landing and shipping (1931-32 and 1932-33)	8,313	0	0

[14th December 1938]

Name of Municipality.	Name of Commissioner.	Caste or community.	Previous appointment.	Pay, etc., as Commissioner.		
				Pay.	Special pay.	Conveyance allowance.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Palacole ..	J. Sambayya Choudhari (on leave) Chairman, Municipal Council in charge.	N.B.	Assistant Panchayat Officer, Guntur.	135	..	15
Palamecottah ..	K. Ramalinga Mudaliyar.	N.B.	Sub-Registrar ..	135	..	15
Paighat ..	C. P. Madhava Menon.	N.B.	Upper Division Clerk, Development Secretariat.	140	35	15
Paini ..	R. Matudamuthu Mudaliyar.	N.B.	Manager, Dharapuram Municipality.	145	..	15
Periyakulam ..	R. Purushothama Sastri.	B.	Manager, Mayavaram Municipality.	125	..	(Posted). 15
Pollachi ..	K. Narayana-swami Ayyar.	B.	Manager, Udumalpet Municipality.	145	..	15
Proddatur ..	P. Pichi Reddi ..	N.B.	Special Officer, Madanapalle Panchayat Board.	120	..	15
Saidapet ..	S. R. Sellaraaj ..	I.C.	Clerk, Public Works Department.	170	42½	15
Srirangam ..	S. Kuppuswami Mudaliyar.	N.B.	Manager, Tiruppur Municipality.	145	..	15
Srivilliputtur ..	K. Rajamani ..	I.C.	Clerk, Development Department.	135	..	(Posted). 15
Tadpatri ..	Y. Guru Reddi	N.B.	District Panchayat Officer.	165	..	20
Tellicherry ..	P. A. Sankara Menon.	N.B.	Superintendent, Malabar District Board.	145	..	15
Tenali ..	I. Raja Rao Nayudu.	N.B.	Accountant, Kistna District Board.	145	..	15
Tirupati ..	S. T. Varadachari.	B.	Officiating Secretary, Cuddapah District Board.	135	..	15
Tiruppur ..	S. Sivaswami Ayyar.	B.	Clerk, Local Administration Department.	165	41½	15
Tirupattur ..	H. H. Schamnad Sahib.	M	District Panchayat Officer, Kanara.	190	..	20
Tiruvannamalai.	A. Gopalakrishna Ayyar.	B.	Head Clerk, Pollachi Municipality.	125	..	15
Tiruvarur ..	K. P. M. Telakat.	N.B.	Engineering Supervisor, Virudunagar Municipality.	135	..	15
Vaniyambadi ..	M. P. Alexander.	I.C.	Officiating Secretary, North Ramnad District Board.	125	..	15
Villupuram ..	T. E. Gomathinayagam Pillai.	N.B.	Manager, Palamecottah Municipality.	145	..	15
Virudunagar.	Syed Muhammad Sahib.	M.	Upper Division Clerk, Local Administration Department.	165	41½	20
Bimlipatam ..	Hyder Ali Khan Sahib.	M.	Sub-Registrar ..	100	..	15
Bodinayakkannur.	P. S. Venugopal Nayudu.	N.B.	Head Clerk, East Tanjore District Court.	150	37½	15
Chicacole ..	K. Subba Rao ..	B.	Manager, Ongole Municipality.	100	..	15
Chirala ..	S. Ankanna (Special officer).	N.B.	Manager, Masulipatam Municipality.	145	..	15
Peddapuram ..	A. Varadarajulu Mudaliyar.	N.B.	Sub-Registrar ..	125	..	15
Sivakasi ..	C. M. Ganesan ..	S.O.	Clerk, Home Department.	120	..	15
Udamalpet ..	M. R. Gopal Singh.	N.B.	Clerk, Development Department.	125	..	15
Udipi ..	N. Narayana Shenoy.	B.	Manager, Tellicherry Municipality.	165	..	15
Walajapet ..	S. N. P. Arumuga Kaviraj.	N.B.	Secretary, Nilgiris District Board.	145	..	15

[Vide answer to unstarred question No. 34 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 14th December 1938, page 225 supra.]

APPENDIX XIII.

Statement showing the rates of discount allowed to licensed stamp-vendors during the ten years ending 31st March 1938 for the sale of judicial and non-judicial stamps and copy stamp papers.

Description of stamps.	Rate per cent of discount allowed.			
	At places in the mufassal within 3 miles of which stamps are sold by the Government.		At other places.	
(1)	In Madras and other towns * the population of which exceeds 50,000 according to the latest Census.		At places in the mufassal within 3 miles of which stamps are sold by the Government.	
	Prior to 15th January 1937.	With effect from 15th January 1937.	Prior to 15th January 1937.	With effect from 15th January 1937.
(1)	(2)	(3)	(4)	(5)
Non-judicial stamps—	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
(a) Adhesive—				
(1) Not exceeding in value As. 8 each (other than one anna revenue labels).	3 2 0	3 2 0	4 11 0	3 2 0
(2) Exceeding As. 8 but not exceeding Rs. 5 each.	1 9 0	1 9 0	2 9 8	1 9 0
(3) Exceeding Rs. 5 but not exceeding Rs. 50 each.	1 9 0	1 9 0	1 9 0	1 9 0
(4) Exceeding Rs. 50 but not exceeding Rs. 100 each.	0 12 6	0 6 3	0 12 6	0 6 3
(b) Hundi—				
(1) Not exceeding Rs. 50 in value each.	3 2 0	3 2 0	4 11 0	4 11 0
(2) Exceeding Rs. 50 but not exceeding Rs. 100 each.	3 2 0	3 2 0	4 11 0	4 11 0
Judicial stamps—				
(1) of the value of Rs. 1 or less.	1 0 8	1 0 8	1 0 8	1 0 8
(2) of the value not exceeding Rs. 50 each.	0 12 6	0 12 6	0 12 6	0 12 6
(3) of the value exceeding Rs. 50 but not exceeding Rs. 100.	0 6 3	0 6 3	0 6 3	0 6 3
Copy stamp papers	3 2 0	3 2 0	4 11 0	3 2 0

* Prior to 1st October 1932 the rates in column (2) above applied only to stamp-vendors in the towns of Madras, Bellary, Vellore, Tanjore-Kumbakonam, Nagapattinam, Madurai, Coimbatore, Salem and Calicut. As the population of Nagapattinam town is below 50,000 according to the census of 1931 the stamp-vendors in that town are now allowed discount at the rates in column (6) above.

† Licensed stamp-vendors were permitted to sell stamps of these denominations only from 1st April 1929.

[14th December 1938]

APPENDIX XIV.

[Vide answer to unstarred question No. 35 asked by Mr. J. A. Saldhana at the meeting of the Legislative Council held on the 14th December 1938 page, 226 supra.]

Statement No. I showing the figures of Provincial Revenue for the years 1931-32 to 1937-38 for the three districts the Nilgiris, Bellary and South Kanara.

Revenue Heads.	Bellary.											
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	1931-1932.	1932-1933.	1933-1934.	1934-1935.	1935-1936.	1936-1937.	1937-1938.	1931-1932.	1932-1933.	1933-1934.	1934-1935.	
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	RS.
Land Revenue	1.87	1.98	1.58	1.64	1.65	1.64	1.79	17.47	22.47	19.05	13.21	RS.
Provincial Excise	6.08	5.72	5.21	5.19	5.31	5.48	5.16	12.16	12.92	12.74	12.17	RS.
Stamps	1.16	1.16	1.25	1.20	1.33	1.24	1.11	3.34	3.16	3.11	3.03	RS.
Forest	.01	..	..	..	..	..	..	.37	.18	.15	..	RS.
Registration	.09	.10	.09	.11	.09	.11	.12	.43	.42	.41	.49	RS.
Receipts under Motor Vehicles Acts.	..	..	..	..	..	..	2.03	..	..	..	..	RS.
Other taxes and duties	..	..	..	..	..	..	.02	..	..	..	..	RS.
Irrigation, etc. (for which capital accounts are kept).	..	..	..	..	..	..	..	..	..	..	..	RS.
Irrigation, etc. (for which no capital accounts are kept).	.02	.02	.02	.02	.03	.02	.02	..	.05	..	.01	RS.
Interest	.52	.48	.51	.41	.41	.38	.40	.48	.48	.57	.40	RS.
Administration of Justice	.12	.16	.16	.15	.10	.15	.14	.23	.26	.27	.25	RS.
Jails and Convict Settlements.	.02	.01	.01	.01	..	..	..	.06	.03	.04	.05	RS.
Police	.02	.02	.02	.02	.02	.02	.02	.02	.01	.02	.02	RS.
Education	.03	.01	.04	.02	.01	.01	.01	.02	.05	.05	.06	RS.
Medical	.19	.19	.23	.23	.21	.15	.13	.09	.07	.08	.13	RS.
Public Health	.11	.09	.10	.10	.10	.11	.13	.03	.03	.03	.05	RS.
Agriculture	..	..	..	..	..	..	.48	..	..	..	..	RS.
Veterinary	.15	.17	.28	.18	.15	.18	.02	.08	.04	.08	.12	RS.
Co-operation	..	..	..	..	..	..	.03	..	..	..	..	RS.
Industries	..	..	.06	.08	.14	.08	.07	.68	.06	.07	.09	RS.
Miscellaneous Departments	2.00	1.87	1.70	1.78	1.91	2.01	.05	.94	1.06	.75	.93	RS.
Civil Works	.25	.24	.28	.25	.24	.35	.30	.12	.12	.13	.14	RS.
Receipts in aid of superannuation.	.03	.03	.04	.04	.04	.04	.04	.04	.04	.04	.04	RS.
Stationery and Printing	.02	.04	.04	.03	.03	.03	.02	.04	.04	.03	.03	RS.
Miscellaneous	.05	.06	.05	.11	.10	.08	.09	.20	.18	.26	.20	RS.
Total ..	12.74	12.35	11.67	11.57	11.87	12.08	12.19	36.20	41.67	37.88	31.57	RS.

[14th December 1938]

Revenue heads.	South Kanara.										
	1935-1936. (13)	1936-1937. (14)	1937-1938. (15)	1931-1932. (16)	1932-1933. (17)	1933-1934. (18)	1934-1935. (19)	1935-1936. (20)	1936-1937. (21)	1937-1938. (22)	
	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	RS. LAKHS.	
Land Revenue	22.12	16.45	10.08	24.15	25.33	23.76	23.60	25.98	24.70	26.43	
Provincial Excise	12.04	12.82	13.01	10.73	10.62	11.08	11.03	10.39	10.34	10.25	
Stamps	2.83	3.06	2.81	6.96	7.22	6.87	6.68	6.16	6.00	5.56	
Forest	.15	.13	.12	—	.01	.97	.01	.90	.86	.90	
Registration	.41	.48	.49	.93	.99	.97	.98	.90	.86	.90	
Receipts under Motor Vehicles Acts.	..	..	.91	..	..	..	..	..	..	1.97	
Other taxes and duties	..	..	.03	..	..	..	..	..	..	.03	
Irrigation, etc. (for which capital accounts are kept).	..	..	..	..	..	..	..	..	..	..	
Irrigation, etc. (for which no capital accounts are kept.)	.01	..	.06	..	..	..	..	..	..	..	
Interest	.30	.36	.33	.15	.12	.09	.08	.05	.04	.08	
Administration of Justice	.23	.26	.24	.26	.35	.36	.29	.30	.43	.30	
Jails and Convict Settlements.	.04	.05	.05	.02	.01	.01	.01	.01	.01	.01	
Police	.02	.03	.02	.02	.01	.01	.02	.01	.02	.02	
Education	.05	.05	.04	.36	.30	.33	.37	.33	.30	.29	
Medical	.09	.12	.11	.03	.03	.06	.05	.05	.05	.05	
Public Health	.08	.11	.07	.02	.02	.03	.02	.03	.03	.03	
Agriculture	..	..	.06	.06	.06	.09	.11	.12	.16	..	
Veterinary	.11	.13	..	.06	.06	.09	.11	.12	.16	..	
Co-operation	.05	.11	.08	.86	.82	.87	.88	1.09	.56	.64	
Industries	..	..	.01	..	..	..	..	..	..	..	
Broadcasting	..	..	..	..	..	..	..	..	..	..	
Miscellaneous Departments	.90	1.04	.15	1.57	2.12	1.61	1.78	1.96	2.16	.21	
Civil Works	.15	.20	.18	.02	.02	.04	.04	.03	.07	.14	
Receipts in aid of superannuation.	.03	.05	.04	.02	.01	.02	.01	.02	.01	.02	
Stationery and Printing	.04	.03	.03	.04	.05	.04	.06	.04	.08	.05	
Miscellaneous	.22	.18	.21	.17	.26	1.54	1.68	.66	.84	.99	
Total	39.87	35.66	29.19	46.36	48.34	47.77	47.68	48.13	46.66	48.13	

Statement No. I showing the figures of Expenditure for the years 1931-32 to 1937-38 for the three districts the Nilgiris, Bellary and South Kanara.

Expenditure heads.	Nilgiris.						Bellary.					
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.
Land Revenue ..	..	..	..	..	..	..	..	..	..	..	..	..
Provincial Excise ..	..	..	..	..	..	..	..	..	..	..	..	..
Stamps ..	..	..	..	..	..	..	..	..	..	..	..	..
Forest ..	..	..	..	..	..	..	..	..	..	..	..	..
Registration ..	..	..	..	..	..	..	..	..	..	..	..	..
Charges of Motor Vehicles Acts.	..	..	..	..	..	..	..	..	..	..	..	..
Other taxes and duties ..	..	..	..	..	..	..	..	..	..	..	..	..
Irrigation—Other revenue expenditure—Financed from ordinary revenues.	..	..	..	..	..	..	..	..	..	..	..	..
Interest on debt and other obligations.	..	..	..	..	..	..	..	..	..	..	..	..
General Administration ..	3.49	3.31	3.45	3.46	3.46	3.65	4.60	4.14	7.93	7.73	7.90	7.98
Administration of Justice ..	.64	.50	.48	.47	.47	.47	.49	.52	1.66	1.68	1.51	1.60
Jails and Convict Settlements.	.67	.66	.70	.31	.31	.66	.07	.02	3.04	1.71	1.50	1.52
Police ..	1.75	1.80	1.88	1.85	1.85	1.89	1.85	1.91	4.79	4.57	4.37	4.43
Scientific Departments ..	.05	.06	.02	.01	.01	..	.01	.01	..	..	..	..
Education ..	2.21	2.17	2.27	2.38	2.38	2.35	2.40	2.56	4.66	4.76	4.73	4.54
Medical ..	2.18	2.24	2.18	2.22	2.22	2.24	2.21	2.21	1.07	1.11	1.15	1.15
Public Health ..	.97	.81	.64	.65	.65	.69	.63	.73	.46	.62	.46	.57
Agriculture ..	..	..	..	..	..	..	..	..	..	..	..	..
Veterinary ..	.82	.80	.84	.87	.87	.89	.91	.91	1.11	1.06	1.20	1.25
Co-operation ..	..	..	..	..	..	..	..	..	..	..	..	..
Industries ..	.28	.20	.17	.16	.16	.15	.17	.15	.59	.27	.29	.29
Miscellaneous Departments ..	.85	1.04	.97	1.03	1.03	1.17	1.26	.13	1.10	1.18	1.19	1.27
Civil Works ..	3.88	2.40	3.83	2.67	2.67	1.87	2.13	1.29	1.94	2.29	2.21	2.76
Famine ..	..	..	..	..	..	..	..	..	.59	1.68	.01	.09
Superannuation Allowances ..	1.01	1.07	.94	.92	.92	.99	1.06	.74	.77	.84	.85	.87
and Pensions.	..	..	..	..	..	..	..	..	.10	.20	.08	.03
Commutation of Pensions ..	..	.16	..	.07	.07	.24	.07	..	.01	.04	..	.02
Stationery and Printing ..	..	.05	.06	.07	.07	.06	.06	.13	.01	.04	..	.02
Miscellaneous ..	.90	1.04	.90	.89	.89	.89	.90	.89	.01	.01	.01	.01
Total ..	20.10	18.67	19.72	18.39	18.39	17.97	19.15	17.84	31.75	31.54	29.61	30.37

[14th December 1938]

14th December 1938]

Expenditure heads.	South Kanara.						South Kanara.					
	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.	RS.	LAKHS.
Land Revenue ..	..	..	..	..	..	..	..	..	..	..	..	..
Provincial Excise ..	..	..	..	..	..	..	..	..	..	..	..	..
Stamps ..	..	..	..	..	..	..	..	..	..	..	..	..
Forest ..	..	..	..	..	..	..	..	..	..	..	..	..
Registration ..	..	..	..	..	..	..	..	..	..	..	..	..
Charges of Motor Vehicles Acts.	..	..	..	..	..	..	..	..	..	..	..	..
Other taxes and duties ..	..	..	..	..	..	..	..	..	..	..	..	..
Irrigation—Other revenue expenditure—financed from ordinary revenues.	..	..	..	..	..	..	..	..	..	..	..	..
Interest on debt and other obligations.	..	..	..	..	..	..	..	..	..	..	..	..
General Administration ..	7.97	8.52	8.35	7.03	6.63	6.88	6.84	7.16	7.32	7.65	7.65	7.65
Administration of Justice ..	1.47	1.70	1.74	2.47	2.44	2.64	2.45	2.54	2.54	2.56	2.56	2.56
Jails and Convict Settlements.	1.61	1.57	1.57	.13	.14	.13	.10	.13	.13	.12	.12	.12
Police ..	4.49	4.53	4.63	2.78	2.71	2.69	2.70	2.67	2.77	2.79	2.79	2.79
Scientific Departments ..	..	..	..	..	..	..	..	..	..	..	..	..
Education ..	4.66	4.75	4.78	8.42	8.67	8.73	8.73	8.94	9.78	9.79	9.79	9.79
Medical ..	1.25	1.24	1.21	1.39	1.24	1.45	1.61	1.66	1.75	1.70	1.70	1.70
Public Health ..	.54	.66	1.40	.32	.28	.29	.30	.31	.28	.29	.29	.29
Agriculture ..	1.56	1.40	.89	.87	.76	.82	.87	.90	.96	.49	.49	.49
Veterinary ..	..	..	.28	.59	.49	.52	.53	.50	.52	.57	.57	.57
Co-operation ..	.27	.28	.35	.59	.49	.52	.93	.50	.52	.57	.57	.57
Miscellaneous Departments ..	1.18	1.07	.50	.91	.93	.93	.94	1.04	1.11	.53	.53	.53
Civil Works ..	2.75	3.32	3.19	2.54	2.12	2.22	2.51	2.61	3.04	2.75	2.75	2.75
Famine ..	.60	..	.42	..	..	..	..	..	..	..	..	..
Superannuation Allowances and Pensions.	.92	.93	.97	1.95	2.17	2.27	2.43	2.49	2.58	2.60	2.60	2.60
Commutation of Pensions ..	.03	.25	.13	.25	.22	.12	.86	.10	.32	.16	.16	.16
Stationery and Printing ..	.02	.05	.06	.01	.03	.03	.01	.04	.05	.05	.05	.05
Miscellaneous ..	..	.01	.01	.18	.18	.18	.02	.02	.01	.02	.02	.02
Total ..	31.27	32.16	33.73	32.50	31.36	34.62	35.27	34.10	35.46	35.82	35.82	35.82

APPENDIX

1139.4 12 [14th December 1938

[illegible]

The revenue represents the gross revenue realized in the Nilgiris only and does not take into a dividend.

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தவணைத்தாள்.

ப. எண் :

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S.F. 259A-6-1,00,000-30-1-84.